

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 3.44
(ID # 18179)

MEETING DATE:
Tuesday, March 01, 2022

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Adopt Resolution No. 2022-054, Establishing a Pledge of Revenue for Reclamation of County Mined Lands Required by the Surface Mining Reclamation Act. FY 21-22. Districts 1, 3, 4, and 5. [\$1,346,608 Total Cost - Gas Tax 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2022-054, which amends Resolution No. 97-261 that established a Pledge of Revenue to satisfy requirements of Section 2773.1 of the Public Resources Code for Financial Assurance to Reclaim Surface Mining Operations.

ACTION:Policy


Mark Lancaster, Director of Transportation 1/26/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: March 1, 2022
xc: TLMA-Trans.

Kecia R. Harper
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1,346,608	\$ 0	\$ 1,346,608	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Gas Tax 100%. There are no general funds used for this project.			Budget Adjustment:	No
			For Fiscal Year:	21/22

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Board previously established a Pledge of Revenue as a Financial Assurance Mechanism to Reclaim Surface Mining Operations, as required by the Public Resources Code, for County-operated mining sites or borrow pits used by the Transportation Department for road construction and maintenance. The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the Financial Assurances be adjusted annually. The adjustments are to account for new lands disturbed, inflation, and for the reclamation of lands accomplished in accordance with an approved reclamation plan (Pub. Res. Code, § 2773.1(a)(3)).

The original Resolution 97-261 must be modified to adjust for the reclamation costs of the individual County sites, as contained in the Pledge of Revenue, from \$1,596,661.00 to \$1,346,607.51. The actual reclamation cost for each mining site or borrow pit is shown in Attachment A. Resolution 2022-054 supersedes any previously approved modification to Resolution No. 97-261 made by Resolution No. 98-323, Resolution No. 2003-178, Resolution No. 2006-118, Resolution 2007-388, Resolution No. 2008-196, Resolution No. 2009-184, Resolution No. 2010-157, Resolution No. 2011-163, Resolution No. 2012-142, Resolution No. 2013-070, Resolution No. 2014-110, Resolution No. 2015-114, Resolution No. 2016-108, Resolution No. 2017-142, and Resolution No. 2020-159.

Impact on Residents and Businesses

There are no impacts on Residents or Businesses.

Additional Fiscal Information

No general funds will be used on this project.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Resolution No. 2022-054
Attachment A

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA



Jason Farin, Principal Management Analyst 2/23/2022



Gregory L. Priamos, Director County Counsel 2/23/2022

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RESOLUTION NO. 2022-054
AMENDING RESOLUTION NO. 97-261
ESTABLISHING A PLEDGE OF REVENUE
FOR RECLAMATION OF COUNTY MINED LANDS

WHEREAS, the Board of Supervisors on November 4, 1997 adopted Resolution No. 97-261, which established a pledge of revenue for reclaiming County mined lands; and

WHEREAS, the pledge of revenue established by Resolution No. 97-261, was increased by Resolution No. 98-323 on November 11, 1998 for the reclamation of two additional mining sites; and

WHEREAS, the pledge of revenue established by Resolution No. 97-261 was increased by Resolution No. 2003-178 on April 29, 2003 for the reclamation of two additional mining sites, and for the removal of two former mining sites; and

WHEREAS, the pledge of revenue established by Resolution No. 97-261 was increased by Resolution No. 2006-118 on August 15, 2006 for the reclamation of the expansion of one current mining site; and

WHEREAS, the pledge of revenue established by Resolution No. 97-261 was increased by Resolution No. 2007-388 on September 4, 2007 to reflect adjustments to account for new lands disturbed, inflation and for reclamation of lands accomplished in accordance with the approved reclamation plan; and

FORM APPROVED COUNTY COUNSEL
BY: *Stephanie K. Nelson* 2/1/22
STEPHANIE K. NELSON DATE

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2 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
3 increased by Resolution No. 2008-196 on June 3, 2008 to reflect adjustments to
4 account for new lands disturbed, inflation and for reclamation of lands accomplished in
5 accordance with the approved reclamation plan; and

6 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
7 increased by Resolution No. 2009-184 on June 23, 2009 to reflect adjustments to
8 account for new lands disturbed, inflation and for reclamation of lands accomplished in
9 accordance with the approved reclamation plan; and

10 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
11 increased by Resolution No. 2010-157 on June 8, 2010 to reflect adjustments to
12 account for new lands disturbed, inflation and for reclamation of lands accomplished in
13 accordance with the approved reclamation plan; and

14 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
15 increased by Resolution No. 2011-163 on June 28, 2011 to reflect adjustments to
16 account for new lands disturbed, inflation and for reclamation of lands accomplished in
17 accordance with the approved reclamation plan; and

18 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
19 increased by Resolution No. 2012-142 on June 26, 2012 to reflect adjustments to
20 account for new lands disturbed, inflation and for reclamation of lands accomplished in
21 accordance with the approved reclamation plan; and

22 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
23 increased by Resolution No. 2013-070 on April 9, 2013 to reflect adjustments to
24 account for new lands disturbed, inflation and for reclamation of lands accomplished in
25 accordance with the approved reclamation plan; and

1 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
2 increased by Resolution No. 2014-110 on June 17, 2014 to reflect adjustments to
3 account for new lands disturbed, inflation and for reclamation of lands accomplished in
4 accordance with the approved reclamation plan; and

5
6 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
7 increased by Resolution No. 2015-114 on June 2, 2015 to reflect adjustments to
8 account for new lands disturbed, inflation and for reclamation of lands accomplished in
9 accordance with the approved reclamation plan; and

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11 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
12 increased by Resolution No. 2016-108 on May 3, 2016 to reflect adjustments to
13 account for new lands disturbed, inflation and for reclamation of lands accomplished in
14 accordance with the approved reclamation plan; and

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16 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
17 increased by Resolution No. 2017-142 on July 25, 2017 to reflect adjustments to
18 account for new lands disturbed, inflation and for reclamation of lands accomplished in
19 accordance with the approved reclamation plan; and

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21 **WHEREAS**, the pledge of revenue established by Resolution No. 97-261 was
22 increased by Resolution No. 2020-159 on June 30, 2020 to reflect adjustments to
23 account for new lands disturbed, inflation and for reclamation of lands accomplished in
24 accordance with the approved reclamation plan; and

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WHEREAS, the pledge of revenue needs to be modified to reflect annual adjustments to account for new lands disturbed, inflation and for reclamation of lands accomplished in accordance with the approved reclamation plan.

NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on March 1, 2022, that:

1. Section 1 of Resolution No. 97-261 is hereby amended to read:
Road Fund revenue, located in an account known as Transportation Department Fund 20000, Department ID 3130100000 in the amount of \$1,346,607.51 is hereby pledged to reclaim each mine site identified in Attachment A, dated February 02, 2022, which is incorporated herein by this reference.

2. Attachment A to Resolution No 97-261 is hereby replaced by said Attachment A, dated February 02, 2022, which is attached and incorporated herein by this reference.

2 **RESOLUTION 2022-054**

3 **AMENDING RESOLUTION NO. 97-261 ESTABLISHING A PLEDGE OF REVENUE**
4 **FOR RECLAMATION OF COUNTY MINED LANDS**

5 ADOPTED by Riverside County Board of Supervisors on March 1, 2022.

6 ROLL CALL:

7 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
8 Nays: None
9 Absent: None

10 The foregoing is certified to be a true copy of a resolution duly adopted by said Board o
Supervisors on the date therein set forth.

11 KECIA R. HARPER, Clerk of said Board

12 By:  Deputy
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Attachment A

County Mining Sites Transportation Department February 2, 2022

Name:	California Mine I.D. Number:	Reclamation Cost Estimate
Bradshaw Pit	91-33-0046	\$90,382.47
Brookside Materials Pit	91-33-0094	\$0.00
Bundy Canyon Pit	91-33-0049	\$218,955.16
East Benton Pit	91-33-0052	\$110,013.98
Juniper Flats Pit	91-33-0053	\$230,482.77
Little Lake Pit	91-33-0055	\$0.00
Markham Pit	91-33-0054	\$165,929.18
Midland Pit	91-33-0051	\$216,624.63
Mountain View Pit	91-33-0048	\$77,757.06
Terwilliger Pit	91-33-0047	\$0.00
Thermal Pit	91-33-0090	\$236,462.26
	TOTAL:	\$1,346,607.51