

# State cites problems with mine oversight

**Gene Ghiotto, Riverside Press-Enterprise, 2-27-11**

Lake Elsinore could lose its oversight responsibilities for several surface mines because of questions about the city's ability to regulate the operations according to state law.

City officials acknowledged receiving a notice from the State Mining and Geology Board listing what the board said are problems with the city's oversight. They said they are working to correct them.

The mines listed in the notice are in the northern end of the city near Nichols and Temescal Canyon roads and Interstate 15, and near the Alberhill Ranch neighborhood. For years, residents of a development near Lake Street have complained about the mines.

Among the complaints is the belief that respiratory problems suffered by some neighbors are the result of dust from the mines.

They also believe the land on which their homes were built was not restored as required by the Surface Mining and Reclamation Act of 1975, and that some of the mines are operating illegally.

"If justice prevails, we'll be lucky," said Paulie Tehrani, one of the Alberhill Ranch residents pursuing the issue.

The December notice from the Mining Board identified what the board called six deficiencies in the city's oversight, including failure to inspect the mines, failure to carry out reclamation of mining operations, misrepresenting results of inspections and failure to submit information to the Department of Conservation.

"At issue is not compliance of individual mines but rather the city's performance as lead agency" in administering the Surface Mining and Reclamation Act, Don Drysdale, spokesman for the state Department of Conservation, said in an e-mail.

"No fines will be considered or issued for individual mines or the lead agency (the city)," he wrote.

In their response to the Mining Board, city officials said they are correcting the deficiencies. They said none of the issues cited by the Mining Board involve safety or public health.

"Most of the deficiencies identified by the (board) apply to the completion of administrative tasks," Ken Seumalo, the city director of public works, said in a news release. "We took immediate action to review and respond to the identified deficiencies and expect the (board) to accept our response to the ... notice."

The Mining Board tentatively has scheduled an April 14 meeting in Lake Elsinore to decide what action to take about oversight of the mines.

"The board simply will determine whether to assume none, some or all (Surface Mining and Reclamation Act) lead agency authority from the city," Drysdale said.

The board previously has taken over lead agency status for El Dorado and Yuba counties, Drysdale said.

The Mining Board began receiving complaints about Lake Elsinore's ability to administer mining operations in 2007, but they did not fall under the panel's jurisdiction.

In November 2009, the board received an unspecified complaint about surface mining operations. In March 2010, the Department of Conservation Office of Mine Reclamation began visiting the mines and submitting reports to the Mining Board.