



November 8, 2012

Mr. Brian Baca, Chair
Policy and Legislation Committee
State Mining & Geology Board
801 K Street, MS 20-15
Sacramento, CA 95814-3528

RE: Draft Inspection Form MRRC-1

Dear Chairman Baca:

On behalf of the Regional Council of Rural Counties (RCRC) and the California State Association of Counties (CSAC), we appreciate the opportunity to review and comment on the draft inspection form (MRRC-1) prepared by the Office of Mine Reclamation (OMR) and submitted to the Board for its consideration. Collectively, our organizations represent all of California's 58 counties. We appreciate the efforts of the OMR to update the form to better achieve the goals of the Surface Mining and Reclamation Act (SMARA) and assist lead agencies in conducting inspections.

We understand that the updated form is intended to help our jurisdictions conduct more thorough inspections than that provided through the existing form. However, we concur with the comments submitted by California Construction and Industrial Materials Association (CalCIMA) and believe there needs to be additional clarifications, guidance, and edits made to assist our inspections meet statutory requirements and the state's expectations. We ask that you consider forming a small working group consisting of your OMR staff, public agency inspectors, and mining operators to meet to provide specific recommendations on this form. Otherwise, we are concerned that local government and mining operators could be unduly impacted.

We are especially concerned regarding the expectations of our SMARA inspectors for making compliance determinations on permits from state and federal agencies. We question if interpreting individual permits and regulations written by other agencies is under our jurisdictions' authorities.

The counties have been doing the annual SMARA inspections in order to keep costs reasonable for the operators. Contracting for these services (including the State assuming the responsibility) will result in additional costs to operators. And as stated on

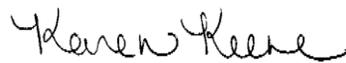
your website, “established to meet the Act's requirement, OMR provides assistance to cities, counties, state agencies, and mine operators for reclamation planning and promotes cost-effective reclamation.” We believe that working with the various stakeholders, the form can be revised to better assist our counties with a cost-effective and efficient inspection tool that will still achieve the goals of SMARA.

We again appreciate this opportunity to comment and make ourselves available to working together on this important issue. Please do not hesitate to contact us if you have any questions.

Sincerely,



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