

INTERIM MANAGEMENT PLAN FORM GUIDELINES

THE STATE MINING AND GEOLOGY BOARD

Sections 2770 of the Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code Section 2710 et seq.) states that within 90 days of a surface mining operation becoming idle, as defined in Section 2727.1, the operator shall submit to the lead agency (city, county, or State Mining and Geology Board [SMGB]) for review and approval, an Interim Management Plan. The requirement for an IMP was adopted as part of AB 3551 in 1990, and became effective in January 1991. These Guidelines and forms serve to clarify and supplement existing statute. They do not create new requirements for mining operators or local lead agencies. By statute, the Guidelines are exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and are not subject to review by the Office of Administrative Law. The Guidelines are reviewed, revised and re-adopted as necessary. Should SMARA be amended, statute will supersede this document.

INTERIM MANAGEMENT PLANS

California's Surface Mining and Reclamation Act (SMARA) requires that within 90 days of a surface mining operation becoming idle, the operator shall submit an Interim Management Plan (IMP) to the lead agency for review and approval. Idle means to curtail surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production for a period of one or more years with the intent to resume those surface mining operations at a future date. The principles of an IMP are as follows:

1. The review and approval of an IMP is not considered a project for purposes of California Environmental Quality Act (CEQA).
2. The approved IMP is considered an amendment to the surface mining operation's approved reclamation plan.
3. The IMP shall provide measures the operator will implement to maintain the site in compliance with this chapter, including, but not limited to, all permit conditions.
4. The IMP may remain in effect for a period not to exceed five years, at which time the lead agency shall do one of the following:
 - a. Renew the IMP for another period not to exceed five years, if the lead agency finds that the surface mining operator has complied fully with the IMP.
 - b. Require the surface mining operation to commence reclamation in accordance with its approved reclamation plan.
 - c. Allows the mine to resume active status.
5. The financial assurances required by Section 2773.1 shall remain in effect during the period that the surface mining operation is idle.

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6. If the surface mining operation is still idle after the expiration of its IMP, the surface mining operation shall commence reclamation in accordance with its approved reclamation plan.
7. Within 60 days of the receipt of the IMP, or a longer period mutually agreed upon by the lead agency and the operator, the lead agency shall review and approve the plan in accordance with its ordinance adopted pursuant to Section 2774, subdivision (a), so long as the plan satisfies the requirements of this subdivision, and so notify the operator in writing. Otherwise, the lead agency shall notify the operator in writing of any deficiencies in the plan. The operator shall have 30 days, or a longer period mutually agreed upon by the operator and the lead agency, to submit a revised plan.
8. The lead agency shall approve or deny approval of the revised IMP within 60 days of receipt. If the lead agency denies approval of the revised IMP, the operator may appeal that action to the lead agency's governing body, which shall schedule a public hearing within 45 days of the filing of the appeal, or any longer period mutually agreed upon by the operator and the governing body.
9. Unless review of an IMP is pending before the lead agency, or an appeal is pending before the lead agency's governing body, a surface mining operation which remains idle for over one year after becoming idle as defined in Section 2727.1 without obtaining approval of an IMP shall be considered abandoned and the operator shall commence and complete reclamation in accordance with the approved reclamation plan.
10. If an operation has been idle for more than one year without obtaining an approved IMP, an application for the review of an IMP filed for the purpose of preventing the director from undertaking remediation or reclamation of abandoned mined lands under this section shall be voidable by the lead agency or the board upon notice and hearing by the lead agency or the board. In the event of conflicting determinations, the decision of the board shall prevail.

A copy of the completed IMP should be forwarded to the State Mining and Geology Board for approval within 90 days of a surface mining operation becoming idle. Plans should be mailed to:

State Mining and Geology Board
801 K Street, M.S. 20-15
Sacramento, CA 95814



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State of California
DEPARTMENT OF CONSERVATION
STATE MINING AND GEOLOGY BOARD
INTERIM MANAGEMENT PLAN FORM

CA MINE ID# _____

MINE NAME _____

1. Company Operating	Site Contact Person	Telephone
Street Address/P.O. Box No.	City	State/ZIP Code/County

2. Designated Agent's Name (Individual must reside in CA)	Mailing Address	
City	ZIP Code	Telephone

3. Owner of Mining Operation	Telephone	
Mailing Address		
City	State/ZIP Code	Country (If other than U.S.A.)

4. Landowner	Assessor's Parcel #
Mailing Address	Telephone
City/State/ZIP Code	Country (If other than U.S.A.)

5. Number or description of reclamation plan amended by IMP	
Date Approved	Copy Attached? ☐ Yes ☐ No

6.a. Date Mine Became Idle	b. Date Mining Expected to Resume
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7.a. Previous Maximum Annual Production	b. Production While Idle
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8. ☐ Yes ☐ No Financial Assurances approved by Lead Agency. Complete section below for approved Financial Assurances:

ATTACH COPY AND PROOF OF APPROVAL

a. Amount	Type	Date Posted	Date of Annual Review by Lead Agency	Expiration Date or Renewal Date (If applicable)
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b. ☐ Yes ☐ No Proposed changes to Financial Assurance. ☐ Yes ☐ No Financial Assurance Cost Estimate attached.

A plan for maintaining the site in a safe and stable condition that includes the following elements must be attached to this form. Check the following boxes to verify that the appropriate information is attached.

9. Management Plan (Attach narrative that addresses all of the following.)

- a. ☐ Description of Surface Mining Activities
- b. ☐ Erosion Control Plan

If vegetation will not be used to control erosion while the site is idle, provide an explanation and describe an alternative method for surface erosion control in the previous section.

- c. ☐ Revegetation Plan
- d. ☐ Public Safety
- e. ☐ Monitoring and Maintenance Plan
- f. ☐ Site Photos
- g. ☐ Map

Check the appropriate boxes and attach a map that clearly depicts the relevant information at a legible scale.

- ☐ Current Topography
- ☐ Permit Reclamation Plan Boundary
- ☐ Areas Disturbed by Surface Mining Operations
- ☐ Stockpiles of Ore, Overburden, Waste, etc.
- ☐ Sedimentation Pond
- ☐ Office, Shop, Scalehouse, or Other Structures
- ☐ Utilities
- ☐ Site Drainage
- ☐ Erosion Control Structures
- ☐ Cross Sections
- ☐ Additional Information

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10. Attachments

- ☐ Approved reclamation plan (Attach only if there are proposed changes)
- ☐ Financial Assurance Cost Estimate
- ☐ Approved Financial Assurance and Proof of Approval
- ☐ Storm Water Pollution and Prevention Plan (Attach only if the SWPPP will be used in lieu of separate erosion control plan)
- ☐ Permit
- ☐ CEQA Mitigation and Monitoring Plan (Attach if mitigation measures were imposed in approving the reclamation plan)

Prepared by	Date
Submitted by	Date
Approved by	Date

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It is the State Mining and Geology Board's (Board) policy that all professional reports, documents, calculations, plans, specifications, maps, cross sections, boring or trench logs, and diagrams (documents hereafter) which must, under applicable law, regulation or code, be prepared by or under the supervision of licensed professionals will not be accepted or considered by the Board unless at least one copy of the document bears an original signature, stamp impression or seal, and date affixed by the author in accordance with applicable law and regulation.

Also, unless otherwise directed or agreed in advance, all professionally prepared documents included in Board, or Board committee, meeting packages or presented to the Board in a meeting are to be in final form and must be signed, stamped or sealed, and dated in accordance with applicable law and regulation.

INSTRUCTIONS FOR COMPLETING AN INTERIM MANAGEMENT PLAN

1. MINING OPERATION:

Indicate the name of the company operating the mine, the name and telephone number of the site contact person, and the street address and mailing address (if different than street address) of the mine site. The Site Contact Person is (1) the person in authority at the site of the operation, and (2) normally, the person with whom contact would be made should the lead agency require an immediate action be taken.

2. DESIGNATED AGENT:

Each operation must designate a person who resides in California as its legal agent (PRC Section 2207). The designated agent is the person who will receive and accept legal documents for the mining operation on behalf of the legal owner. Indicate the name, mailing address, and telephone number of the designated agent. If the designated agent is the same person as the owner or site contact person, you may indicate "same as owner" or "same as site contact person" and leave the rest of this section blank.

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3. **LEGAL OWNER OF OPERATION:**

Indicate the name, mailing address, country (if other than the USA) and telephone number of the legal owner of the mining operation. The legal owner may be a person, corporation, government agency, or other entity. If the operation is owned in partnership, supply this information for each partner. If the legal owner is the same person as the owner or site contact person, you may indicate "same as owner" or "same as site contact person" and leave the rest of this section blank.

4. **LANDOWNER:**

Indicate the name, mailing address, country (if other than the USA) and telephone number of the landowner(s). The landowner may be a governmental entity, such as the U.S. Forest Service, Bureau of Land Management, or State Lands Commission.

5. **RECLAMATION PLAN STATUS:**

Indicate the numbers of the use permit and reclamation plan amended by the IMP and the date of approval of the use permit and reclamation plan by the lead agency. Attach a copy of the approved reclamation and a copy of the permit for the mining operation.

6. **DATE MINE BECAME IDLE:**

- a. Month, day, and year. Should be within the past 90 days or in the near future.
- b. Date mining is expected to resume.

7. **MAXIMUM ANNUAL PRODUCTION AND TYPE OF MATERIALS:**

- a. Provide the maximum annual production that has occurred at this mine site. This information can be taken from the annual reporting form for prior years.
- b. **PRODUCTION WHILE IDLE:** If there will be limited mining while mine is idle, provide the estimated annual production (cannot exceed 10% of the maximum annual production).

8. **FINANCIAL ASSURANCES:**

- a. Indicate the current financial assurance amount, the type of financial assurance mechanism, and expiration date.
- b. If there are proposed changes to the financial assurance, attach a financial assurance cost estimate (FACE). The FACE should conform with the Financial Assurance Guidelines adopted by the State Mining and Geology Board.

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9. MANAGEMENT PLAN:

Attach a narrative that describes current site conditions and the actions that will be taken to ensure that the site will be safe and stable while idle. The plan should include, but should not be limited to the following:

a. SITE DESCRIPTION:

Provide a description of the surface mining operation that includes, but is not limited to:

- i. Size (acres disturbed)
- ii. Type of mining and product
- iii. Setting (urban, rural, nearby residences/public roads, etc.)
- iv. Reason the mine is requesting idle status
- v. When mining is expected to resume
- vi. Equipment and facilities to remain onsite while the mine is idle
- vii. Production activity while the mine is idle

b. EROSION CONTROL PLAN:

A description of methods that will be used to control erosion and offsite sedimentation (such as culverts, ditches, check dams, sediment ponds, vegetation, straw bales, silt fences, mulches, straw wattles, plastic coverings, etc.) while the mine is idle. The description should include specific performance standards for erosion control (i.e. "erosion of rills greater in cross section than 5 square inches and exceeding 5 feet in length will be arrested by placement of graded rock interceptors or straw bales to show concentrated runoff within 1 week following any rainfall event").

Most mining operations must have a Storm Water Pollution and Prevention Plan (SWPPP) as required by the Regional Water Quality Board. The SWPPP will address many, if not all, the erosion control issues required for an IMP. A site specific SWPPP may be used to satisfy the erosion control requirement in the IMP if a copy of the SWPPP is attached to the IMP when it is submitted for approval. A separate erosion control plan may be incorporated into the IMP so long as it does not conflict with the site's SWPPP.

c. REVEGETATION PLAN:

If vegetation will be used to stabilize the site while it is idle, identify the plant species to be used for interim revegetation. This section should include a list or table with common and Latin plant names and application rates in pounds of pure live seed (PLS) per acre and total pounds per

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acre. Species chosen should provide good cover for erosion control and should be capable of establishing and persisting on the site. It is usually advisable to include a leguminous species to improve the soil nitrogen content.

Describe the method(s) of seeding. Give a schedule for seed application that ensures the seed will be planted at the optimal time for establishment under local conditions. Specify the amount and type of any fertilizer or soil amendments to be used. Soil testing is recommended in order to determine the amount and type of amendments required for success. Describe any additional interim revegetation measures that are proposed such as planting container stock or cuttings. Describe how irrigation (if any) and other maintenance will be carried out and give schedules for these. Include information about potential weed species and give thresholds for weed control action and methods of control for each species. Areas to be planted should be depicted on a site map. Provide specific success criteria for interim revegetation in terms of percentage cover of vegetations.

d. **PUBLIC SAFETY:**

This section should describe the means by which public access will be controlled such as fences, gates, signs, etc. Any other measures to ensure the public health and safety should be included.

e. **MAINTENANCE AND MONITORING:**

This section should describe all maintenance and monitoring activities that will be done routinely while the site remains idle. Revegetation and erosion should be monitored

f. **SITE MAP:**

A site map should be provided that, at a minimum, includes a map scale (both written and graphical), north arrow, explanation block or legend, title block, and preparer's name. The site map should be drawn at a scale sufficient to clearly depict:

- i. Current topography
- ii. Permit/reclamation plan boundary
- iii. Areas disturbed by surface mining operations
- iv. Stockpiles of ore, overburden, waste, etc.
- v. Sedimentation ponds
- vi. Office, shop, scale house, or other structures

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- vii. Utilities
- viii. Site drainage
- ix. Erosion control structures
- x. Cross sections that depict slopes and geology
- xi. Additional information as appropriate

10. ATTACHMENTS:

The following documents must be attached to the IMP when it is submitted to the board for approval.

- a. Approved Financial Assurance: Attach a copy of the approved financial assurance mechanism and the cost estimate.
- b. Financial Assurance Cost Estimate: If changes in the amount of financial assurance are proposed, attach a revised cost estimate.
- c. A copy of the approved reclamation plan and mining permit.
- d. A copy of the Mitigation and Monitoring Plan that was developed to ensure implementation of mitigation adopted pursuant to the California Environmental Quality Act (CEQA).
- e. A copy of the Storm Water Pollution and Prevention Plan (SWPPP) required by the Regional Water Quality Board if the SWPPP will be used to satisfy the erosion control requirement in the IMP.