



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

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CONFORMED MINUTES

MINERAL & GEOLOGIC RESOURCES COMMITTEE (Erin Garner, Chair; Seena Hoose; Kathy Lund) OF THE STATE MINING AND GEOLOGY BOARD

DRAFT

Will Conduct a Meeting on:

Thursday, April 10, 2008

8:00 A.M.

Balboa/Calaveras Room
Holiday Inn—Capitol Plaza
300 J Street
Sacramento, California 95814

AGENDA

For questions regarding this Agenda, please contact the SMGB office by telephone at (916) 322-1082, or by facsimile at (916) 445-0738. This Notice and associated staff reports can be accessed electronically at the SMGB's Internet web site at: <http://www.consrv.ca.gov/smgb/> (note: Agenda reports should be available electronically approximately one week prior to the scheduled meeting/hearing date).

The SMGB requests that all lengthy comments be submitted in writing in advance of the meeting date. To ensure that the SMGB has the opportunity to fully preview written material, comments should be received in the SMGB office no later than 15 days prior to the scheduled meeting date, and must indicate the Agenda Item to which it relates. For written material in excess of two pages, or that contains large maps, photos, foldouts, or other documents requiring special handling, please submit 12 copies. The SMGB will not reproduce these types of documents. Comments on Agenda Items will be accepted by electronic mail, and are subject to the same conditions set forth for other written submissions.

Individuals are responsible for presenting their own projects at the meeting.

[NOTE: Times are approximate. The chairman may alter the hearing start time or agenda item order during the meeting.]

I. Call to Order (Garner)

The meeting was called to order at 9:30 A.M.

II. Roll Call and Declaration of a Quorum

All committee members were present, including Member Jones, with the exception of Member Hoose, at the time of roll call, and a quorum was declared.

III. Consent Items [Action]

[All the items appearing under this section will be acted upon by the committee by one motion and without discussion; however, any committee member wishing to discuss a particular item may request the Chairman to remove the item from the Consent Calendar and consider it separately under Continued Business or New Business.]

1. Approval of Minutes, November 8, 2007 Committee Meeting.

SMGB Chairman Jones moved to approve the minutes. Committee Member Lund seconded and the motion carried with a unanimous voice vote.

IV. Continued Business [Action]

[These business items have been continued from a previous meeting/hearing.]

2. Recommendation for Designation of Mineral Resource Lands in the Palm Springs Production-Consumption Region, Riverside County, California.

Executive Officer Testa stated that pursuant to PRC Section 2790, the SMGB may, by regulation adopted after public hearing designate specific geographical areas of statewide or regional significance and specify the boundaries thereof. In addition, pursuant to PRC Section 2793, the SMGB may also, by regulation, terminate, partially or wholly, the designation of any area, on a finding that the direct involvement of the SMGB is no longer required. The SMGB, based on recommendations from the State Geologist and public input, prioritizes areas to be classified and/or designated. At its December 13, 2007 regular business meeting, the SMGB accepted CGS Special Report 198 which updated information previously presented in an earlier classification report. The SMGB subsequently directed the Committee to receive recommendations from the State Geologist, and commence the designation and de-designation process, as appropriate. The State Geologist is recommending sixteen (16) areas for designation, and five (5) sectors within six (6) areas, for de-designation.

- Chairman Jones noted that, unlike the following item where the issue is residential and commercial development, which precludes the extraction of materials, in this case it is the presence of transmission power lines that may not have the longevity as with other structures – 10 to 40 years for example, afterwards the lines could be removed due to the availability of other energy sources, and the materials extracted.
- State Geologist Parrish stated that the reason the wind farms are included is because they are an incompatible use for mining, but it is left up to the SMGB to decide whether the SMGB wishes to terminate designation or not.



- Chairman Jones inquired as whether it would be problematic to retain designation status.
- State Geologist Parrish responded with a no and noted that the only issue is that at any time something has to be done, the action would have to go through the CEQA process which requires justification as to why the proposed project or development is more important than the mineral resources. Regardless, it is the SMGB's decision as to whether the SMGB wishes to terminate designation or not.
- Member Garner inquired whether one could allow mitigation of the use in a way to accommodate mining with the use, while acknowledging the SMGB's policy. State Geologist Parrish indicated that the SMGB could.
- Mr. Adam Harper representing the California Construction and Industrial Materials Association (CalCIMA) expressed some of industry's concerns, as expressed in part by Chairman Jones. If the SMGB does not terminate the designation, there is an assumption that such resources are available. This is important since if in reality what is designated is not available, then the actual baseline quantity of available aggregate is unrealistically high. The SMGB has policies on classification and designation, and the SMGB may wish to consider re-evaluating its policies in terms of what certain obligations and responsibilities are being met by the lead agencies. The SMGB may wish to re-evaluate its policies to quantify whether certain SMGB policies are being followed, whether Mineral Resources Management Policies (MRMP) are in place and being incorporated into the General Plans, whether the State Geologist has been appropriately notified during the CEQA process, and whether lead agencies are meeting their obligations and responsibilities – essentially is designation working as a functional program. Also, there are needs for other mineral resources to be recognized since MRZ-2 areas may or may not be appropriate with temporal considerations in mind, and provide designated base maps to industry on a timely basis and in user friendly format. CalCIMA on behalf of industry would like to raise pertinent issues in a timely manner.
- Chairman Jones urged the Executive Officer to take the appropriate steps to encourage comments from industry when termination of designated land is being considered, and concurred with Mr. Harper that inflated aggregate resources have no real benefit. Other comments, such as areas designated inappropriately because they overlap with for example sensitive habitat environments, may require re-evaluation.
- Member Garner inquired as to whether Mr. Harper's issue of differentiation of designated areas could be done via regulation. State Geologist Parrish stated that such action could be considered.

SMGB Chairman Jones moved to accept the designation and termination of designation recommendations of the State Geologist. Committee Member Lund seconded and the motion carried with a unanimous voice vote.



3. Recommendation for Termination of Designation of Mineral Resource Lands in the Claremont-Upland Production-Consumption Region, Los Angeles and San Bernardino Counties, California.

Executive Officer Testa stated that pursuant to PRC Section 2790 the SMGB may, by regulation adopted after public hearing designate specific geographical areas of statewide or regional significance and specify the boundaries thereof. In addition, pursuant to PRC Section 2793, the SMGB may also by regulation terminate, partially or wholly, the designation of any area on a finding that the direct involvement of the SMGB is no longer required. The SMGB, based on recommendations from the State Geologist and public input, prioritizes areas to be classified and/or designated. At its December 13, 2007, regular business meeting, the SMGB accepted CGS Special Report 202 which updated information previously presented in an earlier classification report. The SMGB subsequently directed the Committee to receive recommendations from the State Geologist, and commence the designation and termination of designation process, as appropriate. The State Geologist is recommending eighteen (18) areas in eleven (11) sectors for termination of designation.

- Member Garner inquired as to whether policy consideration should be given to replacement of mineral resources land when designated lands have already been or plans to be encroached upon. Such action could take place at the time that designation of certain land is being terminated.
- State Geologist Dr. John Parrish stated that each lead agency has Mineral Resources Management Policies (MRMP), and must decide why it is very important to build over regionally important mineral resources. When lead agencies act in this manner, it typically goes unchallenged, and individuals are not vigorously taking a look at regional aggregate issues. Lead agencies are supposed to justify the loss of the materials.
- Member Garner expressed the liability of litigation which would not in the best interest of the SMGB.
- Member Lund expressed the need and benefit of communication and interaction with the California League of Cities and California State Association of Counties (CSAC).
- Chairman Jones expressed the need to quantify past actions of lead agencies.

SMGB Chairman Jones moved to accept the termination of designation recommendations of the State Geologist. Committee Member Lund seconded and the motion carried with a unanimous voice vote.

4. Consideration of the State Mining and Geology Board Information Report No. IR 2007-05.

This agenda item was deferred.

V. New Business [Action]

VI. Good of the Meeting [Information]

[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. All persons wishing to address the



Committee should fill out a speaker card and present it to the Secretary so that the Chair can determine the number of persons who wish to speak. Speakers are limited to three minutes except by special consent of the Chairman.]

VII. Continuing Business [Information]

[This item is provided as an opportunity for any SMGB Committee member to receive information on or any items of continuing interest to the SMGB.]

VIII. New Business [Information]

[This item is provided as an opportunity for any SMGB Committee member to bring any item of new business to the Committee's attention for further discussion and further action.]

VII. Announcements of Future Meetings

The next meeting of the Committee was not scheduled.

VIII. Adjournment

The meeting was adjourned at 10:00 A.M.

APPROVED

Erin Garner, Chairman

Stephen M. Testa, Executive Officer

