APPLICATION FORM

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Surface Mining Permit

- You should consult with a Neighborhood Preservation & Sustainability department staff member to determine if any materials or information (in addition to those requested below) are needed to evaluate your application.
- If you have any questions, please call (510) 670-5333 and ask to be transferred to the Neighborhood Preservation & Sustainability department.

1. **Application Name:** _____

2. Submit the following materials and fees to the Alameda County Neighborhood Preservation and Sustainability Department at 224 West Winton Avenue, Room 110, Hayward, California. **Incomplete applications will not be accepted**. Please use the following checklist to ensure your application is complete.

REQUIRED	SUBMITTED	
☑	☐	APPLICATION form
☑	☐	FILING FEE DEPOSIT: ·See the fee schedule at https://www.acgov.org/cda/planning/ordinance/forms.htm. Make check payable to "*Treasurer, County of Alameda*." *(**Note:** Incomplete applications lacking required submittals identified in this application form, applications submitted without the required deposit and/or applications for SMPs that have outstanding balances owed to the County will not be accepted. Application processing fee deposits are estimates, and as the deposit is depleted during review and processing, additional funds will be required to be on deposited for processing to continue. Any unused funds will be refunded to the Applicant.)*
☑	☐	GEOTECHNICAL AND SOILS INFORMATION (5 Copies): Required for areas of known geologic hazard. See checklists provided below for required information.
☑	☐	PROPERTY DEED: A current recorded deed of the property. If the property involved is owned by a corporation, limited liability company (LLC), partnership, trust, or similar entity, appropriate documentation will be required to provide proof that the person(s) signing on behalf of said entity is properly authorized to do so.
☑	☐	PRELIMINARY TITLE REPORT issued by a title company licensed to business in the State of California dated less than 30 days prior to the date of submittal of this application.
☑	☐	DIGITAL COPIES of all the above-listed items in PDF format

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Project Description Checklist

The following information must be submitted in written form and supplemented with graphics to illustrate description.

REQUIREMENT	REFERENCE/PAGE
Site And Area Characteristics	
Access Describe access to site.	
Utilities Describe the availability of water systems (including potable water), sanitary facilities, and sewage disposal at the site, including proposed methods to provide such systems.	
Land Use Provide the *Alameda County General Plan* area plan name, land use designation, and overlays or policy areas, if any, for the subject property. Describe existing land use of the site and surrounding area, including distance to nearest residential development. Describe environmental resources on-site or in the area, such as agricultural lands, scenic highways, historic resources, prehistoric resources, mineral resources, geothermal resources, wind resources, solar resources, hydroelectric resources, hydrocarbon resources, critical wildlife areas, and critical vegetation areas.	
Environmental Setting	
Visibility/Aesthetics Describe the visibility of the proposed operation from the surrounding area (considering highways, residences, commercial development, and recreation areas). Discuss proposed mitigation (e.g., landscaping, berms, fences, modification of operation).	
Geology Describe the geology of the site and surrounding area, considering principal rock formations, overburden materials, principal ore and gangue minerals. Describe the geometric interrelationships of earth materials, including estimates of thickness, aerial extent, volume and tonnage of materials to be mined. Describe the geologic conditions which could adversely affect project, considering earthquake faults, Special Studies Zones, groundshaking, landslides, mudflows, liquefaction hazards,	

REQUIREMENT	REFERENCE/PAGE
differential settlement, hydroconsolidation, collapsible or expansive soils, wind erosion, water erosion, sedimentation, and inundation due to earthquake-induced dam failure. Discuss proposed mitigation.	
Soils Describe the various soils on the site, including their physical and chemical characteristics, average thickness, erodibility, and land use capability.	
Hydrology/Surface Water Describe surface water characteristics of the site (e.g., drainage patterns, size of the area that drains into site, proposed alteration of drainage patterns). Describe the methods to ensure positive drainage of site and to minimize adverse effects on adjacent property. If site is within a recognized floodway, 100-year floodplain, or an area subject to flash flooding, then describe methods to protect project from flood damage and to ensure that the project would not intensify flooding effects on surrounding property. If site is within or upstream of a groundwater recharge area, then discuss potential for project to increase siltation of recharge area or to otherwise decrease its absorptive qualities. Describe methods to protect recharge from these effects. If the operation would introduce toxic substances, contaminate, or otherwise degrade the quality of stream runoff from the site, then describe methods to minimize those effects. If stream gauging stations are within the site, then describe methods to preserve or relocate the stations. Coordinate with either the County Flood Control and Water Conservation District office in Hayward or the U.S. Geological Survey.	
Groundwater Describe groundwater, subsurface geology, permeability, fault barriers, structural constrictions in the basins, quantity, quality, and direction of flow. If groundwater is pumped by wells for use on, around, or downstream of the site, then describe any adverse effects that may occur to the quantity, quality, or depth of groundwater and describe methods to minimize these effects.	
Vegetation Describe the types of vegetation that grow on and around the site using both common and scientific names. List federal- and/or state-designated rare, threatened or endangered	

REQUIREMENT	REFERENCE/PAGE
species on or near the site, and discuss proposed mitigation.	
Wildlife List species occurring on and around the site using both common and scientific names. List federal- and/or state-designated rare, threatened, or endangered species on or near the site. Discuss proposed mitigation.	
Mining	
Mineral Commodity Describe the mineral commodity to be mined.	
Mining Operation Summarize the proposed mining operation, including removal of vegetation and overburden; how the mineral commodity will be extracted; timing of the operation (e.g., continuous, seasonal, intermittent, other); the equipment that will be used; and any proposed phasing of the operation (including dates).	
Project Life Anticipated starting date, expected ending date, and expected life in years.	
Size Total acreage permitted or to be permitted, total acreage to be disturbed, and total acreage.	
Excavations Provide maximum depth (existing and proposed mean sea level elevation); maximum size in acres; maximum slope angle of walls; and overall design slope, including benches and distance between benches.	
Anticipated Production of Commodity Volume and weight per year in cubic yards and tons and total commodity to be produced during life of permit, including waste material.	
Planned Ore Processing Methods, Milling, Beneficiation, and Smelting On-Site Dry screening, flotation, amalgamation, wet screening, crushing/grinding, washing, mechanical separation, smelting, leaching, batch plant, other.	
Production Water Data State the maximum and average quantity of water used in gallons per minute and acre-feet per year. Indicate the proposed or existing sources of water such as reservoirs, wells, ponds, diversions, and municipal water supply. Provide wastewater disposed in gallons per minute; wastewater disposed in acre-feet per year; and possible contaminants, including	

REQUIREMENT	REFERENCE/PAGE
turbidity and wastewater disposal method. Indicate the volume of excess processing water, mine drainage, storm runoff from disturbed or used areas and any other water that will be handled on-site. Describe anticipated or possible contaminants, including processing chemicals, detergents, acid drainage, turbid (muddy) water, fuel oil or gasoline, and runoff water that may contain fertilizer or other soil amendments.	
Mine Wastes Type(s) of waste to be produced (e.g., topsoil, overburden, tailings, and sediment. Amount of each type of waste to be produced. Amount of each type of waste to be produced during the life of the mine. Disposal method for each type of waste.	
Imported Wastes If any imported materials, such as domestic garbage, chemicals, oil or other material would be disposed of on the project site, then describe what types, in what expected amounts, and what method of disposal.	
Erosion and Sedimentation Control Describe methods to prevent erosion and/or sedimentation of adjacent property caused by waters discharged from the site. Also, describe methods to protect stockpiles of mined materials from water and wind erosion.	
Blasting Procedures for storage and detonation of explosives, including notification of authorities, and methods to reduce effects on off-site structures and residents.	
Truck Traffic/Transportation Describe how mined material will be transported from the site. Provide number of daily trips (average and maximum), haul routes, and safety measures. If possible, estimate the distribution of truck trips anticipated in each direction (referring to haul routes described). Estimate what percentage of truck trips will be company-owned vehicles.	
Dust and Noise Control Describe proposed dust and noise control measures.	
Reclamation	
Subsequent Uses Describe proposed subsequent uses for the reclaimed mine land.	

REQUIREMENT	REFERENCE/PAGE
Reclamation Schedule Summarize the schedule for reclamation phasing and a description of the treatments.	
Pit Areas and Excavations Summarize how pit areas or excavations would be reclaimed (e.g., backfilled, regraded, topsoiled, revegetated).	
Ponds, Reservoirs, Tailings, Wastes Summarize how ponds, tailing, and/or mine wastes would be reclaimed (e.g., regraded, dewatered, capped, revegetated, removed). If any dams or embankments would remain after reclamation, describe type of dam, construction material, permeability, foundation characteristics, storage volume and design criteria, including design criteria for seismic hazards); prepare a cross section through dams or embankments showing design characteristics.	
Clean Up Describe methods and timing for removal, disposal, or use of, for example, residual equipment, structures, and refuse.	

APPLICATION FORM

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Mining Plan Checklist

The following information must be submitted in written form and supplemented with graphics to illustrate descriptions.

REQUIREMENT	REFERENCE/PAGE
Name Name of the mine.	
Mineral Commodity Mineral commodity to be mined.	
Volume and weight per year in cubic yards and tons and total commodity to be produced during life of permit, including waste material.	
Name, address, and telephone number of the mine operator, landowner, applicant, representative, owner of mineral rights, mining engineer, civil engineer, geologist, map preparer, and lessee.	
Assessor's parcel numbers (APNs) and legal description.	
Acreage of area to be mined, acreage of property, north arrow, vertical and horizontal scales, source of map, date of map preparation, and date of latest revision.	
Days and hours of operations.	
Property boundary lines, dimensions, location of adjoining lot lines, and vicinity map showing relationship to the surrounding area. The property corners must be monumented and easily identified by inspection personnel.	
Provide maximum depth (existing and proposed mean sea level elevation); maximum size in acres; maximum slope angle of walls; and overall design slope, including benches and distance between benches.	
Topographic detail of the site showing premining and postmining intervals such that slopes are 0–2%, 3–9% and 10%+ and contour intervals of 2, 5, and 10 feet.	
Provide verification by an engineering geologist or soils engineer that finished cut slopes will be stable under static and dynamic conditions.	

REQUIREMENT	REFERENCE/PAGE
Existing and proposed zoning.	
Existing uses on and immediately adjacent to property. Include all buildings and structures.	
Name of utility purveyors (electricity, gas, water, sewer, telephone).	
Show the following information: • names, widths, improvements, and gradients of ingress and egress, including documented or proposed legal access to the property from a county-maintained road; • private streets proposed.; • location and nature of proposed and existing fencing, gates, walls, driveways, curbs, and signs, including dimensions; • location of all streams, roads, railroads, sewage disposal systems, water wells, utility facilities, and easements within 500 feet of the site; and • location and boundaries of areas to be mined, waste dumps, stockpiles, tailing ponds, retarding basins, and settling ponds.	
Depict separate mining phases where applicable, including timing of phasing and volumes to be mined. Location and description of operating equipment and structures.	
Progression of stripping and excavating through the use of cross sections of elevations that include corresponding phase designations. Cross sections showing extent of overburden, mineral deposits, groundwater level, and details of the working face of the operation.	
Proposed maximum depth of excavation.	
Anticipated mining of mineral commodity and waste material by volume and weight per year, per phase, and during life of permit (include dates).	
Description and location of all accessory uses and on-site land uses not associated with the mining activity.	
Location of processing and storage areas.	
Location, width, and direction of flow of all drainage courses during mining.	

REQUIREMENT	REFERENCE/PAGE
Location and details of facilities to control on- and off-site storm runoff, erosion, and sedimentation (e.g., water courses, culverts, drainpipes, settling ponds, retarding basins, ditches, and dikes). Include data on amount of runoff and gradients of facilities.	
Any land or right-of-way to be dedicated to public use, railroads, or other.	
Location and dimensions of mining setbacks.	

Reclamation Plan Checklist

The following information must be submitted in written form and supplemented with graphics to illustrate descriptions.

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
SURFACE MINING AND RECLAMATION ACT *(DIVISION OF MINE RECLAMATION CHECKLIST)*		
General Considerations		
PRC §2772(b)	Required contents chart: A chart identifying the location (e.g. page number, chapter, appendix, or other location in the reclamation plan) of content that meets the requirements of PRC Sections 2772, 2773, 2773.3 and CCR Articles 1 and 9 (as delineated in this checklist).	
PRC §2772(c)(1)	Contact information: Name and address of the surface mining operator and any person designated by the operator as an agent for service of process (must reside in CA).	
PRC §2772(c)(2)	Material quantity and type: The anticipated total quantity and type of minerals to be mined (see Annual Report Instructions, Exhibit B, for mineral types and units of measure).	
PRC §2772(c)(3)	Dates: The initiation and termination dates of mining (be as specific as possible, e.g. December 31, 2030).	
PRC §2772(c)(4)	Depth of mining: The maximum anticipated depth of surface mining in relation to a verifiable benchmark such as Mean Sea Level.	
PRC §2772(c)(5) (A-F)	Reclamation plan maps shall include**:** Size and legal description of lands affected by surface mining operations;	
	Names and addresses of owners of all surface interests and mineral interests;	
	Property lines, setbacks, and the reclamation plan boundary;	
	Existing and final topography with contour lines at appropriate intervals;	
	Detailed geologic description of the area of the surface mining operation;	
	Locations of railroads, utility features, and roads (access roads, temporary roads to be reclaimed, and any roads remaining for the end use).	
	All maps, diagrams, or calculations that are required to be prepared by a California-licensed professional shall include the preparer's name, license number, signature & seal.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
PRC §2772(c)(6) ACSMO §6.80.240(B)	Mining method and reclamation schedule: A description of the mining methods and a time schedule that provides for completion of mining on each segment so that reclamation can be concurrent or phased. Each phase of reclamation shall be specifically described in the reclamation plan and shall include (a) the beginning and expected ending dates for each phase; (b) all reclamation activities required; (c) criteria for measuring completion of specific reclamation activities; and (d) estimated costs for completion of each phase of reclamation.	
PRC §2772(c)(7)	Subsequent use(s): A description of the proposed subsequent use(s) after reclamation	
	Evidence that all landowners have been notified of the proposed use.	
PRC §2772(c)(9)	Impact on future mining: A statement regarding the impact of reclamation on future mining on the site.	
CCR §3502(b)(1)	Impacts of reclamation on existing and future uses of surrounding land uses.	
PRC §2772(c)(10)	Signed statement: Statement signed by the operator accepting responsibility for reclamation of the mined lands per the reclamation plan.	
PRC §2776(b-c)	Pre-SMARA areas: Reclamation plans shall apply to operations conducted after January 1, 1976 or to be conducted in the future. Mined lands disturbed prior to January 1, 1976 *and not disturbed after that date* may be excluded from the reclamation plan.	
CCR §3502(b)(2)	Public health and safety: A description of how any potential public health and safety concerns that may arise due to exposure of the public to the site will be addressed.	
CCR §3709(a)	Equipment storage and waste disposal: Designate areas for equipment storage and show on maps.	
	All waste shall be disposed of in accordance with state and local health and safety ordinances.	
CCR §3709(b), §3502(b)(5) ACSMO §6.80.240(C)	Structures and equipment removed: Structures and equipment should be dismantled and removed at closure, except as demonstrated to be necessary for the proposed end use.	
CCR §3713(a)	Well closures: Drill holes, water wells, monitoring wells will be completed or abandoned in accordance with laws, unless demonstrated necessary for the proposed end use.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
CCR §3713(b)	Underground openings: Any portals, shafts, tunnels, or openings will be gated or protected from public entry, and to preserve access for wildlife (e.g. bats).	
Geology and Geotechnical		
PRC §2772(c)(5)	A description of the general geology of the area	
	A detailed description of the geology of the mine site.	
PRC §2773.3	If a metallic mine is located on, or within one mile of, any "Native American sacred site" and is located in an "area of special concern, " the reclamation plan shall require that all excavations and/or excess materials be backfilled and graded to achieve the approximate original contours of the mined lands prior to mining.	
CCR §3502(b)(4)	The source and disposition of fill materials used for backfilling or grading shall be considered in the reclamation plan.	
CCR §3502(b)(3) ACSMO §6.80.240(E)	The designed steepness and treatment of final slopes must consider the physical properties of slope materials, maximum water content, and landscaping.	
	The reclamation plan shall specify slope angles flatter than the critical gradient for the type of slope materials.	
	When final slopes approach the critical gradient, a Slope Stability Analysis will be required.	
CCR §3704.1	Backfilling required for surface mining operations for metallic minerals.	
CCR §3704(a) ACSMO §6.80.240(F)	For urban use, fill shall be compacted in accordance with Uniform Building Code, local grading ordinance, or other methods approved by the lead agency.	
CCR §3704(b) ACSMO §6.80.240(F)	For resource conservation, compact to the standards required for that end use.	
CCR §3704(d) ACSMO §6.80.240(E)	Final reclamation fill slopes shall not exceed 2:1 (H:V), except when allowed by site-specific engineering analysis, and the proposed final slope can be successfully revegetated. See also Section 3502(b)(3).	
CCR §3704(e)	At closure, all fill slopes shall conform with the surrounding topography or approved end use.	
CCR §3704(f)	Final cut slopes must have a minimum slope stability factor of safety that is suitable for the end use and conforms with the surrounding topography or end use.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
Hydrology and Water Quality		
PRC §2770.5	For operations within the 100-year flood plain (defined by FEMA) and within one mile up- or downstream of a state highway bridge, Caltrans must be notified and provided a 45-day review period by the lead agency.	
PRC §2772(c)(8)(A)	Description of the manner in which contaminants will be controlled and mine waste will be disposed.	
PRC §2772(c)(8)(B)	The reclamation plan shall include a description of the manner in which stream banks/beds will be rehabilitated to minimize erosion and sedimentation.	
PRC §2773(a)	The reclamation plan shall establish site-specific sediment and erosion control criteria for monitoring compliance with the reclamation plan.	
CCR §3502(b)(6)	Temporary stream and watershed diversions shall be detailed in the reclamation plan.	
CCR §3503(a)(2)	Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.	
CCR §3503(b)(2)	Operations shall be conducted to substantially prevent siltation of groundwater recharge areas.	
CCR §3503(a)(3)	Erosion control facilities shall be constructed and maintained where necessary to control erosion.	
CCR §3503(b)(1) ACSMO §6.80.240(I)	Settling ponds shall be constructed where they will provide a significant benefit to water quality.	
CCR §3503(d) ACSMO §6.80.240(C)	Disposal of mine waste and overburden shall be stable and shall not restrict natural drainage without suitable provisions for diversion.	
CCR §3503(e) ACSMO §6.80.240(D)(2)	Grading and revegetation shall be designed to minimize erosion and convey surface runoff to natural drainage courses or interior basins.	
	Spillway protection shall be designed to prevent erosion.	
CCR §3706(a)	Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water.	
CCR §3706(b)	Water quality, recharge potential, and groundwater storage that is accessed by others shall not be diminished.	
CCR §3706(c) ACSMO §6.80.240(D)(3),(4)	Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of surface mining operations to minimize siltation of lakes and water courses as per RWQCB/SWRCB.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
CCR §3706(d)	Surface runoff and drainage shall be controlled to protect surrounding land and water resources. The County standard is to design for a 100 year/24 hour storm event	
	Erosion control methods shall be designed for not less than 20 year/1 hour intensity storm event.	
CCR §3706(e)	Impacted drainages shall not cause increased erosion or sedimentation. Mitigation alternatives shall be proposed in the reclamation plan.	
CCR §3706(f)(1)	Stream diversions shall be constructed in accordance with the Lake and Streambed Alteration Agreement (LSAA) between the operator and the Department of Fish and Wildlife.	
CCR §3706(f)(2)	Stream diversions shall also be constructed in accordance with Federal Clean Water Act and the Rivers and Harbors Act of 1899.	
CCR §3706(g) ACSMO §6.80.240(D)(1)	All temporary stream or watershed diversions shall eventually be removed and the affected land reclaimed.	
CCR §3710(a) ACSMO §6.80.240 (D)(5)	Surface and groundwater shall be protected from siltation and pollutants in accordance with the Porter-Cologne Act, the Federal Clean Water Act, and RWQCB/SWRCB requirements.	
CCR §3710(b)	In-stream mining shall be conducted in accordance with Section 1600 et seq. of the California Fish and Game Code, Section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899.	
CCR §3710(c)	In-stream mining shall be regulated to prevent impacts to structures, habitats, riparian vegetation, groundwater levels, and banks.	
	In-stream channel elevations and bank erosion shall be evaluated annually using extraction quantities, cross-sections, and aerial photos.	
CCR §3712	Mine waste and tailings and mine waste disposal units are governed by SWRCB waste disposal regulations and shall be reclaimed in accordance with this article: CCR Article 1. Surface Mining and Reclamation Practice. Section 3500 et seq.	
Sensitive Species and Habitat		
CCR §3502(b)(1)	A description of the environmental setting (identify sensitive species, wildlife habitat, sensitive natural communities, e.g. wetlands).	
CCR §3503(c)	Fish and wildlife habitat shall be protected by all reasonable measures.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
CCR §3703(a)	Sensitive species shall be conserved or mitigated as prescribed by the federal and California Endangered Species Acts.	
CCR §3703(b)	Wildlife habitat shall be established on disturbed land at least as good as pre-project, unless end use precludes its use as wildlife habitat.	
CCR §3703(c)	Wetlands shall be avoided or mitigated at 1:1 minimum for both acreage and habitat value.	
CCR §3704(g)	Piles or dumps shall not be placed in wetlands without mitigation.	
CCR §3710(d)	In-stream mining shall not cause fish to be trapped in pools or off-channel pits, or restrict migratory or spawning activities.	
Topsoil		
CCR §3503(a)(1)	Removal of vegetation and overburden preceding mining shall be kept to a minimum.	
CCR §3503(f) ACSMO §6.80.240(G)	When the reclamation plan calls for resoiling, mine waste shall be leveled and covered with a layer of finer material. A soil layer shall then be placed on this prepared surface.	
	The use of soil conditioners, mulches, or imported topsoil shall be considered where such measures appear necessary.	
CCR §3704(c)	Mine waste shall be stockpiled to facilitate phased reclamation and kept separate from topsoil or other growth media.	
CCR §3705(e)	If soil is altered or other than native topsoil, soil analysis is required. Add fertilizers or soil amendments if necessary.	
CCR §3711(a)	All salvageable topsoil shall be removed as a separate layer.	
	Topsoil and vegetation removal should not precede mining by more than one year.	
CCR §3711(b)	Topsoil resources shall be mapped prior to stripping and location of topsoil stockpiles shown on map included in the reclamation plan.	
	Topsoil and other growth media shall be maintained in separate stockpiles.	
	Test plots may be required to determine the suitability of growth media for revegetation purposes.	
CCR §3711(c)	Soil salvage operations and phases of reclamation shall be set forth in the reclamation plan to minimize the area disturbed and to achieve maximum revegetation success.	
CCR §3711(d)	Topsoil and growth media shall be used to phase reclamation as soon as can be accommodated following the mining of an area.	
	Topsoil stockpiles shall not be disturbed until needed for reclamation.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
	Topsoil stockpiles shall be clearly identified with signs.	
	Topsoil shall be planted with vegetation or otherwise protected to prevent erosion and discourage weeds.	
CCR §3711(e)	Topsoil shall be redistributed in a manner resulting in a stable, uniform thickness consistent with the end use.	
Revegetation		
PRC §2773(a) ACSMO §6.80.240(H)	The reclamation plan shall be specific to the property and shall establish site-specific criteria for evaluating compliance with the reclamation plan with respect to revegetation.	
CCR §3503(g)	Available research regarding revegetation methods and selection of species given the topography, resoiling characteristics, and climate of the mined areas shall be used.	
CCR §3705(a)	Baseline studies shall be conducted prior to mining activities to document vegetative cover, density, and species richness.	
	Vegetative cover shall be similar to surrounding habitats and self-sustaining.	
CCR §3705(b)	Test plots shall be conducted simultaneously with mining to ensure successful implementation of the proposed revegetation plan.	
CCR §3705(c)	Decompaction methods, such as ripping and disking, shall be used in areas to be revegetated to establish a suitable root zone for planting.	
CCR §3705(d)	Roads shall be stripped of roadbase materials, resoiled, and revegetated, unless exempted.	
CCR §3705(f)	Temporary access shall not disrupt the soil surface on arid lands except where necessary for safe access. Barriers shall be installed to keep unauthorized vehicles out.	
CCR §3705(g)	Use local native plant species (unless non-native species meet the end use).	
	Areas to be developed for industrial, commercial, or residential shall be revegetated for the interim period to control erosion.	
CCR §3705(h)	Planting shall be conducted during the most favorable period of the year for plant establishment.	
CCR §3705(i)	Use soil stabilizing practices and irrigation when necessary to establish vegetation.	
CCR §3705(j)	If irrigation is used, demonstrate that revegetation has been self-sustaining without irrigation for two years prior to the release of financial assurance.	
CCR §3705(k)	Weeds shall be monitored and managed.	

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
CCR §3705(l)	Plant protection measures such as fencing and caging shall be used where needed for revegetation success. Protection measures shall be maintained until revegetation efforts are successfully completed and the lead agency authorizes removal.	
CCR §3705(m)	Quantitative success standards for vegetative cover, density, and species richness shall be included in the reclamation plan.	
	Monitoring to occur until success standards have been achieved.	
	Sampling techniques for measuring success shall be specified. Sample size must be sufficient to provide at least an 80 percent statistical confidence level.	
Agriculture		
CCR §3707(a)	Where the end use will be agriculture, prime agricultural land shall be returned to a fertility level specified in the reclamation plan.	
CCR §3707(b)	Segregate and replace topsoil in proper sequence by horizon in prime agricultural soils.	
CCR §3707(c)	Post reclamation productivity rates for prime agricultural land must be equal to pre-project condition or to a similar site for two consecutive years.	
	Productivity rates shall be specified in the reclamation plan.	
CCR §3707(d)	If fertilizers and amendments are applied, they shall not cause contamination of surface or groundwater.	
CCR §3708	For sites where the end use is to be agricultural, non-prime agricultural land must be reclaimed to be capable of sustaining economically viable crops common to the area.	

Notes: ACSMO = Alameda County Surface Mining Ordinance; CCR = California Code of Regulations; PRC = Public Resources Code.

Regulatory Checklist

Consider the following questions and describe whether or how the application applies or meets these requirements.

AUTHORITY	REQUIREMENT	REFERENCE/PAGE
PERMIT STREAMLINING ACT		
Chapter 4.5: Review and Approval of Development Projects (Government Code §65920)	Is the application for a development project, to which the Public Streaming Act applies?	
CALIFORNIA ENVIRONMENTAL QUALITY ACT		
PRC §21080.1	Does this application provide sufficient information to permit the lead agency to determine "whether an environmental impact report [EIR], a negative declaration, or a mitigated negative declaration shall be required for any project which is subject to this division"?	

Notes: PRC = Public Resources Code.

APPLICATION FORM

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Information Sheet

MINING POLICY AND REGULATION

In 1983, the Alameda County Surface Mining Ordinance (SMO) was adopted pursuant to the requirements of the California Surface Mining and Reclamation Act (SMARA). SMARA Section 2774 requires that every lead agency (i.e., Alameda County) adopt ordinances in accordance with state policy that establish procedures for the review and approval of reclamation plans, establishment and maintenance of financial assurances, and the issuance of a permit to conduct surface mining operations. The ordinance must include procedures for review and action on applications, including public hearings, and must align with state policy.

Pursuant to Chapter 6.80 of the Alameda County General Ordinance Code, Alameda County authorizes mining activities on unincorporated lands through the issuance of surface mining permits (SMPs). In addition, the County authorizes reclamation activities through approval of reclamation plans.

The general plan, zoning code, and County code provide much of the guidance needed in evaluating the merits of an SMP application. If approved by the County Planning Commission (and/or the Board of Supervisors, if appealed from the County Planning Commission), an SMP for a mining operation will contain numerous conditions of approval that define the specific mining methods, mitigation measures, and schedule for a particular mining operation. Likewise, authorized under the SMO, each mining operation has its own reclamation plan, which specifies the approved end use, including vegetation, pit slope angles, and surface elevations.

APPLICATION SUBMITTAL PROCESS

When an application is submitted, it is first reviewed for completeness according to the criteria established by SMARA and the SMO. The application must include a mining plan and reclamation plan. These items must be delineated in both map and text form. Several items are considered essential elements of a mining and reclamation plan:

- indication of the progression of all operations of the facility;
- locations of equipment, stockpiles, settling ponds, interim drainage and mineral deposits;
- progression of stripping and excavating through the use of cross sections of elevations;
- indication of time lag between mining and reclamation and between original equipment siting and relocations; and
- method of handling simultaneous excavation and reclamation, if possible.

The application is also reviewed for compliance pursuant to the California Environmental Quality Act (CEQA). When CEQA procedures and agency reviews are completed, a public hearing is held before the County Planning Commission. All applicants will be required to establish financial assurances to guarantee that the work outlined in the reclamation plan will be completed within the time limits of the plan.

No person who has obtained a vested right to conduct a specific surface mining operation prior to January 1, 1976, shall be required to secure a permit for that operation, as long as the operation continues and no substantial change is made. An operator has a vested right if prior to January 1, 1976, he has, in good faith and in reliance upon a permit or other authorization, diligently commenced surface mining operations. However, whether or not a vested right exists, a reclamation plan must be filed for operations conducted after January 1, 1976. Additionally, if any substantial change occurs, a permit for the entire operation must be obtained.

APPLICATION FORM

SMP-__

Surface Mining Permit Application Process

PRESUBMITTAL MEETING WITH ALAMEDA COUNTY

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SUBMITTAL OF APPLICATION

⇩

NEIGHBORHOOD PRESERVATION AND SUSTAINABILITY REVIEW

⇩ ⇩

NEGATIVE DECLARATION
(Environmental Impact Report Not Required)

POSITIVE DECLARATION
(Environmental Impact Report Required)

⇩

PREPARATION OF PUBLIC HEARING STAFF REPORT PACKAGE

⇩

PUBLIC HEARING AT PLANNING COMMISSION

⇩

(Appeal)

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PUBLIC HEARING AT BOARD OF SUPERVISORS