



Legislation Details (With Text)

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File created: 11/21/2022 **In control:** Board of Supervisors

On agenda: 4/11/2023 **Final action:** 4/11/2023

Title: Department of Transportation, Maintenance and Operations, recommending the Board adopt and authorize the Chair to sign Resolution 056-2023 sanctioning the revision to the financial assurance for the Somerset Mine:

- 1) Increase the Pledge of Revenue amount to between \$190,000 and \$250,000; and
- 2) Make the financial assurance mechanism effective for five (5) years from the signed date of this Resolution.

FUNDING: Road Fund. (Local - 100%)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved Blue Route, 2. B - Resolution, 3. Executed Resolution 056-2023

Date	Ver.	Action By	Action	Result
4/11/2023	1	Board of Supervisors	Approved	Pass

Department of Transportation, Maintenance and Operations, recommending the Board adopt and authorize the Chair to sign Resolution **056-2023** sanctioning the revision to the financial assurance for the Somerset Mine:

- 1) Increase the Pledge of Revenue amount to between \$190,000 and \$250,000; and
- 2) Make the financial assurance mechanism effective for five (5) years from the signed date of this Resolution.

FUNDING: Road Fund. (Local - 100%)

DISCUSSION / BACKGROUND

Transportation operates an open pit mine known as Somerset Mine for the purpose of mining decomposed granite which is used to control snow and ice conditions on the West Slope. The Surface Mining and Reclamation Act of 1975 and Public Resources Code Section 2710 requires the surface mining operator to provide lead agencies with financial assurance for reclamation of mined sites. With such financial assurances, the public is not held responsible for the reclamation of the site. In the event of such abandonment or financial incapability by the operator, the financial assurance funds will be used by the lead agency (State Mining and Geology Board) to reclaim both the mined lands and those surrounding affected lands.

Resolution 153-2018 was approved by the Board on July 24, 2018 and provided a pledge of revenue amounts between \$150,000 and up to \$210,000 for a period of five (5) years expiring July 23, 2023 (Item No. 16). Each year, the Department provides the State Mining and Geology Board (as lead agency) with a financial assurance cost estimate (Cost Estimate). The Cost Estimate must remain between the amounts within the financial assurance pledge of revenue. For calendar year 2020, the Cost Estimate amount is \$198,411.66. It was approved on October 14, 2021 by the State Mining and

Geology Board (SMGB). A new pledge of revenue must be approved due to the expiration date of Resolution 153-2018.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

Approve staff recommendation.

FINANCIAL IMPACT

In the event of reclamation of the Somerset Mine site, the pledge of revenue will be provided by the Road Fund. There is no Net County Cost associated with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. The Clerk will obtain the Chair's signature on the Resolution.
2. The Clerk will forward (1) copy of the Resolution to Ashley Johnson, Department of Transportation, Maintenance and Operations.

STRATEGIC PLAN COMPONENT

Public Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation