



DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

SDI K STREET - MS 09-06 o SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 323-9198 - FAX 916 / 322-4862 9 TDD 916 1 324-2555 o WEB SITE conservation.ca.gov

August 22, 2005

Linda Fiack, Deputy Director
Parks and Natural Resources
County of Yolo
Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695-2598

Dear **Ms. Fiack**

I was asked to respond to your May 31, 2005 letter to Roger Le-Hinds regarding:
1) changes since 1996 to environmental circumstances or regulations administered by the Department of Conservation (DOC); and 2) whether those changes should be applied to permits issued for mining operations along lower Cache Creek in Yolo County. DOC administers two statutes impacting mining operations: the Surface Mining and Reclamation Act (SMARA), implementing regulations (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, Section 3502), and the Williamson Act. Changes since 1996 to these statutes and implementing regulations are summarized below. Links to relevant statutes and regulations can be found on the DOC website www.conservation.ca.gov.

Surface Mining and Reclamation Act: SMARA has been amended 11 times since 1996. The changes that are relevant to mining operations in Yolo County are as follows:

Assembly Bill 297: Section 2715.5 was added to SMARA which provided that, until December 31, 2003 (**extended to December 31, 2008 by AB 1984, Wolk 2004**), a site specific plan in conjunction and consistent with the Cache Creek Resource Management Plan shall be considered to be a functional equivalent of a reclamation plan for purposes of the act. Section 2773.2 was added which directed the Secretary of the Resources Agency to convene a multi agency task force to evaluate the effectiveness of the Cache Creek Resource Management Plan in achieving the plan's objectives concerning the rehabilitation and restoration of Cache Creek and identify those aspects of the plan that should be modified or eliminated to more effectively