



# County of El Dorado

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## Legislation Details (With Text)

**File #:** 10-0473      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 5/3/2010      **In control:** Board of Supervisors

**On agenda:** 7/27/2010      **Final action:** 7/27/2010

**Title:** Department of Transportation recommending the Board adopt a Resolution updating the Pledge of Revenue as related to the County's ownership and operation of the Somerset Sand Mine as required by the Surface Mining and Reclamation Act of 1975 and Public Resources Code Section 2710; noting adoption of said Resolution rescinds Resolutions 243-97 and 247-98, adopted on October 8, 1997 and October 20, 1998, respectively.

**FUNDING:** Road Fund.  
Resolution 112-2010

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - 2009 SMGB Somerset Mine Report, 2. B - Resolution 243-97, 3. C - Resolution 247-98, 4. D - SMG Letter 10.12.09, 5. E - Resolution Updating Financial Assurance, 6. F - CRS, 7. Fully executed Resolution 112-2010

Date	Ver.	Action By	Action	Result
7/27/2010	1	Board of Supervisors	Adopted	Pass

Department of Transportation recommending the Board adopt a Resolution updating the Pledge of Revenue as related to the County's ownership and operation of the Somerset Sand Mine as required by the Surface Mining and Reclamation Act of 1975 and Public Resources Code Section 2710; noting adoption of said Resolution rescinds Resolutions 243-97 and 247-98, adopted on October 8, 1997 and October 20, 1998, respectively.

**FUNDING:** Road Fund.

**Resolution 112-2010**

BUDGET SUMMARY:		
Total Estimated Cost		\$ 150,000
Funding		
Budgeted	\$	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$ 150,000	
Change To Net County Cost		\$ 0.00

Fiscal Impact/Change to Net County Cost: Funding, were pledged revenue to be utilized, is provided

by the Road Fund, there is no change in Net County Cost.

Reason for Recommendation: The Somerset Sand Mine is owned and operated by the County of El Dorado. The decomposed granite from the site is used to mitigate snow and ice conditions on County roads. The Surface Mining and Reclamation Act of 1975 (SMARA) and Public Resources Code Section 2710 require that the surface mining operator provide the lead agency with financial assurance for reclamation of mined sites. Annually, this financial assurance information is updated (see Attachment A: 2009 SMARA Mine Inspection, Somerset Sand Mine report) and upon request from the lead agency, the County, acting as the operator, must submit a pledge of revenue as proof of the financial assurance in the form of a resolution.

On October 8, 1997, the Board authorized Resolution 243-97 (Attachment B), pledging gasoline tax revenue dollars in accordance with the requirements of SMARA and Public Resources Code Section 2710. On October 20, 1998, the Board authorized the addition of the "State of California" as an agency authorized to access the pledged funds; Resolution 247-98 was subsequently approved (Attachment C).

On October 8, 2009, the State Mining and Geology Board (SMGB), as the Lead Agency, approved an adjusted financial assurance cost estimate in the amount of \$125,615 regarding the Somerset Sand Mine surface mining operation. With this recently approved and adjusted financial assurance the SMGB has requested, in a letter dated October 12, 2009 (Attachment D), an updated pledge of revenue indicating this new amount. Initially, the SMGB required receipt of the updated pledge within sixty days of their request. Staff contacted the SMGB within this sixty day timeframe to clarify details and was granted an extension in time as both agencies worked together in finalizing the Resolution. Up to \$150,000 has been indicated in the Resolution should reclamation costs increase further. A new Resolution will be required if the Financial Assurance Cost Estimate exceeds \$150,000 or in the year 2015, whichever were to occur first.

Action to be taken following Board approval: Forward one original, fully executed Resolution to the Department for submittal to the State Mining and Geology Board.

Contact: James W. Ware, PE  
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Concurrences: County Counsel, Risk Management