

ORDINANCE NO. 96-871

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING CHAPTER 5 OF TITLE 9 OF THE PLUMAS COUNTY CODE. (SURFACE MINING & RECLAMATION)

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

Section 1. Chapter 5 of Title 9 of the Plumas County Code is hereby amended to read as follows:

Chapter 5. Permit to Mine & Reclamation

Section 9-5.01. Purpose and Intent.

The purpose and intent of this Chapter is to ensure the continued availability of important mineral resources, while regulating surface mining operations as required by California's Surface Mining and Reclamation Act of 1975 (Public Resources Code Sections 2710 et seq.), as amended, hereinafter referred to as "SMARA", Public Resources Code (PRC) Section 2207 (relating to annual reporting requirements), and State Mining and Geology Board regulations (hereinafter referred to as "State regulations") for surface mining and reclamation practice (California Code of Regulations [CCR], Title 14, Division 2, Chapter 8, Subchapter 1, Sections 3500 et seq.), to ensure that:

(a) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.

(b) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment as set forth in the County General Plan.

(c) Residual hazards to the public health and safety are eliminated.

Section 9-5.02. Definitions.

Borrow Pits shall mean excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.

Exploration or Prospecting shall mean the search for minerals by geological, geophysical, geochemical, or other techniques, including, but not limited to, sampling assaying, drilling, or any surface or underground work needed to determine the type, extent, or quantity of the minerals present.

Haul Road shall mean a road along which material is transported from the area of excavation to the processing plant or stock pile area of the surface mining operation.

*Plumas County -
Updates Ordinance 96-871*

ORDINANCE NO. 97-889

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING CHAPTER 5 OF TITLE 9 OF THE PLUMAS COUNTY CODE. (SURFACE MINING & RECLAMATION)

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

Section 1. The following Sections of Chapter 5 of Title 9 of the Plumas County Code are hereby amended to read as follows:

Additions are in bold and underlined, deletions are in bold and strikethrough.

Chapter 5. Permit to Mine & Reclamation

Section 9-5.03. Incorporation by Reference.

The provisions of SMARA (PRC §2710 et seq.), PRC Section 2207, and State regulations CCR §3500 et seq., as those provisions and regulations may be amended from time to time, shall govern matters as set forth therein. ~~excepting that this chapter shall prevail.~~

Section 9-5.06. Process.

(b) *Processing Time.* The Planning Director shall determine if an application is incomplete within thirty (30) days after receipt of the application.

If an application is determined to be ~~complete~~ **incomplete**, the applicant shall make the application complete within one year from the date on which the application was determined to not be complete, or the application shall be considered withdrawn.

Upon completion of the appropriate environmental review, an application shall be scheduled for the next regularly scheduled **public** hearing for which an application can be scheduled while meeting all requirements of this notice.

Section 9-5.13 Inspections.

The Planning Department shall arrange for inspection of a surface mining operation within six months of receipt of the Annual Report required in Section 12, to determine whether the surface mining operation is in compliance with the approved mining Permit and/or Reclamation Plan, approved financial assurances, and State regulations. In no event shall fewer than one inspection be conducted in any calendar year.

Effective 11/13/97

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The Planning Department shall notify the State Department of Conservation within thirty (30) days of completion of the inspection that said inspection has been conducted, and shall forward a copy of said inspection notice, a copy of the inspection report, and any supporting documentation to the mining operator and the State Department of Conservation. The operator shall be solely responsible for the reasonable cost of such inspection.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors in the County of Plumas, State of California, at a regular meeting of said Board held on the 7th day of October, 1997 by the following vote: 14

AYES: Supervisors: Dennison, Clark, Meacher and Bresciani
NOES: Supervisors: None
ABSENT: Supervisors: Roudebush

Phillip A. Bresciani
Chairman, Board of Supervisors

Attest:
Nancy R. Osborne
County Clerk and ex-officio Clerk
of said Board of Supervisors

Publish: All papers