

**State of California
Office of Administrative Law**

In re:
State Mining and Geology Board

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 3550.11

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2015-1224-01SR

OAL Matter Type: Regular Resubmittal (SR)

This resubmittal of OAL File Nos. 2015-0603-01S and 2015-1027-04SR by the State Mining and Geology Board (the "Board") amends section 3550.11 in title 14 of the California Code of Regulations. The Board is specifying which geographic areas in the North San Francisco Bay Production-Consumption Region are areas of statewide or regional mineral resource significance. These amendments serve as a planning tool for local governments in considering future land use as it relates to surface mining.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2016.

Date: February 9, 2016



Steven J. Escobar
Attorney

For: DEBRA M. CORNEZ
Director

Original: Will J. Arcand
Copy: Amy Scott

RECEIVED BY
STATE MINING & GEOLOGY BOARD
Department of Conservation

FEB 11 2016

RESUBMITTAL

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION REGULATORY ACTION SUBMISSION

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-1216-01	REGULATORY ACTION NUMBER 2015-1224-01SR	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		REGULATIONS	

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

FEB -9 2016
2:24 PM

2015 DEC 24 A 8:32
OFFICE OF ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY
State Mining and Geology Board

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2014, 522	PUBLICATION DATE 12/26/2014	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) North San Francisco Bay P-C Region Designation	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2015-0603-01S, 2015-1027-04SR
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND 3550.11
TITLE(S) 14	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input checked="" type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
July 28, 2015 - August 12, 2015

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Amy Scott	TELEPHONE NUMBER 916-322-1082	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) amy.scott@conservation.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12/23/15
TYPED NAME AND TITLE OF SIGNATORY Will J. Arcand, Senior Engineering Geologist	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 09 2016

Office of Administrative Law

per agency request J.J.E., 02-03-2016

per agency request J.J.E., 02-03-2016

REGULATION TEXT (Strikeout/underlined)

California Code of Regulations Section 3550.11. Construction Aggregates Resources, North San Francisco Bay Production-Consumption Region.

§ 3550.11. Construction Aggregate Resources, North San Francisco Bay Region.

~~A set of maps identifying the exact locations of the designated resources areas entitled “Regionally Significant Construction Aggregate Resources Areas in North San Francisco Bay Production-Consumption Region” is incorporated by reference into this regulation. These maps are available from the State Mining and Geology Board’s office in Sacramento.*~~

The areas for changes in designation, and termination of designation, are shown on three plates: Plate 1 (July 2015), Updated Designation in the North San Francisco Bay Production-Consumption Region, Marin, Napa, Sonoma and Southwestern Solano Counties, California - Northern Part; Plate 2 (July 2015), Updated Designation in the North San Francisco Bay Production-Consumption Region, Marin, Napa, Sonoma and Southwestern Solano Counties, California - Central Part; and Plate 3 (July 2015), Updated Designation in the North San Francisco Bay Production-Consumption Region, Marin, Napa, Sonoma and Southwestern Solano Counties, California - Northwestern and Southeastern Part.

The construction aggregate deposits in the following areas are designated as being of regional significance:

Sector A – Channel and floodplain alluvium deposits located in Alexander Valley of Sonoma County; extends from approximately the City of Cloverdale downstream to a point 3.25 miles southeast of the community of Jimtown.

Sector B except for the subsectors referenced below that have had their designation terminated – Alluvial deposits of the middle reach of the Russian River and a small portion of Dry Creek 0.5 miles west of Healdsburg. The sector extends from the City of Healdsburg down the Russian River to a point near the Wohler Road ~~h~~Bridge.

~~Sector C – Alluvial deposits restricted to two small portions of Sonoma Creek. The first is about one 1 mile south of Sonoma State Hospital, and the second is about one mile south of Boyes Hot Springs.~~

Sectors D-1 and D-2a – Consists of Novato Conglomerate deposits located near Black Point in eastern Marin County.

~~Sector E – A small basalt deposit located on Petaluma Hill near the southeastern edge of the City of Petaluma in Sonoma County.~~

Sector F – A small aggregate deposit located west of the City of Cotati on Stony Point Road in Sonoma County.

Sector G – Three contiguous parcels consisting of metamorphosed graywacke and greenstone deposits located east of the City of Vallejo at the southern end of Sulphur Springs Mountain.

Sector H – Aggregate deposit located southeast of the City of Napa in Napa County.

Sector I – Metamorphosed sandstone deposit located on Point San Pedro in eastern Marin County.

~~Sector J – A large block of andesite located on Burdell Mountain approximately two miles north of the City of Novato in Marin County.~~

~~Sector K – Two areas east of Dunbar Union School and northeast of the community of Glen Ellen in Sonoma County.~~

Sector K-1 – Area east of Dunbar Union School and northeast of the community of Glen Ellen in Sonoma County.

Sector K-2 – Area east of Dunbar Union School and northeast of the community of Glen Ellen in Sonoma County.

Sector L – Small greenstone and pillow lavas deposits located in Millerton Gulch approximately 3.5 miles north of the community of Point Reyes Station in Marin County.

Sector M – A small serpentine deposit located in upper Bowman Canyon on Burdell Mountain approximately three miles northwest of Novato in Marin County.

Sector N – A small siltstone deposit located approximately one mile west of the community of Forestville and south of Highway 116.

Sector O – A small siltstone located approximately one mile west of the community of Forestville and north of Highway 116.

Sector P – Located along the west side of Green Valley approximately three miles southwest of Forestville in Sonoma County.

~~Sector Q – Sandstone deposit located in Cheney Gulch approximately 2.5 miles east of Bodega Bay in western Sonoma County.~~

Sector R – Located approximately 2.5 miles southeast of the City of Petaluma in Sonoma County.

Sector S – Located approximately five miles west of Petaluma on Petaluma Creek Road in Sonoma County.

Sector T – Sandstone deposits located 1.5 miles north of Duncan Mills on Austin Creek in western Sonoma County.

Sector U – Located at the confluence of the South Fork and Wheatfield Fork of the Gualala River in northwestern Sonoma County.

Sector V-1a – Consists of andesite located on Burdell Mountain approximately two miles north of the City of Novato in Marin County.

Sector W – Located on Porter Creek Road approximately four miles east of the community of Mark West Springs in eastern Sonoma County.

Sector X-1a – Consists of sandstone and andesite located along Highway 121 approximately 2.5 miles north of Sears Point in southeastern Sonoma County.

Sector Y – Shale deposit located approximately 2.5 miles west of Healdsburg in Sonoma County.

Sector AA - Includes subsectors AA-1, AA-2, and AA-3, and comprised of alluvial deposits along the Gualala River in northwestern Sonoma County.

Sector DD – Includes subsectors DD-1 and DD-2, and is located on Porter Creek Road approximately four miles east of the community of Mark West Springs in Sonoma County.

Sector EE - Located approximately one mile west of the community of Forestville and south of Highway 16.

Sector FF - Located approximately one mile west of the community of Forestville and north of Highway 16.

Sector GG - Located approximately 1.5 miles north of Duncan Mills on Austin Creek in western Sonoma County.

Sector HH- Located approximately 1.5 miles north of Duncan Mills on Austin Creek in western Sonoma County.

Sector II - Located approximately 1.5 miles north of Duncan Mills on Austin Creek in western Sonoma County.

Sector JJ - Located west of the City of Cotati on Stony Point Road in Sonoma County.

Sector KK - An area south of Roblar Road approximately five and a quarter miles west of the City of Cotati in Sonoma County.

Sector LL- An area south of Roblar Road approximately four and a half miles west of the City of Cotati in Sonoma County.

Sector MM - Located southeast of the City of Napa in Napa County.

The following areas have had their designation terminated:

Sector B incorporating parts of Sectors B-2a, B-2b, B-2c, B-2d, B-4d and B-4e - Located along the Middle Reach of the Russian River from Healdsburg south to its confluence with Mark West Creek: There are five areas terminated in Sector B-2a; two areas terminated in Sector B-2b; four areas terminated in Sector B-2c; two areas terminated in Sector B-2d; three areas terminated in Sector B-4d; and one area terminated in Sector B-4e. Also, including surrounding areas to all portions of both Sectors B-2 and B-4e, south of Dry Creek and west of the Russian River, corresponding to a conservation easement area.

Sectors C-2a and C-3 - Sector C-2a along Sonoma Creek, north of the City of Sonoma and Sector C-3 on the northwestern edge of the City of Sonoma. These two areas have been terminated.

Sector D-2b - This sector at the southern end of a prominent ridge in the easternmost part of the City of Novato has been terminated.

Sector E - This Sector is at the northern end of Petaluma Hill and is mostly within the City of Petaluma. Sector E has been terminated.

Sector J - This Sector is at the eastern end of Burdell Mountain. This Sector has been terminated.

Sector Q - This Sector is north of Highway 1, about 2.5 miles east of the community of Bodega Bay. The Sector has been terminated.

Sector V (partial) - This Sector (V-1b) is on Burdell Mountain. Six acres of the Sector have been terminated.

Sector X (partial) - This Sector (X-1b) is on the east side of Highway 121, about seven miles south of Sonoma. The northern portion of the Sector has been terminated.

~~*Copies of the maps incorporated by this section accompanied the text which was filed with Secretary of State on 12-3-86.~~

NOTE:

Authority cited: Sections 2790 and 2793, Public Resources Code. Reference: Sections 2726, 2761-2763 and 2790-2792, Public Resources Code.