

CALIFORNIA DEPARTMENT OF CONSERVATION
DIVISION OF MINE RECLAMATION
LEAD AGENCY ELECTRONIC DOCUMENT SUBMISSION REGULATION

TEXT OF PROPOSED REGULATION

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CALIFORNIA CODE OF REGULATIONS, TITLE 14
DIVISION 2. DEPARTMENT OF CONSERVATION
CHAPTER 8. MINING AND GEOLOGY
Subchapter 1. State Mining and Geology Board
Article 1. Surface Mining and Reclamation Practice

§ 3504. Administration by Lead Agency; submission of electronic documents.

(a) Record Keeping. The lead agency shall establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining reclamation under its jurisdiction. The lead agency shall forward a copy of each permit and approved reclamation plan and financial assurance instrument to the ~~director~~ Supervisor of Mine Reclamation for the Division of Mine Reclamation of the Department of Conservation.

(b) Lead agencies shall use the lead agency electronic document submission portal, located on the Division of Mine Reclamation's website, when complying with Public Resources Code section 2774.2.5. The Division of Mine Reclamation shall notify lead agencies of any formatting deficiencies and will reject submitted documents that do not meet the requirements of Public Resources Code section 2774.2.5, or that would prevent the Division of Mine Reclamation from complying with Government Code section 11546.7, unless, on a document-by-document basis, the lead agency can demonstrate that compliance would be an undue burden or would cause a fundamental alteration in the content of the document.

(~~c~~b) Financial Assurances. The lead agency shall ensure that the objectives of the reclamation plan will be attained. This ~~may~~ shall include provisions for surety bonds, irrevocable letters of credit, trust funds, or other forms of financial assurances mechanisms adopted by the board in accordance with PRC § 2773.1 (e), to guarantee the reclamation in accordance with the approved reclamation plan.

Authority: Section 2755, 2774.2.5, Public Resources Code. Reference: Sections 2757, 2758(b), 2774(a), ~~and 2778~~, and 2774.2.5, Public Resources Code.