



COUNTY OF SISKIYOU

COMMUNITY DEVELOPMENT DEPARTMENT

Building ♦ Environmental Health ♦ Planning

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Phone: (530) 841-2100 · Fax: (530) 841-4076

<https://www.co.siskiyou.ca.us/community-development>

RICHARD J. DEAN

DIRECTOR

AARON STUTZ, MD

PUBLIC HEALTH OFFICER

April 14, 2022

SENT VIA CERTIFIED MAIL and E-mail

Patsy H. McMillian
1444 Pacific Terrace
Klamath Falls, OR 97601

Re: Notice of Intent to Determine the Operator to be Financially Incapable to Conduct Reclamation of the Timberhitch Mine, State Mine ID No. 91-47-0055, and Claim the Financial Assurances

Dear Mrs. McMillian:

Reclamation of the Timberhitch mine located on APNs 011-250-170 and 011-280-290 remains incomplete. There has been no production reported since 2008 and unpaid fees now total \$20,550.00. An Interim Management Plan has not been received by our department.

Therefore, the County will initiate the process of determining whether the operator may be financially incapable of completing reclamation in accordance with the approved reclamation plan of the Timberhitch Mine in accordance with procedures set forth in the Surface Mining and Reclamation Act (Public Resource Code, Division 2, Chapter 9, Section 2773.1(b), which states:

“(1) If the lead agency [County], or the [State Mining and Geology] board when acting as a lead agency, has evidence that an operator may be financially incapable of completing reclamation in accordance with its approved reclamation plan or that the operator may have abandoned the surface mining operation without completing reclamation, the lead agency or the board, when acting as a lead agency, shall conduct a public hearing to determine whether the operator is financially capable of completing reclamation in accordance with the approved reclamation plan or has abandoned the surface mining operation. The hearing shall be noticed to the operator and the supervisor [Division of Mine Reclamation] at least 30 days prior to the hearing.

(2) If the lead agency or the board, following the public hearing conducted pursuant to paragraph (1), determines that the operator is financially incapable of performing reclamation in accordance with its approved reclamation plan or has abandoned its surface mining operation without completing reclamation, either the lead agency or the supervisor shall do all of the following:

BUILDING

Glenn Shockency, Deputy Director

ENVIRONMENTAL HEALTH

Dan Wessell, Deputy Director

PLANNING

Hailey Lang, Deputy Director

(A) Notify the operator by personal service or certified mail that the lead agency or the supervisor intends to take appropriate action to forfeit the financial assurances and specify the reasons for so doing.

(B) Proceed to take appropriate action to require forfeiture of the financial assurance mechanisms.

(C) Use the proceeds from the forfeited financial assurance mechanisms to conduct and complete reclamation in accordance with the approved reclamation plan. If the surface mining operation cannot be reclaimed in accordance with its approved reclamation plan, or the financial assurance mechanisms are inadequate to reclaim in accordance with its approved reclamation plan, the lead agency or supervisor may use forfeited financial assurance mechanisms to reclaim or remediate mining disturbances as appropriate for the site conditions as determined by both the lead agency and the supervisor. The financial assurance mechanisms shall not be used for any other purpose. The operator is responsible for the costs of conducting and completing reclamation in accordance with the approved reclamation plan or a remediation plan developed pursuant to this section as determined appropriate by both the lead agency and the supervisor that are in excess of the proceeds from the forfeited financial assurance mechanisms."

The County will schedule a Public Hearing before the Siskiyou County Planning Commission to determine if you, the operator is financially incapable of performing reclamation in accordance with the approved reclamation plan. We will send you notice with the date, time and place of the Public Hearing, at least 10 days before it is held. The Hearing would likely be held at 311 Fourth Street, Second Floor, Yreka, California, on Wednesday, May 18, 2022, at 9:00 a.m. or shortly thereafter.

If the Planning Commission determines your mine is abandoned, you will be notified again, and given 60 days to commence Reclamation. If you still fail to respond, or do not commence reclamation within 60 days, the County will take steps to forfeit your financial assurances and reclaim the Timberhitch Mine.

Sincerely,



Rick Dean
Community Development Director

Cc: Ian Stevenson, Division of Mine Reclamation
Jack & Glenda Williamson, Property owners
Faye Williamson, Property Owner
James & Tamra Williamson, Property Owner