

# Supervisors discuss SMARA mining program

David Smith, Siskiyou Daily News, 4-20-10

YREKA -- The Siskiyou County Board of Supervisors received a report on its Surface Mining and Reclamation Act (SMARA) mining program at its April 13 meeting, with the board hearing miners' concerns gathered at a recent mining program workshop.

Terry Barber, Siskiyou County's director of Public Health and Community Development, told the board that she is beginning to see the "anger and resentment of the mining community as they realize the financial impacts of regulation and compliance."

According to Barber, the mine owners and operators attending the March 4 workshop received an overview of a fee increase analysis, with the presenters stating that for a number of years, the county's general fund has been subsidizing the program.

In an interview Monday, Barber stated that the county has been charged with the task of enforcing SMARA regulations and programs since the act was introduced in the 1970s. She noted that in 2007 the county's program had been audited and proclaimed by the state to be in "horrible condition," with the state threatening to take over program enforcement.

Barber said that the county had requested a chance to rectify the problems with its program and since that time the state has identified improvements. She explained at the meeting that mine operators expressed continued support for the county's involvement in the program due to the large costs associated with the state-run program.

According to Barber, the county charges annually anywhere from \$300 to \$2,000, with the state charging annually \$5,000 for administration costs and \$2,000 to \$3,000 for mine inspections.

Barber reported to the board other concerns expressed at the workshop, which included concerns about fees associated with the "low gross exemption," the efficacy of the county's code enforcement activities and issues arising from idle and abandoned operations.

Barber notes in material provided to the board that 50 percent of local mines have unintentionally achieved abandoned status. She states in the material, "The compliance process will cost the owner/operator a minimum of \$15,000 and could cost upwards of \$100,000." She noted at the meeting that county staff is exploring ways to assist operators in expediting the mine reinstatement process and minimizing the associated costs.

With respect to code enforcement, Barber said, operators at the workshop had expressed concerns about how well the county is enforcing regulations and concerns about where the annual fees are allocated.

County Counsel Thomas Guarino told the board that the fees are used to offset enforcement actions taken under the program, noting that a current enforcement action underway by the county will likely cost \$20,000 to \$30,000.

Board Chair Marcia Armstrong, reiterating that the county's general fund subsidizes the SMARA program, concluded by stating that she felt "about ready to give the program back to the state" due to the number of complaints received and the issues with which the county has contended in the program.

At today's meeting, the board will hear from County Administrative Officer Brian McDermott on the budget, discuss a letter to Gov. Arnold Schwarzenegger requesting the restoration of Williamson Act funding and hear information from the Shasta Nation on a proposed fish bypass around dams on the Klamath River.