



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

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CONFORMED MINUTES

THE COMMITTEE OF THE STATE MINING AND GEOLOGY BOARD

Conducted a Regular Business Meeting on:

Friday, September 23, 2011

10:00 A. M.

Lake Elsinore Cultural Arts Center
183 North Main Street
Lake Elsinore, California 92530

Draft

AMENDED 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/smqb/> (note: Agenda reports should be available electronically approximately one week prior to the scheduled meeting/hearing date).

The SMGB requires that all lengthy comments be submitted in writing in advance of the meeting date where this matter is to be decided. To ensure that the SMGB has the opportunity to fully preview written material, comments should be received in the SMGB office located at 801 K Street, Sacramento, CA, 95814, no later than 5:00 P.M., 15 calendar days prior to the scheduled meeting date, and must identify the Agenda Item to which it relates. For written materials in excess of two pages, or that contains large maps, photos, foldouts, or other documents requiring special handling, please submit 15 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.

New submittals received after 15 calendar days prior to the scheduled meeting date will be marked as late, and the SMGB will decide whether new submittals will be considered or not during the public hearing. Late submittals, received by the SMGB at least 48 hours prior to the scheduled meeting, will be included in a late document submittal listing. Late submittals, received after 48 hours prior to the scheduled meeting, will not be included on the late document submittal list. The SMGB would accept a two-page written summary of testimony, or final comments based on, and limited to, review of the SMGB's packet and/or Executive Officer's report, at the time of the public hearing. Such two-page summaries would be included as part of the administrative record before the SMGB. This

policy does not apply to quasijudicial proceedings (i.e., appeals, petitions, etc.) where administrative procedures for the submittal of documents are set forth in statute and regulation.

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)

II. Pledge of Allegiance

III. Roll Call and Declaration of a Quorum

The meeting was called to order at 10:00 A. M. by Chairman Garner, with Member Baca, and a quorum of the Committee of the SMGB was declared.

IV. 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 SMGB 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.]

- Paulie Tehrani, resident of Lake Elsinore, spoke to the issue of conditional use permits pertaining to mining, and the incompatibility of such activities with other land use within the City of Lake Elsinore jurisdiction.
- Kerry Cato, consultant with Cato Geosciences and a member of the Geohazards Committee Technical Advisory Committee, inquired as to the status to the TAC report, and the need to get the TAC report and other business completed.

IV. Continued Business [Action]

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

1. **Public Hearing:** Consideration of Order to Comply, Pacific Clay Pits (CA Mine ID #91-33-0006), Chad Warren (Agent), Pacific Clay Products, Inc. (Operator), City of Lake Elsinore.
- Kevin Doherty, geologist with OMR, provided an overview and status report pertaining to compliance for Pacific Clay Pits.

Board Chairman Garner moved to accept the signed stipulated judgment negotiated between OMR and the operator. Board Member Baca seconded and the motion carried with a unanimous voice vote.

2. **Public Hearing:** Consideration of Order to Comply, Mountain Avenue Pit #2 (CA Mine ID #91-33-0020), Chad Warren (Agent), Pacific Aggregates, Inc. (Operator), City of Lake Elsinore.
- Kevin Doherty, geologist with OMR, provided an overview and status report pertaining to compliance for Mountain Avenue Pit #2.



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Board Chairman Garner moved to accept the signed stipulated judgment negotiated between OMR and the operator. Board Member Baca seconded and the motion carried with a unanimous voice vote.

3. **Public Hearing:** Consideration of Order to Comply, Brighton Alberhill Clay Mine (CA Mine ID #91-33-0022), Chad Warren (Agent), Pacific Clay Products, Inc. (Operator), City of Lake Elsinore.
 - Kevin Doherty, geologist with OMR, provided an overview and status report pertaining to compliance for Brighton Alberhill Clay Mine.
 - Paulie Tehrani, resident of Lake Elsinore, spoke to noncompliance issues.

Board Chairman Garner moved to continue this agenda item. Board Member Baca seconded and the motion carried with a unanimous voice vote.

4. **Public Hearing:** Consideration of Order to Comply, Murdoch Alberhill Ranch (CA Mine ID #91-33-0073), Chad Warren (Agent), Pacific Clay Products, Inc. (Operator), City of Lake Elsinore.
 - Kevin Doherty, geologist with OMR, provided an overview and status report pertaining to compliance for Murdoch Alberhill Ranch.
 - Paulie Tehrani and Sharon Gallina, residents of Lake Elsinore, spoke to noncompliance and reclamation issues.

Board Chairman Garner moved to accept the signed stipulated judgment negotiated between OMR and the operator. Board Member Baca seconded and the motion carried with a unanimous voice vote.

VII. Announcements of Future Meetings

October 13, 2011, was announced as the next meeting, and Sacramento as the location.

VIII. Adjournment

The meeting was adjourned at 10:30 P.M.

APPROVED

Erin Garner, Chairman

Stephen M. Testa, Executive Officer

