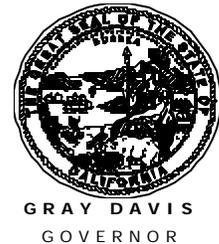




STATE MINING & GEOLOGY BOARD
 DEPARTMENT OF CONSERVATION
 STATE OF CALIFORNIA



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RESULTS

THE STATE MINING AND GEOLOGY BOARD

Held a Regular Business Meeting on:

July 11, 2002

9:30 A. M.

(or immediately following the Surface Mining Standards Committee Meeting that commences at 8:15 A. M.)

**Sweetwater Union High School District
 1130 5th Avenue, Board Chambers
 Chula Vista, CA**

AGENDA

(NOTE: Times are approximate. The Chairman may alter the hearing start time or agenda item order during the meeting)

9:30 A. M. **Call to Order (Jones)**
 (approx.) **Roll Call and Declaration of a Quorum**

Consent **(Action)**
 (Any Board Member wishing to discuss a particular item may request the Chairman to remove the item from Consent and place it under Continued or New Business for separate action)

- APPROVED**
1. Approval of [Minutes](#), May 9, 2002, Regular Business Meeting.
 2. Approval of Financial Assurance Cost Estimate for the Timm Mine, CA Mine ID #91-09-0006, El Dorado County

Staff Report
MODIFIED AND APPROVED

3. Denial of a Request by Baldwin Contracting Company, Inc. for an Exemption from the Requirements of SMARA Pursuant to PRC §2714(f) for a Proposed Operation in Yuba County.

Staff Report
REQUEST DENIED

Mission of the State Mining and Geology Board is to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Redress

4. Acceptance of "Revised Slope Stability Analysis at Cool Cave Quarry, Cool, California" and Addendum Letter, CA Mine ID # 91-09-0005, Teichert Aggregates, Operator, El Dorado County

Staff Report
ACCEPTED

Reports

(Information)

Department of Conservation

- ❖ Director's Report (Young)

State Mining and Geology Board

- ❖ Chairman's Report (Jones)
- ❖ Executive Officer's Report (Parrish)
- ❖ Geohazards Committee (Ramirez)
- ❖ Inter-board Committee (Tepel, Thompson)
- ❖ Minerals & Geologic Resources (Griego)
- ❖ Policy & Legislation (Jones)
- ❖ Surface Mining Standards (Baca)
- ❖ Board's Legal Council (Cunningham)

Continued Business Items

(Action)

5. Determination of Adequacy of Corrective Measures Taken by Oat Hill Quarry, CA Mine # 91-28-0002, City of American Canyon. Failure to Adequately Correct May Result in the SMGB Issuing a Notice of Violation.

Staff Report Pending
NOTICE OF VIOLATION ISSUED

6. Determination of Adequacy of Corrective Measures Taken by Garnet Pit, CA Mine ID # 91-33-0031, Granite Construction Company, Operator; City of Palm Springs. Failure to Adequately Correct May Result in the SMGB Issuing a Notice of Violation.

Staff Report
CONTINUED, INTERIM FINANCIAL ASSURANCE ESTABLISHED

7. Determination of Acceptance of Otay Ranch Pit Annual Mine Inspection, CA Mine ID # 09-37-0035, Hanson Aggregates, Operator, City of Chula Vista. Review May Result in the SMGB Issuing a Notice to Correct

Staff Report
ACCEPTED, FINANCIAL ASSURANCE AMOUNT INCREASED

8. Review of the Status of the Amended Reclamation Plan Appeal Submitted by United Rock Products for Its Pit # 2 and Pit #3 Operations, CA Mine ID # 91-19-14 and 91-19-15 respectively, in the City of Irwindale. Action May Be Taken to Terminate the Appeal Before the SMGB.

Staff Report

ACTION TO PROCEED WITH CEQA STUDY APPROVED

9. Adoption of Proposed Regulatory Language to California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1:
 - A. Article 1, Section 3502 (amended): The Reclamation Plan
 - B. Article 12, Section 3901, 3909, and 3910 (amended): Administrative Penalty Petition Procedures

Staff Report - SAME as 9A

A & B ADOPTED

New Business

(Action)

10. Issuance of Notice of Violation to Marin Quarry, CA Mine ID # 91-09-0015, for Failure to Maintain an Adequate Financial Assurance, El Dorado County.

Staff Report

NOTICE OF VIOLATION ISSUED

11. Issuance of an Order to Comply to Diamond Quarry, CA Mine ID # 91-09-0003, Freda Pechner, Agent; Loring Brunius, Owner/Operator; El Dorado County, for Mine Site Conditions Not in Compliance with the Approved Reclamation Plan.

Staff Report

ORDER TO COMPLY ISSUED

12. Issuance of Order to Cease and Desist All Surface Mining Operations to Diamond Quarry, CA Mine ID # 91-09-0003, Freda Pechner, Agent; Loring Brunius, Owner/Operator; El Dorado County, for Failure to Possess an Adequate Financial Assurance.

Staff Report

ORDER TO CEASE AND DESIST ISSUED

13. Hearing of an Order to Comply Issued on May 9, 2002, to Eureka Slate Quarry, CA Mine ID # 91-09-0007, Rand Ferriera, Operator; El Dorado County, for Failure to Submit a Reclamation Plan and Financial Assurance in Accordance with the Requirements of the Surface Mining and Reclamation Act of 1975.

Staff Report

HEARING CONDUCTED, ORDER UPHELD

14. Consideration of Request by Jon Messick to Extend an Exemption from SMARA for a Land Leveling Operation in Yuba County Granted by the SMGB on August 16, 2001.

Staff Report
REQUEST APPROVED

15. Approval of Financial Assurance Cost Estimate for Snow's Road Pit, CA Mine ID # 91-09-0012, El Dorado County.

Staff Report
APPROVED

16. Adoption of Board's Surface Mine Inspection Guidelines to Assist Department of Conservation and SMGB Staffs in Carrying Out the Requirements of PRC ' 2774(b) of SMARA.

Staff Report
CONTINUED

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 on a particular item should do so at this time. Speakers are limited to three (3) minutes except by special consent of the Chairman)

Executive Session (Closed to the Public)

(The Board will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code § 11126 and PRC ' 2778.) Items to be discussed are:

- a) Raney vs. SMGB, Case # SCVSS 69392, San Bernardino Superior Court;
- b) Schneider vs. SMGB, Case # OOCSSO1498, Sacramento Superior Court;
- c) Calvert, et al vs. SMGB et al, Case # OOCSSO1434, Sacramento Superior Court;
- d) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County Superior Court
- e) An un-named case where there is potentially significant exposure to litigation against the Board.

Reopen Regular Business Session, Announce Results of Executive Session

Announcements and Adjournment: NEXT MEETING 9/12/02

State Mining and Geology Board

July 11, 2002 Meeting Agenda

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- ❖ **NOTE** INDIVIDUALS ARE ENCOURAGED TO SUBMIT WRITTEN STATEMENTS OF ANY LENGTH AND DETAIL TO THE BOARD. IT IS PREFERABLE THAT THESE STATEMENTS BE SUBMITTED AT LEAST FIFTEEN DAYS PRIOR TO THE MEETING SO THAT THE BOARD MEMBERS CAN PREVIEW THE INFORMATION BEFORE THE MEETING. **PLEASE SUBMIT 25 COPIES OF ALL WRITTEN MATERIALS IN EXCESS OF TWO PAGES.** THE BOARD WILL NOT REPRODUCE REPORTS IN EXCESS OF TWO PAGES OR LARGE MAPS, PHOTOS, OR OTHER DOCUMENTS REQUIRING SPECIAL HANDLING.
- ❖ **NOTE:** A CLOSED SESSION MAY BE CALLED BY THE CHAIRMAN TO DISCUSS LITIGATION AND OTHER PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS BY AUTHORITY OF GOVERNMENT CODE §11126(q) AND SACRAMENTO NEWSPAPER GUILD vs. SACRAMENTO COUNTY BOARD OF SUPERVISORS [1968] 266(b) CAL. APP. 2nd, 41; BASIS OF "LITIGATION" EXCEPTION IS THE ATTORNEY/CLIENT PRIVILEGE. A CLOSED SESSION MAY ALSO BE CALLED PURSUANT TO PRC ' 2778, PROTECTION OF PROPRIETARY INFORMATION
- ❖ **NOTE** AS A STATE AGENCY, THE BOARD IS GOVERNED BY THE BAGLEY-KEENE OPEN MEETING ACT THAT REQUIRES THE BOARD TO (1) PUBLISH AN AGENDA AT LEAST TEN DAYS IN ADVANCE OF ANY MEETING; (2) DESCRIBE IN THE AGENDA SPECIFIC ITEMS TO BE TRANSACTED OR DISCUSSED; AND, (3) REFUSE TO ADD AN ITEM AFTER THE AGENDA IS PUBLISHED.