

FILED

RESOLUTION NO. 405

04 DEC -1 AM 9:05

A RESOLUTION OF THE COUNTY COUNCIL FOR DORCHESTER COUNTY CONCERNING THE STATE SURFACE MINING LAW FOR THE CONTROL OF BORROW PITS, SAND AND GRAVEL PITS, AND THE STRIPPING OF SOIL WITHIN THE BOUNDARIES OF DORCHESTER COUNTY BY A COUNTY GOVERNMENT AGENCY EFFECTIVE IMMEDIATELY.

BE IT RESOLVED, the regulations herein are applicable to all surface mining operations by any Dorchester County governmental agency on property owned by Dorchester County or on privately owned property provided the County agency is the only party engaged in surface mining operation.

- A. The provisions of this resolution shall apply only to mining operations required for the construction and maintenance of public roads or facilities.
- B. The site selection of a surface mining operation shall not violate any Federal, State or County laws.
- C. Sediment Control Plan, approved by the Dorchester Soil Conservation District and the Dorchester County Sediment Control Office must be developed and implemented.
- D. A Reclamation Plan shall be developed for each site to be used as a borrow pit.

The Plan shall contain at a minimum:

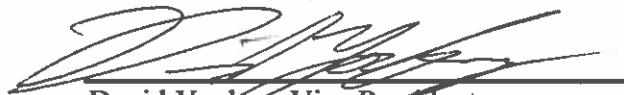
- 1. Notes on the sequence of sediment control measures needed to provide site protection throughout all phases of pit operations until reclamation is complete.
- 2. The method of removal of extracted material and stages of excavation so that reclamation may immediately follow the completion of that portion of the site.
- 3. Topography, watercourses, woodland, roads, property lines, adjacent buildings, wetlands, etc.
- 4. Methods of stabilization for all disturbed areas.
- 5. Plans for the satisfactory restoration of the land to safe and usable condition by either regrading on a four-to-one (4:1) slope, draining, replanting, or other suitable treatment at the completion of the extraction operation.
- 6. Plans for the removal and stockpiling of topsoil and the spreading of this topsoil at the completion of the extraction operation.

- E. The Sediment Control Administrator shall provide on-site inspection prior to the start of pit operations and periodically during the use of the pit. The Administrator shall insure compliance with the grading and sediment control ordinance; the sediment control plan; and upon completion of the work shall make final inspection and forward a copy of the final report to the Maryland Department of the Environment Mineral, Oil and Gas Division. Representatives of the Maryland Department of the Environment are also authorized to perform inspections. Final acceptance and approval upon completion shall be obtained from the Maryland Department of the Environment.
- F. If periodic inspections indicate environmental safety, or other detrimental conditions, corrective action shall be taken immediately.
- G. An application for an individual mining site shall be submitted to the Maryland Department of Environment prior to any site preparation or use. A site-specific approval shall be obtained from the Department of Environment, Mining Program prior to initiation of any mining activities or site preparation for any Exempted site.
- H. Dorchester County will take full responsibility for the reclamation of any exempted site issued for use by the County. Reclamation shall be completed within one year from the completion of mining on any portion of the site.

THE COUNTY COUNIL FOR  
DORCHESTER COUNTY, MD.



Glen A. Bramble, President



David Yockey, Vice President



Effie M. Elzey



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ATTEST:

  
Jane Baynard, County Manager

Date: November 23, 2004