



Publication Date: Friday, August 4th, 2023
REVISED: August 7, 2023

OFFICIAL NOTICE OF PUBLIC MEETING

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, August 17th, 2023, at 10:00 a.m.

**California Natural Resources Headquarters
715 P Street, Conference Room 2-302 A and B
Sacramento, California 95814**

**This meeting will be held in-person and
via video conference and will be recorded.**

To avoid any background noises while the meeting is in session, we ask that you mute your device. To join the meeting, please download the latest version of MS Teams by visiting their website at <https://aka.ms/getteams> or install the MS Teams app on your phone. After installing MS Teams on your device click on the [Microsoft Teams Meeting](#) link to join the meeting (**Meeting ID: 248 863 124 738 and Passcode: 4KQmUU**). You may also join us by phone by dialing (916) 318-8892 and entering the Phone Conference ID Number: **392 849 055#**.

For questions or comments regarding this Agenda, please contact the Board by email at smgb@conservation.ca.gov. This Notice, the agenda, and all associated staff reports can be accessed at the SMGB's website at: <https://www.conservation.ca.gov/smgb>.



PUBLIC MEETING AGENDA (REVISED)

1. **Call to Order (Sheingold)**
2. **Pledge of Allegiance**
3. **Roll Call and Declaration of a Quorum**
4. **Review of the Agenda (Sheingold)**
5. **Department Reports**
 - Department of Conservation Report (Tiffany)
 - Division of Mine Reclamation Report (Campbell)
 - California Geological Survey Report (TBA)
6. **Chair Report (Sheingold)**
7. **Executive Officer Report (Schmidt)**
8. **Geologist Report (Fry, Jones)**
9. **Board Committee Reports**
 - Policy and Administration (Chair Landregan)
 - Geohazards (Chair Zafir)
 - Mineral Conservation (Chair Anderson)
 - SMARA Compliance (Chair Kenline)
10. **Ex-Parte Communication Disclosure**

Board Members will identify any discussions they may have had requiring disclosure pursuant to Public Resources Code (PRC) Sections 663.1 and 663.2.
11. **Public Comment Period**

This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. Speaker testimony is limited to three minutes except by special consent of the Chair.
12. **Consent Items**

All the items appearing under this section will be acted upon by the Board by one motion and without discussion; however, any Board member wishing to discuss any item may request the Chair to remove the item from the Consent Calendar and consider it separately.

 - A. Consideration and Approval of Minutes for the Regular Business Meeting held on:
June 15, 2023
13. **Regular Business Items**
 - A. Nomination of State Geologist - Report from the Ad Hoc Committee regarding the interview results and Board approval of the Committee's nomination for transmittal to the Director of Conservation.
 - B. Election of the Board's Vice-Chair

- C. Certification of the San Benito County Amended Surface Mining and Reclamation Ordinance as being in accordance with the Surface Mining and Reclamation Act (Public Resources Code Section 2710 et seq.).

14. Presentations, Reports, and Informational Items

- A. Teichert presentation on post-reclamation beneficial uses
- B. Briefing on the California Geological Survey (CGS) Preliminary Maps of Earthquake Fault Zones for the southern Rodgers Creek fault zone in the Cotati, Glen Ellen, Petaluma River, Santa Rosa, and Sears Point 7.5-minute Quadrangles in Sonoma County. Affected jurisdictions include the City of Santa Rosa and parts of unincorporated Sonoma County.
- C. Briefing on the California Geologic Survey (CGS) Preliminary Maps of Seismic Hazard Zones (Liquefaction and Earthquake-induced landslides) for the Diablo, Mare Island, Richmond, San Quentin, Vine Hill and Walnut Creek 7.5-minute Quadrangles in Contra Costa County. Affected jurisdictions include: Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Pinole, Pleasant Hill, Richmond, San Pablo, San Ramon, Walnut Creek, and parts of unincorporated Contra Costa County.

15. Executive Session (Closed to the Public)

The Board will discuss information from its legal counsel on potential litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126.

16. Announcements and Future Meetings

17. Adjournment

THE STATE MINING AND GEOLOGY BOARD

THE BOARD

The State Mining and Geology Board (Board) serves as a regulatory, policy, and appeals body representing the State's interests in the reclamation of mined lands, geology, geologic and seismologic hazards, and the conservation of mineral resources.

The Board was established in 1885 as the Board of Trustees to oversee the activities of the State Mineralogist and the California Division of Mines and Geology (now the California Geological Survey). It is second oldest Board in California. Today's Board has nine members appointed by the Governor and confirmed by the State Senate, for four-year terms. By statute, Board members must have specific professional backgrounds in geology, mining engineering, environmental protection, groundwater hydrology and rock chemistry, urban planning, landscape architecture, mineral resource conservation, and seismology, with one member representing the general public.

Mission Statement

The mission of the Board is to provide professional expertise and guidance, and to represent the State's interest in the development, utilization, and conservation of mineral resources, the reclamation of mined lands and the development and dissemination of geologic and seismic hazard information to protect the health and welfare of the people of California.

STATUTORY AND REGULATORY AUTHORITY

The Board is an independent entity within the Department of Conservation under the Natural Resources Agency and is granted responsibilities and obligations under the following acts:

Surface Mining and Reclamation Act of 1975

Under this Act, Public Resources Code Sections 2710 et seq. and its regulations at 14 California Code of Regulations Section 3500 et seq., the Board provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed. SMARA also encourages the production, conservation, and protection of the State's mineral resources.

Alquist-Priolo Earthquake Fault Zoning Act

Under this Act, Public Resources Code Section 2621 through Section 2630, and its regulations at 14 California Code Regulations Section 3600 et seq., the Board is authorized to represent the State's interests in establishing guidelines and standards for geological and geophysical investigations and reports produced by the California Geological Survey, public sector agencies, and private practitioners. The Board is also authorized to develop specific criteria through regulations to be used by Lead Agencies in complying with the provisions of the Act to protect the health, safety, and welfare of the public.

Seismic Hazards Mapping Act

Under this Act, Public Resources Code Section 2690 through Section 2699.6 and its regulations at 14 California Code of Regulations Section 3720 et seq. the Board is authorized to provide policy and guidance through regulations for a statewide seismic hazard mapping and technical advisory program to assist cities, counties, and State agencies in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction or other ground failure, landslides and other seismic hazards caused by earthquakes, including tsunami and seiche threats.

GENERAL PROCEDURAL INFORMATION ABOUT BOARD MEETINGS

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**State Mining and Geology Board
715 P Street, MS 1909
Sacramento, CA 95814**



Agenda Item No. 12A

August 17th, 2023

Consideration and Approval of Minutes for the June 15th, 2023 Regular Business Meeting

INTRODUCTION:

Approve the Conformed Minutes for the State Mining and Geology Board's June 15th, 2023 Regular Business Meeting.

SUGGESTED MOTION:

Board Chair and Members, in light of the information before the State Mining and Geology Board today, I move that the Board approve the Conformed Minutes for the June 15th, Regular Business Meeting.

Respectfully submitted:

A handwritten signature in blue ink, consisting of a large, stylized 'J' and 'S' that loops together.

Jeffrey Schmidt,
Executive Officer



*****DRAFT*****

CONFORMED MINUTES

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, June 15, 2023, at 10:00 a.m.

This meeting will be held via video conference and will be recorded.

To avoid any background noises while the meeting is in session, we ask that you mute your device. To join the meeting, please download the latest version of MS Teams by visiting their website at <https://aka.ms/getteams> or install the MS Teams app on your phone. After installing MS Teams on your device click on the [Microsoft Teams Meeting](#) link to join the **meeting (Meeting ID: 258 132 796 600 and Passcode: NCxRwf)**. You may also join us by phone by dialing (916) 318-8892 and entering the Phone Conference ID Number: **717 017 827#**.

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PUBLIC MEETING AGENDA

1. Call to Order (Sheingold)

Meeting was called to order by Chair Sheingold at 10:06 am.

2. Pledge of Allegiance

Jeffrey Schmidt led the Pledge of Allegiance

3. Roll Call and Declaration of a Quorum

Chair Sheingold called roll with Vice Chair Anderson, and Members Kappmeyer, Kenline, and Zafir being present. Quorum was declared. Member Landregan later joined the meeting and was called into roll.

4. Review of the Agenda (Sheingold)

Chair Sheingold made his general announcements.

5. Department Reports

- Department of Conservation Report (Tiffany)
Chief Deputy Director Gabe Tiffany discussed State Geologist recruitment and notified the Board that they should be receiving the applications for review within the next couple of weeks. Deputy Director Tiffany also gave an update on the Department's budget deficit, and that the deficit will not affect the general fund for CGS seismic Instrumentation project. The department is now working toward developing the 2024-25 budget. Deputy Director Tiffany also mentioned reoccurring meetings with Larry Sheingold, Jeffrey Schmidt, David Shabazian, and himself have been held to encourage collaboration with the Department and the Board.
- Division of Mine Reclamation Report (Campbell)
Cameron Campbell discussed the wind down of recent work performed by CalGEM and Cal OES in Tulare County to prepare the area for potential flooding due to snowmelt. He also discussed upcoming mine inspector workshops that will be held in Oceanside California in August and in Sacramento, California in November. Cameron also discussed meeting with CalGEM regarding SB 125, Lithium extraction, and necessary modifications for the annual reporting form to accommodate annual Lithium extraction reporting. He also discussed recent work performed by the AML Unit in Nevada County to mitigate subsidence that caused a surficial opening.
- California Geological Survey Report (Newton)
Jeff Newton discussed recent work performed by CGS on post wildfire debris flows and landslides that have been prevalent due to this years heavy rainfall. He also discussed funding for new positions with CGS's seismic instrumentation program. CGS has grown 30% over the last 5 years. He also discussed a new executive position that will be opening in the near future.

6. Chair Reports (Sheingold)

Chair Sheingold had nothing to report since the previous Board Meeting.

7. Executive Officer Report (Schmidt)

EO Jeffrey Schmidt discussed the three sparate rulemaking packages that Board Staff have been working on and will be moving forward with in the near future. They include regulations involving

PRC 2714(f), Mineral Designation Packages, and Guidelines for Mineral Classification and Designation.

8. Geologist Report (Fry, Jones)

Mallory Jones updated the Board on recent community outreach and trainings she has been involved with. She also updated the Board on the progress of the 2022 Inspection Reports and FACE reviews.

Paul Fry updated the Board on recent rule makings including the 2714(f), the Mining Ordinance Guidance Document, and Mineral Classification and Designation Guidelines.

9. Board Committee Reports

- Policy and Administration (Chair Landregan) – Nothing to report
- Geohazards (Chair Zafir) – Nothing to report
- Mineral Conservation (Chair Anderson) - Nothing to report
- SMARA Compliance (Chair Kenline) – Nothing to report

10. Ex-Parte Communication Disclosure

Board Members will identify any discussions they may have had requiring disclosure pursuant to Public Resources Code (PRC) Sections 663.1 and 663.2.

Nothing to report

11. Public Comment Period

This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. Speaker testimony is limited to three minutes except by special consent of the Chair.

No comments from the public were given.

12. Consent Items

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- A. Consideration and Approval of Minutes for the Regular Business Meeting held on:
Member Landregan motioned for the approval of the conformed minutes for the Regular Business Meeting held on April 20, 2023. Member Kappmeyer seconded the motion. The conformed minutes were approved at 10:35 am.

13. Regular Business Items

- A. Consideration and Approval of the Board's draft Mining Ordinance Guidance Document.
- Paul Fry gave a presentation detailing the work performed and progress of the Mining Ordinance Guidance Document that has been completed by Board staff with the help of DOC Legal and DMR. Member Kappmeyer stated there were simple editorial comments she had and will be sending them to Board staff via email following the Board meeting. Member Kenline asked if Board staff have collaborated with outside resources with the rec plan checklist. It was announced that there will be a public workshop held to involve the public in the comment process before finalizing the language of the Mining Ordinance Guidance Document.
 - Member Kappmeyer motioned to adopt the Mining Ordinance Guidance Document to move to the next stage of public workshops.

14. Presentations, Reports, and Informational Items

San Emidio Solar Project – Scott Clouse, Director of Energy and Raw Materials, Vulcan Materials Company

Scott Clouse gave a presentation detailing the San Emidio Solar Project which is a pilot project located on reclaimed and/or untouched land on the San Emidio Vulcan property.

Ferndale California Earthquake – Hamid Haddadi, Supervising Engineering Geologist, CGS

Hamid Haddadi gave a presentation detailing the research performed by CGS Caltrans and UC Berkely on the Ferndale earthquake that occurred in 2022.

15. Executive Session (Closed to the Public)

There was no Executive Session during the June Regular Board Meeting

16. Announcements and Future Meetings

The next Regular Board Meeting is planned for July 20, 2023.

17. Adjournment

Member Landregan motioned, and Member Kappmeyer seconded adjournment. Chair Sheingold called a unanimous roll call vote and meeting was adjourned at 12:12 p.m.

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State Mining and Geology Board
715 P Street, MS 1909
Sacramento, CA 95814



Agenda Item No. 13A

August 17, 2023

Nomination of the State Geologist

BACKGROUND:

The State Mining and Geology Board (Board) nominates, and the Director of the Department of Conservation appoints the State Geologist.

STATUTORY AND REGULATORY AUTHORITY:

PRC Section 677: The Board shall nominate, and the director shall appoint, the State Geologist, who shall either be registered in compliance with the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800) of Division 3 of the Business and Professions Code) at least one year from the date of appointment, or the Board for Professional Engineers and Land Surveyors may, upon the review of academic and professional experience, grant registration. The State Geologist shall possess general knowledge of mineral resources, structural geology, seismology, engineering geology, and related disciplines in science and engineering, and the reclamation of mined lands and waters. The State Geologist shall advise the director regarding technical, scientific, and engineering issues, including the scientific quality of the division's products and activities.

DISCUSSION:

Two candidates for the position of the State Geologist were screened by the Department of Conservation and provided to the Board for potential nomination. Subsequently, an Ad Hoc Committee of the Board was formed to interview the candidates for the State Geologist position. On August 2, 2023, the Ad Hoc committee members determined that both Jeremy Lancaster and Diane Barclay are qualified to be the California State Geologist and nominates them for the position.

SUGGESTED MOTION:

Board Chair and Members, considering the information before the Board today, I move that the Board approve the Ad Hoc committee's recommendation to nominate Jeremy Lancaster and Diane Barclay as qualified to be the State Geologist and to transmit their names to the Director of Conservation.

Respectfully submitted:

Jeffrey Schmidt,
Executive Officer



Agenda Item No. 13B

August 17, 2023

Election of the State Mining and Geology Board's Vice Chair

INTRODUCTION:

Pursuant to Public Resource Code (PRC) 669, which states, "the board shall annually elect a vice chair from among its members," the State Mining and Geology Board will nominate and elect a vice chair that will succeed this position currently held by Member Brian Anderson. This appointment will be effective immediately following the conclusion of the August 17th, 2023 regular board meeting.

SUGGESTED MOTION:

Board Chair and Members, pursuant to PRC 669, I move that the Board nominate and elect (name of elected) as vice chair of the State Mining and Geology Board.

Respectfully submitted:

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke.

Jeffrey Schmidt,
Executive Officer

Agenda Item No. 13C

August 17, 2023

Certification of the San Benito County Updated Surface Mining Operations and Reclamation Ordinance Title 19, Chapter 19.13 as being in accordance with State Policy and the Surface Mining and Reclamation Act (Public Resources Code Section 2710 et seq.).

Discussion:

The San Benito County's surface mining ordinance (ordinance) was last certified by the State Mining and Geology Board (Board) in 1999. On August 16, 2022, San Benito County (County) contacted the Board and provided a draft mining ordinance for review and comment. To confirm the ordinance met the minimum requirements of the Surface Mining and Reclamation Act (SMARA), Board staff provided comments, recommendations and met several times with County staff and their consultant, Benchmark Resources. In addition, the Board's legal counsel also reviewed the updated ordinance. Subsequently, the County Planning Commission held several public hearings and eventually recommended adoption of the ordinance by the Board of Supervisors. On July 25, 2023, the San Benito County Board of Supervisors adopted San Benito County Code, Title 19, Chapter 19.13 "Surface Mining Operations and Reclamation."

The adopted ordinance and associated documents can be viewed here:

<https://doc.box.com/s/utxbhpw9w49wk9pmmmy8w69xs9cx5k9tf>

Authority:

Pursuant to Public Resources Code (PRC) Section 2774(a), a lead agency is required to adopt ordinances in accordance with state policy which establish procedures for the review and approval of reclamation plans and financial assurances and the issuance of a permit to conduct surface mining operations.

PRC Section 2774.3 states that "the Board shall review lead agency ordinances which establish permit and reclamation procedures to determine whether each ordinance is in accordance with state policy and shall certify the ordinance as being in accordance with state policy if it adequately meets, or imposes requirements more stringent than, the California surface mining and reclamation policies and procedures established by the board pursuant to this chapter."

PRC Section 2774.5 states that "if, upon review of an ordinance, the board finds that it is not in accordance with state policy, the board shall communicate the ordinance's deficiencies in writing to the lead agency. Upon receipt of the written communication, the lead agency shall have 90 days to submit a revised ordinance to the board for certification as being in accordance with state policy. The board shall review the lead agency's revised ordinance for certification within 60 days of its receipt."

Executive Officer Recommendation:

The Executive Officer concludes that San Benito County's revised surface mining ordinance meets the minimum requirements of SMARA and that the SMGB certify the updated ordinance as being in accordance with state policy and SMARA.

Suggested Motion:

Board Chair and Members, considering the information before the State Mining and Geology Board today, I move that the Board certify San Benito County's mining ordinance Title 19, Chapter 19.13 as being in accordance with state policy and the Surface Mining and Reclamation Act.

Respectfully submitted:



Jeffrey Schmidt
Executive Officer

Attachments:

- 1 – [San Benito County Code, Title 19, Chapter 19.13 "Surface Mining Operations and Reclamation"](#)
- 2 – [San Benito County Mining Ordinance Documents](#)



Agenda Item No. 14A

August 17, 2023

Presentation on “Post Reclamation and the Built Environment” by Teichert and Stonebridge Properties

INFORMATION:

Michael Smith with Teichert and Randy Slater with Stonebridge Properties will talk about how they approach re-use of their mined properties once reclamation is completed.