



STATE MINING & GEOLOGY BOARD
DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA



GRAY DAVIS
GOVERNOR

PUBLIC NOTICE

THE STATE MINING AND GEOLOGY BOARD

Will hold a Regular Business Meeting on:

September 11, 2003

**IMMEDIATELY FOLLOWING THE COMPLETION OF
THE SURFACE MINING STANDARDS COMMITTEE MEETING**

**Department of Consumer Affairs
400 R Street, First Floor Hearing Room
Sacramento, CA 95814**

AGENDA

(NOTE: The Chairman may alter the agenda item order or start time during the meeting)

- I Call to Order (Jones)**
- II Roll Call and Declaration of a Quorum**
- III Department of Conservation Director's Report (Young)** (Information)
- IV Chairman's Report (Jones)** (Information)
- V Executive Officer's Report (Parrish)** (Information)
- 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. Speakers are limited to three minutes except by special consent of the Chairman)
- VII Consent Items** (Action)
 - 1. Approval of Minutes, July 10, 2003 Regular Business Meeting.
STAFF REPORT
ACTION TAKEN (Pending)
 - 2. Approval of Completion of Site Reclamation at Pearson Quarry, California
Mine ID # 91-58-0010, Yuba County
STAFF REPORT
ACTION TAKEN (Pending)

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

3. Adoption of Resolution 2003-04 Certifying the County of Colusa's Surface Mining and Reclamation Ordinance as Recommended by the Policy and Legislation Committee.

STAFF REPORT PENDING RECEIPT OF ORDINANCE FROM COUNTY
ACTION TAKEN (Pending)

4. Adoption of Resolution No. 2003-05 Certifying the City of Jackson's Surface Mining and Reclamation Ordinance as Recommended by the Policy and Legislation Committee. (The Committee will consider a recommendation at its meeting earlier today. If the Committee does not approve the ordinance, this action will be struck from the Agenda.)

STAFF REPORT
ACTION TAKEN (Pending)

VIII Continued Business (These business items are continuing from a previous meeting)

(Action)

5. Adoption of Regulatory Language Adding Section 3805.5 to Title 14, California Code of Regulations, Affecting the Modification or Release of Financial Assurance Instruments at the Completion of Mine Site Reclamation.

STAFF REPORT
ACTION TAKEN (Pending)

6. Approval of Revised Financial Assurance Amount for Cal Sierra Development, Inc.'s Mine, California Mine ID 91-58-0003, Yuba County

STAFF REPORT
ACTION TAKEN (Pending)

7. Hearing of an Order to Comply Issued July 10, 2003, to Joseph and Yvette Hardesty, Rick and Deanna Churches, and Dan Tankersley, to Provide a Draft Reclamation Plan for Surface Mining Activities on the Donovan Ranch Property, El Dorado County.

STAFF REPORT
ACTION TAKEN (Pending)

8. Issuance of an Administrative Penalty to Joseph and Yvette Hardesty, Rick and Deanna Churches, and Dan Tankersley for Failure to Provide a Draft Reclamation Plan for Surface Mining Activities on the Donovan Ranch Property, El Dorado County, as Ordered by the State Mining and Geology Board on July 10, 2003. (This Penalty will not be acted on if a draft reclamation plan is submitted as ordered.)

STAFF REPORT
ACTION TAKEN (Pending)

IX New Business

(Action)

9. Approval of a Mitigated Negative Declaration for a Revised Reclamation Plan for Chile Bar Slate Mine, California Mine ID # 91-09-0004, Placerville Industries, Inc., El Dorado County.

STAFF REPORT

ACTION TAKEN (Pending)

10. Adoption of Resolution 2003-06 Approving a Revised Reclamation Plan for Chile Bar Slate Mine, California Mine ID # 91-09-0004, Placerville Industries, Inc., El Dorado County.

STAFF REPORT

ACTION TAKEN (Pending)

11. Approval of Financial Assurance Amount for Baldwin Contracting Company's Hallwood Mine, California Mine ID # 91-58-0002, Yuba County

STAFF REPORT

ACTION TAKEN (Pending)

12. Approval of Financial Assurance Amount for Western Aggregates Mine, California Mine ID # 91-58-0001, Yuba County.

STAFF REPORT

ACTION TAKEN (Pending)

13. Approval of Financial Assurance Amount for Blue Point Rock Product's Blue Point Mine, California Mine ID # 91-58-0021, Yuba County.

STAFF REPORT

ACTION TAKEN (Pending)

X Special Reports and Departmental Presentations

(Information)

(Based on these Reports, the Chairman may instruct the Board staff to initiate administrative actions)

14. Special Report – City of Irwindale's SMARA Program; Presented by the Office of Mine Reclamation

VERBAL STAFF REPORT TO BE GIVEN

ACTION TAKEN (Pending)

15. Special Report – Credentials of Those Providing Testimony to the State Mining and Geology Board

VERBAL STAFF REPORT TO BE GIVEN

ACTION TAKEN (Pending)

XI SMGB Committee Reports

XII Executive Session (Closed to the Public)

[The Board will discuss information from its legal counsel on current and pending litigation and may take appropriate actions based on this information. This session is being held under Government Code § 11126.] Items to be discussed:

- a) Calvert, et al vs. SMGB et al, Case # OOCs01434, Sacramento Superior Court

(Information)

- b) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County
- c) An un-named case where there is potentially significant exposure to litigation against the Board.

XIII Reopen Regular Business Session, Announce Results of Executive Session

ACTION TAKEN (Pending)

XIV Announcements of Future Meetings

ACTION TAKEN (Pending)

XV Adjournment

NOTE ITEMS TO BE CONSIDERED FOR PLACEMENT ON A BOARD MEETING AGENDA MUST BE SUBMITTED NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED MEETING.

NOTE BOARD MEETINGS ARE OPEN TO THE PUBLIC AND ARE HELD IN BARRIER FREE FACILITIES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. FOR ADDITIONAL INFORMATION OR ASSISTANCE, CONTACT THE BOARD OFFICE.

NOTE INFORMATION REGARDING STATE MINING AND GEOLOGY BOARD MEETINGS MAY BE OBTAINED BY CALLING THE BOARD OFFICE AT (916) 322-1082. COPIES OF STAFF REPORTS AND APPROVED MINUTES MAY BE OBTAINED BY WRITING THE BOARD OFFICE AT 801 'K' STREET, MS 24-05, SACRAMENTO, CALIFORNIA 95814 OR BY ACCESSING THE BOARD'S WEB SITE:
<http://www.consrv.ca.gov/smgb/>

NOTE IF YOU WISH TO COMMENT ON AN AGENDA ITEM OR SPEAK DURING THE PUBLIC COMMENTS PERIOD, PLEASE FILL OUT A "REQUEST TO SPEAK" FORM, AVAILABLE AT THE MEETING ROOM ENTRANCE, AND GIVE IT TO THE BOARD SECRETARY. PLEASE DELIVER THE FORM PRIOR TO THE ITEM BEING HEARD BY THE BOARD. DURING THE PUBLIC COMMENT PERIOD, EACH SPEAKER IS LIMITED TO A MAXIMUM OF THREE MINUTES. AT THE DISCRETION OF THE CHAIRMAN, MORE TIME MAY BE GRANTED.

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 12 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. **INDIVIDUALS ARE RESPONSIBLE FOR PRESENTING THEIR PROJECTS AT THE PUBLIC HEARING.**

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.

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.