




SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

MEMO

REPORT DATE: September 3, 2021
TO: San Juan County Planning Commission
CC: Mike Thomas, County Manager
FROM: Adam Zack, Planner III 
SUBJECT: 2036 Comprehensive Plan (*Plan*) Update
Element B.2 Land Use and Rural
Mineral Resource Land Overlay (MRLO)
DISCUSSION: September 29, 2021
ATTACHMENTS: A. Washington Department of Natural Resources (WADNR) correspondence regarding WADNR Reclamation Permit 13228

PURPOSE

To provide the Planning Commission with answers to their follow up questions about the MRLO and provide an alternative proposed MRLO designation in response to public comments received.

PUBLIC COMMENTS

Please send all public comments to compplancomments@sanjuanco.com. Please do not copy the County Council, Planning Commission members, or County Staff. Written public comments received by September 16 will be provided to the Planning Commission prior to the meeting. Please focus public comments on the issues and options contemplated in this report.

BACKGROUND

The County is in the process of updating the *Plan* to prepare for the projected growth through the year 2036. The WA State Growth Management Act (GMA) requires the County periodically review and update the *Plan* as necessary. Staff has been directed to look at mineral resource land designations during the *Plan* update.

At the Planning Commission meeting on July 16, 2021, the commission considered areas proposed for designation under the Mineral Resource Land Overlay (MRLO). No lands currently are designated MRLO. The proposal was to designate existing mining operations that requested designation under the MRLO. The proposal is detailed in a July 2, 2021 staff memo posted online here: <https://www.sanjuanco.com/DocumentCenter/View/23413/>

During the July 16 discussion, the Planning Commission asked for follow up on the following four topics for their September meeting:

1. WADNR monitoring of mining operations;

2. How WADNR do their permitting;
3. How the nuisance laws work; and
4. Do nuisance laws cover non-mining activities?

Topic 1: WADNR Monitoring of Mining Operations

WADNR monitors surface mines, which includes performing on-site inspections. Inspections are performed every 1 to 2 years. These inspections are conducted to ensure that mining operations are complying with their permit conditions and reclamation requirements. In an email dated July 28, 2021, WADNR Chief Reclamation Geologist Rian Skov described the WADNR semi-annual inspection process as follows (Attachment A):

Inspections of mine permits include DNR looking at the mining related disturbance to assess required performance security, and whether the mine is working within their permitted boundaries. We also look for things such as signs of unstable slopes, topsoil conservation, completed reclamation, revegetation growth, and any other site specific aspects of a project that can impact reclamation. Things we do not look at are operational issues (hours of operations, traffic, noise, etc.) or operational stormwater issues which are covered by the Sand and Gravel General permit through the department of Ecology. DNR has jurisdiction over stormwater control at time of final reclamation.

In response to concerns expressed by neighboring property owners, staff asked WADNR whether any violations of permit #13228 for Egg Lake Quarry have been reported. In an email dated July 28, 2021, Mr. Skov stated, "With regard to violations of the permit: Two notices of correction have been issued to the mine. These are not actual violations per se, only a notice that something needs attention. Both of the notices have been resolved, and no current notices of correction or enforcement actions are open for this site (Attachment A)."

Topic 2: How WADNR do Their Permitting

The WA Surface Mining Act requires a surface mine reclamation permit in either of the two following situations:

- The property owner intends to initiate a surface mine, or
- Removal of minerals result in one of the following:
 - More than 3 acres of disturbed area;
 - Mined slopes exceed 30 feet high and a slope steeper than 1 horizontal foot to 1 vertical foot; or
 - More than 1 acre of disturbed area within an 8 acre area from mineral prospecting or exploration activities. (Source: <https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals/surface-mining-and-reclamation#when-do-i-need-a-surface-mine-reclamation-permit?>)

When a property owner applies for a surface mine reclamation permit, WADNR consults with the local jurisdiction to ensure that the mine was legally established. WADNR requires a SM-6 form completed by the local jurisdiction before they issue a surface mine reclamation permit. The SM-6 form for WADNR Permit 13228 (Egg Lake Quarry) is included in Attachment A as an example.

The purpose of the WADNR surface mine reclamation program is to ensure that lands and waters in the state are protected and reclaimed after mining is complete. The idea is to restore vegetation, soil stability, and water conditions after mining to ultimately prepare the site for future uses after mining has been completed.

Topic 3: How the Nuisance Laws Work

The principal function of the MRLO is to provide mining operations protection from nuisance claims for mineral resource extraction and processing activities. Without the MRLO, mining activities at existing operations can be considered a nuisance. A nuisance claim is a legal challenge to a land use which asserts that a use is interfering with a property owner's reasonable use and enjoyment of their land. More information about nuisances is available on the Municipal Research and Services Center (MRSC) website at <http://mrsc.org/home/explore-topics/legal/regulation/nuisances-regulation-and-abatement/what-is-a-nuisance.aspx>.

Nuisance is defined in RCW 7.48.120 as:

Nuisance consists in unlawfully doing an act, or omitting to perform a duty, which act or omission either annoys, injures or endangers the comfort, repose, health or safety of others, offends decency, or unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for passage, any lake or navigable river, bay, stream, canal or basin, or any public park, square, street or highway; or in any way renders other persons insecure in life, or in the use of property.

The San Juan County MRLO regulations provide mine operators relief from nuisance claims in SJCC 18.35.015(C)(1), which states:

Nuisance. The following shall not be considered a nuisance: mineral resource extraction and processing activities, operations (except between 7:00 p.m. and 7:00 a.m. and on weekends), facilities or appurtenances thereof, conducted or maintained for commercial mineral resource extraction and processing purposes on land designated as mineral resource land, regardless of past or future changes in the surrounding area land use or land use designation.

Topic 4: Do Nuisance Laws Cover Non-Mining Activities?

The nuisance protection in SJCC 18.35.015(C)(1) is narrowly defined, limited to mineral resource extraction, processing, operations, and facilities conducted or maintained for commercial mineral resource extraction and processing. SJCC 18.35.015(C)(1) further constrains nuisance protections to Monday through Friday, 7:00 am to 7:00 pm. Nuisance protections do not extend later into the evening and the weekends.

Mineral extraction is defined in SJCC 18.20.130 "M" definitions as follows:

"Mineral extraction" means the removal of naturally occurring materials from the earth for economic use. Extraction materials include nonmetallic minerals such as sand, gravel, clay, coal, and various types of stone.

The nuisance protection established in SJCC 18.35.015 for the MRLO do not cover activities or uses that fall outside of the definition above.

ALTERNATIVE MRLO DESIGNATION

The owner of the Egg Lake Quarry on San Juan Island proposed the MRLO on three parcels. Neighboring property owners are concerned that designating two of the three parcels under the MRLO might allow the existing quarry to expand into the adjacent neighborhood. The MRLO does not change the land uses allowed and would not allow the existing quarry to expand without a land use permit, but the nuisance protection provided by the overlay could have negative impacts on the neighboring residential area. In response to the public comments, staff proposes an alternative MRLO designation for this area. The proposed alternative is to limit the MRLO to the property with the existing quarry that is permitted by WADNR, excluding the two smaller parcels proposed by the applicant. This alternative is shown in Map 1 below.

Map 1. Staff Alternative MRLO Designation for Egg Lake Quarry.



Amending the proposed MRLO as shown in Map 1 should address the concerns of both the applicant and the neighboring property owners. Limiting the MRLO to the existing quarry can address the neighbor's concerns about the quarry expanding into the neighboring subdivision while also designating the existing quarry as mineral resource land.

If the Planning Commission would like to make a preliminary recommendation on the MRLO that incorporates the alternative shown in Map 1, the following motion can be used:

The Planning Commission makes a preliminary recommendation to establish the Mineral Resource Land Overlay as proposed in the MRLO staff memo dated July 2, 2021, incorporating the alternative proposed in Map 1 of the MRLO staff memo dated September 3, 2021.

Adam Zack

From: Skov, Rian (DNR) <Rian.Skov@dnr.wa.gov>
Sent: Wednesday, July 28, 2021 9:32 AM
To: SHAFER, ANA (DNR); Adam Zack
Cc: DNR RE Public Disclosure
Subject: RE: WADNR Mining and Reclamation Permit 13228

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Adam,

I wanted to follow up Ana's email to provide you some answers to your other questions.

With regard to concerns that the mine was legally established, it was. The site was permitted as a surface mine with DNR in 2016 and is operating under a legal non-conforming use with San Juan County (which is verified on the SM-6 form that Ana sent). The site is also covered under an Ecology Sand and Gravel general permit. The mine does appear to be operating within the parameters of their permit, although the last inspection performed in 2019 indicated that the mined depth may have exceeded the permitted depth (70 ft. mined vs 60 ft. permitted), but the report also indicates that they are working within their permit boundaries (which includes the vertical limits of the permit). The inspector who did the inspection was one of our most experienced folks, so that's a bit odd that he didn't identify it as being out of a boundary, and not something that Eli would have overlooked. So that's something that I'll be following up on in the coming weeks to get sorted out. There could be a few explanations for that, but I would like to investigate that before I make any guesses as to why that was documented that way.

Inspections of mine permits include DNR looking at the mining related disturbance to assess required performance security, and whether the mine is working within their permitted boundaries. We also look for things such as signs of unstable slopes, topsoil conservation, completed reclamation, revegetation growth, and any other site specific aspects of a project that can impact reclamation. Things we do not look at are operational issues (hours of operations, traffic, noise, etc.) or operational stormwater issues which are covered by the Sand and Gravel General permit through the department of Ecology. DNR has jurisdiction over stormwater control at time of final reclamation.

With regard to violations of the permit: Two notices of correction have been issued to the mine. These are not actual violations per se, only a notice that something needs attention. Both of the notices have been resolved, and no current notices of correction or enforcement actions are open for this site.

I'll follow up with you after I get a chance to get out and do an inspection of the site. Given our staff shortages and agency wildfire priority directive, it may be a few weeks before I can coordinate that, but I will work to get up there as soon as I can.

Hope this helps, let me know if you have any more questions.

RIAN SKOV LG, LEG

Chief Reclamation Geologist
Washington Geological Survey
Washington Department of Natural Resources
1111 Washington St. SE
Olympia, WA 98504
Rian.skov@dnr.wa.gov
Office: (360)902-1433

Cell: (360)704-0963

From: SHAFER, ANA (DNR) <ANA.SHAFER@dnr.wa.gov>
Sent: Wednesday, July 28, 2021 8:04 AM
To: Adam Zack <adamz@sanjuanco.com>
Cc: Skov, Rian (DNR) <Rian.Skov@dnr.wa.gov>; DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>
Subject: RE: WADNR Mining and Reclamation Permit 13228

Hi Adam,

Thanks for your patience. I've attached the SM-6 and the SM-9. I also attached Exhibit A (part of the permit, SM-9). This is the document with permit-specific conditions.

I attached inspection reports from 2016, 2018, and 2019. It was last inspected in December 2019.

Rian has more familiarity with this specific permit. He should be able to help you with answers to your other questions.

Regards,

Ana

Ana Shafer, LG, LEG (she/her)
Assistant State Geologist
Assistant Director for Surface Mine Reclamation
Washington Geological Survey
Washington Department of Natural Resources
(253) 569-2307
ana.shafer@dnr.wa.gov

From: Adam Zack <adamz@sanjuanco.com>
Sent: Thursday, July 22, 2021 10:44 AM
To: Skov, Rian (DNR) <Rian.Skov@dnr.wa.gov>; SHAFER, ANA (DNR) <ANA.SHAFER@dnr.wa.gov>
Subject: RE: WADNR Mining and Reclamation Permit 13228

External Email

Hi Rian,

Thanks for the follow up. I'll keep an eye out for your response.

Adam Zack
Planner III
Department of Community Development
San Juan County, WA
360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Skov, Rian (DNR) <Rian.Skov@dnr.wa.gov>
Sent: Thursday, July 22, 2021 8:34 AM
To: Adam Zack <adamz@sanjuanco.com>; SHAFER, ANA (DNR) <ANA.SHAFER@dnr.wa.gov>
Subject: Re: WADNR Mining and Reclamation Permit 13228

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Adam,
You got the right folks. I should be able to get this info to you a bit later today. I just wanted to follow up and let you know we're on it, just a bit short staffed at the moment, so requests are taking a little longer than normal to get to.

Rian

Get [Outlook for iOS](#)

From: Adam Zack <adamz@sanjuanco.com>
Sent: Wednesday, July 21, 2021 9:53:14 AM
To: SHAFER, ANA (DNR) <ANA.SHAFER@dnr.wa.gov>; Skov, Rian (DNR) <Rian.Skov@dnr.wa.gov>
Subject: WADNR Mining and Reclamation Permit 13228

External Email

Hi Ana and Rian,

I reached out to John Bromley, the person listed as the surface mine reclamation specialist covering San Juan County on the WADNR website, but was advised to contact you with questions while he is on leave. I have a few questions about permit 13228 for Egg Lake Quarry on San Juan Island. Let me know if I should contact someone else for more information about permit 13228. The operators have asked for designation under the San Juan County mineral resource land overlay (MRLO). The neighbors have concerns about whether this operation was legally established and/or operating within the parameters of their permit. Admittedly, I'm not very familiar with the WADNR permitting and inspection process for surface mines.

Can you provide a copy of the SM-6 form for this permit?

Are there specific permit conditions for permit 13228?

In general, what is involved with WADNR inspections for this type of permit?

When was the last inspection conducted for this permit?

Has the operation been cited for violations of permit 13228?

I appreciate your help. Please let me know if I should contact someone else at WADNR for this information.

Thanks,
Adam Zack
Planner III
Department of Community Development
San Juan County, WA
360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.



WASHINGTON STATE DEPARTMENT OF
Natural Resources

**COUNTY OR MUNICIPALITY
APPROVAL FOR
SURFACE MINING
(Form SM-6)**

RECEIVED
MAY 17 2015
Geology and Earth Rscs

NAME OF COMPANY OR INDIVIDUAL APPLICANT(S) Same as name of the exploration permit holder. (Type or print in ink.) Egg Lake Quarry LLC TPN 363242001 4		TOTAL ACREAGE AND DEPTH OF PERMIT AREA (Include all acreage to be disturbed by mining, setbacks, and buffers, and associated activities during the life of the mine.) (See SM-8A.) Total area disturbed will be <u>10.10</u> acres Maximum vertical depth below pre-mining topographic grade is <u>60</u> feet Maximum depth of excavated mine floor is <u>170</u> feet relative to mean sea level COUNTY <u>San Juan County</u> No attachments will be accepted. Legal description of permit area: <table border="1"> <thead> <tr> <th>1/4</th> <th>1/4</th> <th>Section</th> <th>Township</th> <th>Range</th> </tr> </thead> <tbody> <tr> <td>NW</td> <td>SE</td> <td>32</td> <td>36N</td> <td>3W</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			1/4	1/4	Section	Township	Range	NW	SE	32	36N	3W																				
1/4	1/4	Section	Township	Range																														
NW	SE	32	36N	3W																														
MAILING ADDRESS Williams Enterprises 65 Gill Lane Friday Harbor, WA 98259 Telephone		Proposed subsequent use of site upon completion of reclamation Single-Family Residential																																
Signature of company representative or individual applicant(s) 		Name and title of company representative (please print) Francine Shaw, Land Use Consultant		Date signed 4-20-15																														
TO BE COMPLETED BY THE APPROPRIATE COUNTY OR MUNICIPALITY: Please answer the following questions 'yes' or 'no'.																																		
1. Has the proposed surface mine been approved under local zoning and land-use regulations? 2. Is the proposed subsequent use of the land after reclamation consistent with the local land-use plan/designation? Non-conforming use and Doctrine of Diminishing Assets When complete, return this form to the appropriate Department of Natural Resources regional office.				<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																								
Yes	No																																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																																	
Name of planning director or administrative official (please print) Linda Kuller		Address P.O. Box 947 Friday Harbor, WA 98250																																
Signature Linda Kuller																																		
Title (please print) Planning Manager																																		
Telephone 360-370-7572	Date 4/20/15	DNR Reclamation Permit No. 13228 FOR DEPARTMENT USE ONLY:																																

RECEIVED
NOV 09 2015
Geology and Earth Rscs



WASHINGTON STATE DEPARTMENT OF
Natural Resources

**SURFACE MINING
RECLAMATION
PERMIT
(Form SM-9)**

new expansion revision name change transfer

Permit Holder: EGG LAKE QUARRY LLC
Mailing Address: 65 GILL LN
FRIDAY HARBOR, WA 98250-9614

Pursuant to RCW 78.44, a Reclamation Permit hereby granted to the above-named permit holder to engage in surface mining on the property described in the application and material on file under this permit. The total area to be disturbed by surface mining, including the deposition of surface-mining refuse, shall be in accordance with the reclamation plan filed with and approved the by the Department of Natural Resources under this permit, and in accordance with the conditions and descriptions set forth in Exhibit "A" attached hereto and made a part hereof, and RCW 78.44.

TERM OF PERMIT

This permit shall be in effect from the date of issuance and shall remain in effect so long thereafter as the permit holder pays the annual basic fee for each site, complies with the Surface Mining Act and the rules promulgated thereunder, complies with the reclamation plan, and maintains a performance security as required by the Act.

CHANGE OR MODIFICATION OF RECLAMATION PLAN

The permit holder shall obtain written approval from the Department prior to any change or departure from the approved reclamation plan.

PERFORMANCE SECURITY

A performance security shall be submitted to and approved by the Department prior to commencement of surface mining. The permit holder may submit a cash deposit, assignment of a savings account or certificate of deposit, bank letter of credit, negotiable securities, or a corporate surety bond in the amount specified. The amount of the performance security shall be subject to adjustment according to RCW 78.44.

TRANSFER OF PERMIT

The transfer of this permit to another permit holder shall not be made unless approved in writing by the Department. A transfer shall not be approved unless the successor permit holder assumes all duties of the former permit holder to complete the reclamation of the land and the Department approves the successor permit holder's performance security.

PENALTIES

The Department may suspend surface mining or impose civil penalties if the permit holder conducts surface mining in any manner not authorized by RCW 78.44, the rules adopted thereunder, the approved reclamation plan, or this permit.

Permitted issued on May 27, 2016 . Permit revised on _____

	<u>SE</u>	<u>1/4, S</u>	<u>32</u>	T	<u>36</u>	N, R	<u>03 W</u>	WM
Signature <u>Carrie Gillum</u>		<u>1/4, S</u>		T		N, R		WM
Name <u>Carrie Gillum, LG</u>		<u>1/4, S</u>		T		N, R		WM
Title <u>Reclamation Geologist</u>		<u>1/4, S</u>		T		N, R		WM
Division of Geology & Earth Resources		<u>1/4, S</u>		T		N, R		WM

TOTAL ACREAGE AND DEPTH OF PERMIT AREA

(Include all acreage to be disturbed by mining, setbacks, buffers, and associated activities during the life of the mine. See SM-8A)

Total permit acreage 10.10
Maximum vertical depth below pre-mining topographic grade is 60 feet
Maximum depth of excavated mine floor is 170 feet relative to mean sea level

DNR Surface Mining Reclamation
Permit No.
70-013228

EXHIBIT A
Conditions of the Permit
Surface Mining Reclamation Permit # 70-013228
May 27, 2016

1. This surface mining reclamation permit applies to the following permit area: a 10.10-acre permitted area in a portion of the SE quarter of Section 32, Township 36 North, Range 03 West, Willamette Meridian, San Juan County.
2. All mining and reclamation shall comply with the rules and regulations pursuant to Chapter 78.44 RCW and Chapter 332-18 WAC.
3. All mining and reclamation shall comply with the reclamation plan dated November 3, 2015 by the permittee, and approved by the Department of Natural Resources on May 27, 2016. Any amendment or change to the plan must be submitted to and approved in writing by the Department. The Reclamation Plan consists of the following documents:
 - Permit Letter, dated May 27, 2016
 - Surface Mining Reclamation Permit (Form SM-9) dated May 27, 2016
 - Exhibit A, listing **13** conditions of the permit
 - Standard Reclamation Plan
 - Application for Reclamation Permit (Form SM-8A) dated by the permittee on November 3, 2015, date stamped received by Geology and Earth on January 26, 2016.
 - County or Municipality Approval for Surface Mining (Form SM-6) dated by the permittee on April 20, 2015, and approved by San Juan County Planning on April 20, 2015, date stamped received by Geology and Earth on November 9, 2015.
 - Reclamation Narrative, date stamped received by Geology and Earth on November 9, 2015.
 - Reclamation Plan Maps: Sheets 1 of 2 and page 2, each date stamped received by Geology and Earth on November 9, 2015.
4. If there is any conflict between the conditions in Exhibit A and any other language of the approved reclamation permit (which includes the reclamation plan, maps, and supporting documents), the language in Exhibit A will prevail.
5. The permit holder shall mark the perimeter of the 10.10-acre permitted area with highly visible permanent markers and vegetation as described in the Reclamation narrative. The markers will be used to delineate the permit boundary enabling the operator, permittee, and the Department of Natural Resources (DNR) to monitor the progress of mining and reclamation. Permanent boundary markers shall be visible such that the entire perimeter of the site could be reestablished using the GPS, if any marker was destroyed.

Exhibit A, 70 - 013228

2 of 2

6. The permitted depth at this site is 60 vertical feet from the original ground surface. No excavation shall occur below an elevation of 170 feet mean sea level (msl). If additional mining depth is anticipated the reclamation plan shall be revised prior to exceeding the permitted depth.
7. Reclaimed slopes will not exceed 0.5 ft. horizontal and 1 ft. vertical slope. Steep slopes are indigenous to the area; final reclaimed slopes shall mimic surrounding natural topography to the extent possible, are stable and shall have a sinuous appearance in both plan and profile views as shown on map sheet 1 of 2 and page 2.
8. A minimum 30-foot permanent setback shall be maintained interior to the Permit Boundary as shown on Map Sheet 1 of 2.
9. Topsoil shall be stockpiled within the permit area of the mine as shown on map sheet 1 of 2. Stockpiles shall be seeded with grasses during storage and incorporate other Best Management Practices (BMPs) for erosion control as needed. Topsoil shall not be buried, removed or sold as a product from the permit area.
10. Revegetation shall be completed as detailed in the narrative and Form SM-8a. Natural revegetation only shall not be deemed satisfactory. Prior to any variation from the revegetation plan, written approval must be obtained from the Department.
11. Reclaimed slopes shall be created using the "mine to grade" method of mining. No backfill shall be used to create reclaimed slopes. Importation of backfill for use in reclamation is not permitted for this site.
12. The site is to be mined dry. If groundwater is encountered, mining must cease immediately in the area. The permit holder will contact DNR to schedule a meeting to determine further actions. A revision to the permit may be required.
13. The permit holder or operator shall maintain a complete copy of this permit, including these conditions and the approved reclamation plan with additions and amendments, at the mine site during all mining and reclamation activities.