

**Mono County
Community Development Department**

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

Planning Division

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

**RECLAMATION PLAN
APPLICATION**

APPLICATION # _____	FEE \$ _____
DATE RECEIVED _____	RECEIVED BY _____
RECEIPT # _____	CHECK # _____ (NO CASH)

APPLICANT/AGENT _____

ADDRESS _____ CITY/STATE/ZIP _____

TELEPHONE (_____) _____ E-MAIL _____

OWNER, if other than applicant _____

ADDRESS _____ CITY/STATE/ZIP _____

TELEPHONE (_____) _____ E-MAIL _____

PROPERTY DESCRIPTION:

Assessor's Parcel # _____ General Plan Designation _____

PROPOSED END LAND USE: Applicant should summarize and attach draft Reclamation Plan.
NOTE: An incomplete or inadequate project description may delay project processing.

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: **Q** legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land), **Q** corporate officer(s) empowered to sign for the corporation, or **Q** owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

Signature

Signature

Date

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RECLAMATION PLAN CHECKLIST

Lack of the following information may delay the processing of a Reclamation Plan Application. Draft Reclamation Plans should be included at the time of application submittal.

RECLAMATION PLANS SHALL INCLUDE:

- q Completed application and checklist.
- q Deposit for project processing: See Development Fee Schedule.
- q Environmental Review (CEQA): See Development Fee Schedule for Negative Declaration and Environmental Impact Report (EIR) (for initial study only).
- q Draft Reclamation Plan and electronic copy in Microsoft Word.
- q Financial assurance estimate by a qualified professional.
- q Adequate site plan for the mining and reclamation phase of project.

RECLAMATION PLAN REQUIREMENTS:

The Surface Mining and Reclamation Act of 1975 (SMARA) and Mono County General Plan Chapter 35, Reclamation, provide standards and procedures for reclamation of resource development activities in Mono County. All Reclamation Plans submitted shall conform to applicable verifiable standards.

List the page numbers from the draft Reclamation Plan where the following General Plan Chapter 35, "Processing Reclamation Plans," standards have been addressed.

page #	Wildlife Habitat (Chapter 35.050 F) Wildlife and wildlife habitat shall be protected in accordance with the following standards:
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Rare, threatened or endangered species or species of special concern, as defined by the California Department of Fish and Game, U.S. Forest Service, Bureau of Land Management, or the U.S. Fish and Wildlife Service, and their respective habitat shall be conserved as prescribed by the federal Endangered Species Act of 1973, 16 U.S.C. section 1531, and the California Endangered Species Act, Fish and Game Code section 1900, et seq. If avoidance cannot be achieved through the available alternatives, mitigation shall be proposed in accordance with the rules and regulations of the California Department of Fish and Game, U.S. Forest Service, Bureau of Land Management, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and other applicable agencies.

Wildlife habitat shall be established on disturbed lands in a condition similar to or better than that, which existed before the lands were disturbed, unless the proposed end use precludes its use as wildlife habitat or the approved reclamation plan establishes a different habitat type than that which existed prior to disturbance.

Wetland habitat shall be avoided. Any wetland habitat impacted as a consequence of resource development activities shall be mitigated at a minimum of a one-to-one ratio for wetland habitat acreage and wetland habitat value.

page #	Backfilling, Regrading, Slope Stability and Recontouring (Chapter 35.050 F) Backfilling, regrading, slope stabilization, and recontouring shall conform with the following standards
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Where backfilling is proposed for urban uses (e.g., roads, building sites, or other improvements sensitive to settlement), the fill material shall be compacted in accordance with the Uniform Building Code, the Mono County Grading Ordinance, or other methods approved by the County as appropriate for the approved end use.

Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wildland conservation), fill material shall be backfilled to the standards required for the resource conservation use involved.

Piles or dumps of waste material such as mining waste shall be stockpiled in such a manner as to facilitate phased reclamation. They shall be segregated from topsoil and topsoil substitutes or growth media salvaged for use in reclamation.

Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal:vertical), except where site-specific geologic and engineering analyses demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the approved end use, and when the proposed final slope can be successfully revegetated.

At closure, all fill slopes, including permanent piles or dumps of mine waste and overburden, shall conform to the surrounding topography and/or approved end use.

Cut slopes, including final highwalls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and that conforms to the surrounding topography and/or approved end use.

Permanent placement of piles or dumps of waste material, such as mining waste and overburden, shall not occur within wetlands unless mitigation accepted by the lead agency has been approved to offset wetland impacts and/or losses.

page #	Revegetation (Chapter 35.050 F) Revegetation shall be part of the approved plan, unless it is not consistent with the approved end use.
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A vegetative cover suitable for the approved end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed lands unless an artificially maintained landscape is consistent with the approved reclamation plan. Vegetative cover-density and species-richness shall be, where appropriate, sufficient to stabilize the surface against effects of long-term erosion and shall be similar to naturally occurring habitats in the surrounding area. The vegetative density, cover and species-richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of resource development activities.

Test plots conducted simultaneously with resource development activities shall be required to determine the most appropriate planting procedures to be followed to ensure successful implementation of the proposed revegetation plan. The County may waive the requirement to conduct test plots when the success of the proposed revegetation plan can be documented from experience with similar species and conditions or by relying on competent professional advice based on experience with the species to be planted.

Where resource development activities result in compaction of the soil, ripping, disking, or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting.

Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining roadbase materials and covered with suitable growth media or topsoil, and revegetated.

Soil analysis shall be required to determine the presence or absence of elements essential for plant growth and to determine those soluble elements that may be toxic to plants, if the soil has been chemically altered or if the growth media consists of other than the native topsoil. If soil analysis suggests that fertility levels or soil constituents are inadequate to successfully implement the revegetation program, fertilizer or other soil amendments may be incorporated into the soil. When native plant materials are used, preference shall be given to slow-release fertilizers, including mineral and organic materials that mimic natural sources, and shall be added in amounts similar to those found in reference soils under natural vegetation of the type being reclaimed.

Temporary access for exploration or other short-term uses on arid lands shall not disrupt the soil surface except where necessary to gain safe access. Barriers shall be installed when necessary to prevent unauthorized vehicular traffic from interfering with the reclamation of temporary access routes.

Indigenous plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan. Areas to be developed for industrial, commercial or residential uses shall be revegetated for the interim period, as necessary, to control erosion. In this circumstance, non-indigenous plant species may be used if they are not noxious weeds and if they are species known not to displace indigenous species in the area.

Planting shall be conducted during the most favorable period of the year for plant establishment.

Soil stabilizing practices shall be used where necessary to control erosion and for successful plant establishment. Irrigation may be used when necessary to establish vegetation.

If irrigation is used, the operator must demonstrate that the vegetation has been self-sustaining without irrigation for up to five (5) years prior to release of the financial assurances by the County, unless an artificially maintained landscape is consistent with the end use.

Weeds, as defined by the Soil Conservation Service, or the County Agricultural Commissioner, or the California Native Plant Society, shall be managed: 1) when they threaten the success of the proposed revegetation; 2) to prevent spreading to nearby areas; and 3) to eliminate fire hazard.

Protection measures, such as fencing of revegetated areas and/or the placement of cages over individual plants, shall be used in areas where grazing, trampling, herbivory, or other causes threaten the success of the proposed revegetation. Fencing shall be maintained until revegetation efforts are successfully completed and the County authorizes removal.

Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed lands to similar parameters of naturally occurring vegetation in the area. Either baseline data or data from nearby reference areas may be used as the standard for comparison. Quantitative standards for success and the location(s) of the reference area(s) shall be set forth in the approved reclamation plan. Comparisons shall be made until performance standards are met provided that, during the last two years, there has been no human intervention, including for example, irrigation, fertilization, or weeding. Standards for success shall be based on expected local recovery rates. Valid sampling techniques for measuring success shall be specified in the approved reclamation plan. Sample sizes must be sufficient to produce at least an 80 percent confidence level.

page #	Drainage, Diversion Structures, Waterways and Erosion Control (Chapter 35.050 F)
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Reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code Section 13000 et seq., and the Federal Clean Water Act, 33 U.S.C. Section 1251 et seq.

The quality of water, recharge potential, and storage capacity of groundwater aquifers shall not be diminished, except as allowed in the approved reclamation plan.

Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of an operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board, the State Water Resources Control Board, and the Mono County Grading Ordinance.

Surface runoff and drainage shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion-control measures, to ensure that surrounding land and water resources are protected from erosion, gullying, sedimentation and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20-year/one-hour intensity storm event.

Where natural drainages are covered, restricted, rerouted or otherwise impacted, mitigating alternatives shall be proposed and specifically approved in the reclamation plan to assure that runoff shall not cause increased erosion or sedimentation.

When stream diversions are required, they shall be constructed in accordance with:

1. Applicable stream and lake alteration agreements between the operator and the Department of Fish and Game; and
2. The requirements of the Federal Clean Water Act, Sections 301 (33 U.S.C. Section 1311) and 404 (33 U.S.C. Section 1344) and/or section 10 of the Rivers and Harbors Act.

When no longer needed to achieve the purpose for which they were authorized, all temporary stream channel diversions shall be removed and the affected land reclaimed.

page #	Other Agricultural Land (Chapter 35.050 F) The following standards shall apply to agricultural lands, other than prime agricultural lands, when the approved end use is agriculture.
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In addition to the standards for topsoil salvage, maintenance, and redistribution, non-prime agricultural lands shall be reclaimed so as to be capable of sustaining economically viable production of crops commonly grown in the surrounding areas.

page #	Building, Structure and Equipment Removal (Chapter 35.050 F)
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All equipment, supplies, and other materials shall be stored in designated areas (as shown in the approved reclamation plan). All waste shall be disposed of in accordance with state and local health and safety ordinances.

All buildings, structures and equipment shall be dismantled and removed prior to final site closure except those buildings, structures and equipment approved in the reclamation plan as necessary for the end use.

page #	Stream Protection, Including Surface and Groundwater (Chapter 35.050 F)
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Surface and groundwater shall be protected from siltation and pollutants that may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., the County Grading Ordinance, the Regional Water Quality Control Board or the State Water Resources Control Board.

In-stream surface mining operations shall be conducted in compliance with Section 1603 of the California Fish and Game Code, section 404 of the Clean Water Act, and section 10 of the Rivers and Harbors Act.

Surface mining activities in stream or river channels shall be regulated to control channel degradation in order to prevent undermining of bridge supports, exposure of pipelines or other structures buried within the channel, loss of spawning habitat, lowering of groundwater levels, destruction of riparian vegetation, and increased stream bank erosion (exceptions may be specified in the approved reclamation plan). Changes in channel elevations and bank erosion shall be evaluated annually using records of annual extraction quantities and benchmarked annual cross sections and/or sequential aerial photographs to determine appropriate extraction locations and rates.

In accordance with requirements of the Department of Fish and Game, in-stream mining activities shall not cause fish to become entrapped in pools or in off-channel pits, nor shall they restrict spawning or migratory activities.

page #	Topsoils Salvage, Maintenance and Redistribution (Chapter 35.050 F) When the approved reclamation plan calls for revegetation or cultivation of disturbed lands, the following performance standards shall apply to topsoil salvage, maintenance, and redistribution activities:
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All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed. Topsoil and vegetation removal shall not precede development activities by more than one year, unless the County approves a longer time period.

Topsoil resources shall be mapped prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.

Soil salvage operations and phases of reclamation shall be carried out in accordance with a schedule that: 1) is set forth in the approved reclamation plan; 2) minimizes the area disturbed; and 3) is designed to achieve maximum revegetation success allowable under the mining plan.

Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accommodated by the operations schedule presented in the approved reclamation plan. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an area where it will not be disturbed until needed for reclamation. Topsoil and suitable growth media stockpiles shall be clearly identified to distinguish them from waste dumps. Topsoil and suitable growth media stockpiles shall be planted with a vegetative cover or shall be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Relocation of topsoil or suitable growth media stockpiles for purposes other than reclamation shall require prior written approval from the County.

Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration, and drainage patterns.

page #	Tailing and Waste Management (Chapter 35.050 F)
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State Water Resources Control Board mine waste disposal regulations in Article 7 of Chapter 15 of Title 23, California Code of Regulations, shall govern mine waste and tailings, and mine waste disposal units shall be reclaimed in conformance with this article.

Geothermal drilling waste and cuttings shall be disposed of in a manner approved by the Lahontan Regional Water Quality Control Board.

page #	Closure of Surface Openings (if applicable, see Chapter 35.050 F)
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page #	Prime Agriculture Land Reclamation (if applicable, see Chapter 35.050 F)
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CA Mine ID # _____

**RECLAMATION PERFORMANCE BOND
INCREASE/DECREASE RIDER**

**DEPARTMENT OF CONSERVATION
OFFICE OF MINE RECLAMATION
and the
COUNTY OF MONO**

To be attached to and form a part of Surety Company Bond No. _____, written by _____ as SURETY on behalf of _____ as PRINCIPAL, in the penal sum of _____ DOLLARS (\$ _____), in favor of the County of Mono and, in the alternative, the Department of Conservation, Office of Mine Reclamation, and, in the alternative, the _____ (third party public agency if applicable) and executed on _____.

WHEREAS, the County of Mono issued approval of a surface mining and reclamation project, Permit No. _____, dated on _____, and renewals and revisions numbered and dated _____ pursuant to the application of the Principal;

OR

WHEREAS, either the County of Mono or, in the alternative, the State Mining and Geology Board approved reclamation plan No. _____, dated on _____, and renewals and revisions numbered and dated _____ pursuant to the application of the Principal;

and

WHEREAS, said bond and rider shall cover any and all land affected or to be affected by the mining operation under the above-mentioned permit and reclamation plan or the reclamation plan, and revisions and renewals since the date of the issuance of the permit and reclamation plan or the reclamation plan;

NOW, THEREFORE, the purpose of this rider is to _____

IT IS FURTHER UNDERSTOOD AND AGREED that all other terms and conditions of this bond shall remain unchanged.

CA Mine ID # _____

Permit No. _____

Bond No. _____

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below:

PRINCIPAL

Date Company - Permittee [Principal]

(Seal) By _____
Corporate Officer/Partners/Sole Proprietor

Typed or Printed Name

Title _____

SURETY

I declare, under penalty of perjury, under the laws of the State of California, that I have executed the foregoing rider under an unrevoked Power of Attorney.

(Seal) By _____
Signature of Attorney-in-Fact for Surety

Typed or Printed Name

Title _____

Executed in _____ on _____
City/State Date

under the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a surety company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # _____

Permit No. _____

Bond No. _____

ACKNOWLEDGMENT OF PERMITTEE

State of _____

SS.

County of _____

On this ____ day of _____, in the year _____, before me, _____ (name and quality of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature L.S.

My Commission Expires _____

ACKNOWLEDGMENT OF SURETY

State of _____

SS.

County of _____

On this ____ day of _____, in the year _____, before me, _____ (name and quality of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature L.S.

My Commission Expires _____

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT _____ PHONE () _____

ADDRESS _____

CITY/STATE/ZIP _____

**DEPARTMENT OF CONSERVATION
OFFICE OF MINE RECLAMATION**

and the

COUNTY OF MONO

**RECLAMATION PERFORMANCE BOND
GENERAL PURPOSE RIDER**

To be attached to and form a part of Surety Company Bond No. _____
written by _____ as
SURETY, on behalf of _____ as
PRINCIPAL, in the penal sum of _____ DOLLARS
(\$ _____), in favor of the County of Mono and, in the alternative, the Department
of Conservation, Office of Mine Reclamation, and, in the alternative, the _____
(Third Party Public Agency if applicable) and executed on _____.

Whereas, the County of Mono of issued approval of a surface mining and reclamation
project, Permit No. _____, dated on _____, and renewals and
revisions numbered and dated _____ pursuant to the
application of the Principal,

OR

Whereas, either the County of Mono or, in the alternative, the State Mining and Geology
Board, approved Reclamation Plan No. _____, dated on _____
and renewals and revisions numbered and dated _____ pursuant
to the application of the Principal;

and

Whereas, said bond and rider shall cover any and all land affected or to be affected by the
mining operation under the above mentioned permit and reclamation plan or the reclamation
plan, and revisions and renewals since the date of the issuance of the permit and reclamation plan
or the reclamation plan,

Now, therefore, the purpose of this rider is: _____

It is further understood and agreed that all other terms and conditions of this bond shall
remain unchanged.

CA Mine ID # _____

Permit No. _____

Bond No. _____

IN WITNESS THEREOF, the Principal and Surety have hereunto set their signatures and seals as of the dates set forth below.

PRINCIPAL

Date _____

Company - Permittee [Principal]

By: _____
Corporate Officer/Partners/Sole Proprietor

(Seal)

Typed or Printed Name

Title: _____

SURETY

I declare, under penalty of perjury, under the laws of the State of California, that I have executed the foregoing rider under an unrevoked Power of Attorney.

By: _____
Signature of Attorney-in-Fact for Surety

(Seal)

Typed or Printed Name

Title: _____

Executed in _____ on _____ under
(City and State) (Date)
the laws of the State of California.

(Note: Where one signs by virtue of a Power of Attorney for a Surety Company, such fully executed Power of Attorney must be filed with this bond.)

CA Mine ID # _____

Permit No. _____

Bond No. _____

ACKNOWLEDGMENT OF PERMITTEE

State of _____

SS.

County of _____

On this ____ of _____, in the year _____, before me, _____ (name and quality of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s)

whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature L.S.
My Commission Expires: _____

ACKNOWLEDGMENT OF SURETY

State of _____

SS.

County of _____

On this ____ of _____, in the year _____, before me, _____

(name and quality of officer), personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary's Signature L.S.
My Commission Expires: _____

NOTE: Please identify the agent acting on behalf of the surety, if applicable.

AGENT _____ PHONE _____

ADDRESS _____

CITY/STATE/ZIP _____