Publication Date: Friday, September 4th, 2026

CONFORMED MINUTES

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, September 17th, 2026, at 11:00 a.m.

California Natural Resources Headquarters
715 P Street, First Floor Auditorium RM 1-302
Sacramento, California 95814

This meeting will be held in-person and via video conference and will be recorded.

To avoid any background noises while the meeting is in session, we ask that you mute your device. To join the meeting, please download the latest version of MS Teams by visiting their website at https://aka.ms/getteams or install the MS Teams app on your phone. After installing MS Teams on your device click on the Microsoft Teams Meeting link to join the meeting **Meeting ID: 255 920 349 357 417** and **Passcode: ka2Dq2Rb.** You may also join us by phone by dialing (916) 318-8892 and entering the **Phone Conference ID: 850 526 103#**

For questions or comments regarding this Agenda, please contact the Board by email at smgb@conservation.ca.gov. This Notice, the agenda, and all associated staff reports can be accessed at the SMGB's website at: https://www.conservation.ca.gov/smgb.


CALIFORNIA STATE MINING AND GEOLOGY BOARD
EUREKA
EST. 1885

PUBLIC MEETING AGENDA

1. Call to Order (Sheingold)
The meeting was called to order by Chair Sheingold at 11:03 A.M.

2. Pledge of Allegiance
Senior Geologist Paul Fry led the Pledge of Allegiance.

3. Roll Call and Declaration of a Quorum
Regulatory Analyst Natalie Decio called roll with Members Driscoll, Jung, Whyte, Zafir, Vice Chair Kenline, and Chair Sheingold present, and a Quorum was declared. Members Holst, Landregan, and Los Huertos were not in attendance.

4. Review of the Agenda (Sheingold)
Chair Sheingold reviewed the agenda and shared his regular announcements. Additionally, Chair Sheingold welcomed former Regulatory Specialist and Policy Analyst Matthew Livers and expressed appreciation for his past work on rules and regulations. He noted that the Executive Officer was not in attendance and that the Board would proceed accordingly. He also informed the Board that he would provide an update on the Inter-Agency Mining Working Group during the Chair's Report and would invite Member Driscoll to share his participation and observations.

5. Department Reports

A. Department of Conservation Report (Tiffany)

Chief Deputy Director Gabe Tiffany reported on the Inter-Agency Mining Working Group, noting that the collaboration has broadened policy discussions around critical minerals and the state's energy transition by bringing together multiple agencies and technical experts. He stated that the group held its fourth monthly meeting on August 27, where Sheldon Mudd outlined Nevada's mining permitting process, and representatives from Lawrence Berkeley National Laboratory discussed technological and industry barriers to advancing critical mineral development in California.

Tiffany also reported that the Department of Conservation (DOC) recently held its first internal DOC Science Conference, featuring presentations on subsurface modeling, carbon sequestration, and seismic hazard communication. He thanked Board staff Geologist Mallory Jones for presenting on the Board's mining ordinance update project and providing helpful background on the Board's role to DOC staff.

B. Division of Mine Reclamation Report (Stevenson)

Acting Supervisor Ian Stevenson reported that staff are addressing six outstanding administrative penalties from the 2024 reporting year. For 2025, the Division of Mine Reclamation (DMR) received 1,044 annual reports, including 694 filed online and 307 submitted by mail, and identified 43 non-filers for whom notices will be issued this week.

Stevenson noted that development of a new database system continues. A contract has been awarded to Merck Systems and project initiation is underway, supported by an additional contractor coordinating with California Department of Technology (CDT). Full implementation is anticipated by fall 2027. He also reported that Kyle Johnson, Supervisor of the Abandoned Mine Lands Unit, will attend the National Association of Abandoned Mine Land Programs annual conference.

At the end of his report, Chair Sheingold asked Stevenson to clarify the term "non-filers." Stevenson explained that non-filers include operators who did not submit required annual reports, associated fees, or both.

C. California Geological Survey Report (Lancaster)

State Geologist Jeremy Lancaster reported that CGS is finalizing its Earth MRI geochemical reconnaissance and mapping work in the Barstow area and will publish the Daggett quadrangle geologic map by month's end. He noted that Earth MRI federal funding will drop from about $77 million to $13 million annually, but Senate Bill 2870 may restore funding and broaden eligible subsurface resource activities, including geothermal and geologic hydrogen.

Lancaster provided an update on geothermal work supported by a DOE grant through the WestGen consortium, which is compiling subsurface geothermal data and developing a public platform to help identify opportunities and reduce exploration risk. He also established a geothermal collaborative with federal and industry partners to guide data and regional priorities.

In response to Member Zafir's questions, Lancaster reported that approximately 75 percent of planned Strong Motion Instrumentation Program station upgrades have been completed and that detailed numbers will be provided at the next meeting. He reported no new updates on the earthquake early warning system, noting current support from about 130 seismic stations and offshore monitoring limitations. In reply to Chair Sheingold's question regarding Senate Bill 2870, Lancaster stated that he could not predict the bill's timing but will continue monitoring and provide updates as available.

6. Chair Report (Sheingold)

Chair Sheingold reported that since the last meeting, he attended the Critical Minerals Committee meeting, participated in Inyo County lead agency outreach with DMR and CGS, and joined a Critical Minerals America webinar. He also attended two meetings of the Inter-Agency Mining Working Group and invited Member Driscoll to share his observations.

Member Driscoll stated that the working group has been highly engaged and that a presentation on Nevada's mine-permitting process underscored both the complexity of permitting and the opportunity for California to better characterize and streamline its own process while maintaining responsible environmental management. He noted a shared sense of urgency among participants and praised the effective coordination led by Elizabeth Betancourt.

Chair Sheingold added that the working group brings together agencies with diverse priorities that all intersect around critical minerals. He stated that the group aims to develop coordinated recommendations for the incoming administration to guide future policy initiatives.

7. Geologist Report (Fry, Jones)

Senior Geologist Paul Fry reported staff participation in two Inter-Agency Mining Working Group meetings in June and July and announced that Board staff returned to the office on July 1 and now work four days per week at headquarters. In July the Critical Minerals Committee met, and a public hearing was held for the Alquist-Priolo maps for the Hayward and Concord Fault Zones.

Fry also noted that Mallory Jones presented at the DOC Science and Innovations Conference and following the Board's approval to proceed with the Merced County designation, Board staff met with Merced County planning personnel to begin preparations for mineral designation workshops. Fry concluded by stating that all 2026 inspections have been scheduled and that

the inspection cycle recently began, with four mines inspected—three in El Dorado County and one in Yuba County.

8. Board Committee Reports

A. Critical Minerals (Chair Kenline)

Vice Chair Kenline reported that the Committee met in July to review draft revisions to the Mineral Classification and Designation Guidelines. Board Geologist Mallory Jones presented updates developed by Board staff and CGS, including incorporation of the Board-approved draft definition of critical minerals. Jones noted that additional refinements will continue with CGS input and legal review before going to the full Board.

Kenline stated that staff anticipate phased updates addressing integration of critical minerals, classification approaches, resource types and zones, lead agency responsibilities, data and mapping formats, and general organizational improvements. Chair Sheingold provided comments emphasizing clearer guidance for lead agencies and non-SMARA experts, including improved explanations distinguishing classification from designation and clarifying how the information should be used.

Kenline reported that CGS staff discussed future guideline updates that will remove jurisdictional boundary constraints in favor of geology-based mapping. Public comment was received from Imperial County Assistant CEO Bari Bean, who outlined Assembly Bill 2163 and described how it may complement the committee's work by supporting development in regions suited for critical mineral and clean energy activities. He concluded by noting that CalCIMA submitted written recommendations following the meeting.

9. Ex-Parte Communication Disclosure

Board Members will identify any discussions they may have had requiring disclosure pursuant to Public Resources Code Sections 663.1 and 663.2.

No ex-parte communications disclosed.

10. Public Comment Period

There were no public comments. However, during this item, Chair Sheingold addressed Adam Harper of CalCIMA who previously presented to the Board on ACR 157. He noted that ACR 157 has now been enrolled, and the 50th anniversary of SMARA has been noted and appreciated.

11. Consent Items

All the items appearing under this section will be acted upon by the Board by one motion and without discussion; however, any Board member wishing to discuss any item may request the Chair to remove the item from the consent calendar and consider it separately.

A. Consideration and approval of minutes for the Regular Business Meeting held on:
June 18th, 2026

Member Jung moved to adopt the minutes, and Member Whyte seconded the motion. Members Driscoll, Jung, Whyte, Vice Chair Kenline, and Chair Sheingold voted in favor; Member Zafir abstained; Members Holst, Landregan, and Los Huertos were absent. The motion passed with five votes in favor and one abstention.

12. Regular Business Items

A. Review of responses to public comments and approval of updated regulatory text for the SMARA 2714(f) exemption regulations.

Senior Geologist Paul Fry presented updated regulatory text for the proposed 2714(f) exemption regulations and requested Board approval to proceed with updating the associated rulemaking documents. He explained that the regulations are intended to standardize the exemption application process by clearly outlining required procedures and ensuring consistent, thorough evaluation of each request. Fry noted that the project began in 2021 and has involved multiple workshops, public comment periods, and revisions, including withdrawal and reworking of the initial regulatory package in response to extensive public feedback.

Fry summarized major comment themes and related updates, including extended noticing requirements, flexibility to hold hearings locally or in Sacramento with hybrid participation, and the decision not to define "infrequent nature" and "minor surface disturbance" because the regulations remain procedural. He noted added language confirming CEQA compliance and local permit requirements, clarifications to pre-submittal consultation—including CEQA roles and tribal consultation—and added provisions for written findings, discretionary inspections, coordination with lead agencies, and transparency throughout the process.

Following the presentation, Board members discussed clarification of the SMARA-only nature of the exemption, the role of pre-submittal consultation, the specificity of written findings, and the importance of ensuring the Board can request additional information when needed. Deputy Attorney General Rinke noted that much of the pre-consultation content is already captured within existing submittal requirements but agreed that adding language to clarify the Board's ability to request additional information would address concerns. She also concurred with the recommendation to remove overly specific language regarding written findings.

Public commenters Jared Naimark (Earthworks) and Lisa Belenky (Center for Biological Diversity) expressed appreciation for the regulatory revisions but urged the Board to provide clearer parameters or definitions for "infrequent nature" and "minor surface disturbance," noting that clearer parameters would help ensure consistency in determining eligible projects.

Member Jung moved to approve the updated regulatory text with the amendments discussed, including striking the phrase "stating the specific facts" from the written determination language in Section 4059 and adding subsection (n) to Section 4054 to clarify that the Board may request any additional information needed. Member Whyte seconded the motion. Members Driscoll, Jung, Whyte, Zafir, Vice Chair Kenline, and Chair Sheingold voted in favor, and the motion passed unanimously.

13. Presentations, Reports, and Informational Items

A. *Financial Assurance Education, Compliance, and Enforcement Update* (Gabe Tiffany, DOC)

Chief Deputy Director Gabe Tiffany provided an overview of the Division of Mine Reclamation's notice to mining operators issued on September 4 regarding SMARA education, compliance, and enforcement. He explained that the notice was sent to surface mining operators and lead agencies to address gaps in the state's records related to required financial assurances, noting that incomplete or missing assurances pose risks to long-term reclamation and potential liabilities for the state. Tiffany emphasized that the effort is beginning with extensive education and outreach to operators and lead agencies to reconcile records and improve compliance. He stated that enforcement remains a last resort but is available under SMARA if necessary. Tiffany noted that the initiative aligns with broader Department of Conservation goals related to accountability, resource protection, and sustainable development. He also announced that DMR will host a webinar on September 23 to provide additional information and answer questions.

Following Tiffany's presentation, Board members asked how the new DMR database will support financial assurance tracking. Tiffany and Stevenson confirmed it will integrate with the Division's online reporting system and automatically route required documents to Mines Online, though staff redaction will still be necessary and automated redaction may depend on vendor capabilities. Tiffany also confirmed the upcoming webinar will be recorded. In response to Chair Sheingold's question about how this outreach differs from previous efforts, Tiffany explained that the current effort is narrowly focused on financial assurances, identifying gaps, and improving compliance, with enforcement as a last resort. He noted that unresolved compliance issues could eventually result in appeals to the Board.

B. *Mining Ordinance Update Project, Progress Update* (SMGB Staff)

Geologist Mallory Jones provided a brief update on the mining ordinance update project. She reported steady progress across counties: Shasta's ordinance is nearing completion, Mendocino's draft is under County Counsel review, and San Bernardino's updated ordinance has been recommended for approval and is pending Board of Supervisors action at an upcoming October 2026 meeting. Biweekly meetings continue with Humboldt, Merced, and San Diego counties, and Group 1 drafts are approaching completion. Jones noted that Plumas County has completed initial sections and is developing additional portions for review. Engagement letters for Ventura, Inyo, and Tulare counties are prepared and will be sent once Group 1 work concludes.

Following the presentation, Member Whyte asked whether any updated ordinances might reach the Board before the end of the year. Jones responded that Merced, Shasta, and Mendocino are progressing quickly and may be ready for Board review soon. During public comment, Jared Naimark of Earthworks raised concerns about draft language in San Bernardino County's ordinance related to SMARA applicability on federal lands and encouraged the Board to consider how best to address the issue. Jones noted that Board staff are aware of the concern and have communicated it to the counties currently updating their ordinances.

C. *SMGB Mine Inspection Update* (SMGB Staff)

Geologist Mallory Jones reported on Board staff's annual inspection responsibilities, noting that the Board serves as lead agency for 49 mining operations statewide. She outlined the inspection process, which includes pre-inspection review, on-site evaluation of reclamation plan compliance, and post-inspection reporting to DMR, along with any necessary follow-up actions. Operators must submit updated financial assurance cost estimates within 30 days of inspection, and unresolved site issues may be reflected in future cost estimates.

Senior Geologist Paul Fry described the financial assurance review process, explaining that cost estimates typically increase annually unless reclamation has occurred. Staff review each estimate for completeness, coordinate with DMR on any comments, and issue approval notices once comments are resolved. Operators then have 30 days to adjust their financial assurance mechanisms, which are usually updated every few years. Reductions are possible when staff document completed reclamation.

Fry also outlined the Board's enforcement practices, emphasizing the goal of resolving issues informally when possible and pursuing formal enforcement only when necessary. He described two recent informal enforcement actions—at the Garnet Pit in Palm Springs and Santa Paula Materials in Ventura County—where operators corrected boundary and site compliance issues after staff identified concerns. Fry concluded by noting that these were the only compliance issues identified in the current inspection cycle and that all other sites were found in compliance.

14. Executive Session (Closed to the Public)
No executive session was held.

15. Announcements and Future Meetings
Chair Sheingold announced that the next regular Board meeting will be held on October 15. He noted that the Board will hold its election for Vice Chair at that meeting and invited any members interested in serving to notify staff in advance.

16. Adjournment
Member Jung motioned to adjourn, and the September 17, 2026, regular business meeting was unanimously adjourned at 12:44 p.m.

THE STATE MINING AND GEOLOGY BOARD

THE BOARD

The State Mining and Geology Board (Board) serves as a regulatory, policy, and appeals body representing the State's interests in the reclamation of mined lands, geology, geologic and seismologic hazards, and the conservation of mineral resources.

The Board was established in 1885 as the Board of Trustees to oversee the activities of the Sate Mineralogist and the California Division of Mines and Geology (now the California Geological Survey). It is second oldest Board in California. Today's Board has nine members appointed by the Governor and confirmed by the State Senate, for four-year terms. By statute, Board members must have specific professional backgrounds in geology, mining engineering, environmental protection, groundwater hydrology and rock chemistry, urban planning, landscape architecture, mineral resource conservation, and seismology, with one member representing the general public.

Mission Statement

The mission of the Board is to provide professional expertise and guidance, and to represent the State's interest in the development, utilization, and conservation of mineral resources, the reclamation of mined lands and the development and dissemination of geologic and seismic hazard information to protect the health and welfare of the people of California.

STATUTORY AND REGULATORY AUTHORITY

The Board is an independent entity within the Department of Conservation under the Natural Resources Agency and is granted responsibilities and obligations under the following acts:

Surface Mining and Reclamation Act of 1975

Under this Act, Public Resources Code Sections 2710 et seq. and its regulations at 14 California Code of Regulations Section 3500 et seq., the Board provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed. SMARA also encourages the production, conservation, and protection of the State's mineral resources.

Alquist-Priolo Earthquake Fault Zoning Act

Under this Act, Public Resources Code Section 2621 through Section 2630, and its regulations at 14 California Code Regulations Section 3600 et seq., the Board is authorized to represent the State's interests in establishing guidelines and standards for geological and geophysical investigations and reports produced by the California Geological Survey, public sector agencies, and private practitioners. The Board is also authorized to develop specific criteria through regulations to be used by Lead Agencies in complying with the provisions of the Act to protect the health, safety, and welfare of the public.

Seismic Hazards Mapping Act

Under this Act, Public Resources Code Section 2690 through Section 2699.6 and its regulations at 14 California Code of Regulations Section 3720 et seq. the Board is authorized to provide policy and guidance through regulations for a statewide seismic hazard mapping and technical advisory program to assist cities, counties, and State agencies in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction or other ground failure, landslides and other seismic hazards caused by earthquakes, including tsunami and seiche threats.

GENERAL PROCEDURAL INFORMATION ABOUT BOARD MEETINGS

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
3) Refuse to add an item no later than ten days prior to any meeting and republishing of the agenda
4) Call a closed session by the Chair to discuss litigation and other matters
5) Make all testimony, files, and documents part of the administrative record

Other Agenda material and reports will be available approximately one week prior to the scheduled Board meeting. All Board related information is available at https://www.conservation.ca.gov/smgb.

The Board encourages the submittal of comments, written material, or technical reports thirty days prior to the applicable Board meeting. All such material concerning any matters on the agenda can be submitted to: smgb@conservation.ca.gov or addressed to:

State Mining and Geology Board
715 P Street, MS 1909
Sacramento, CA 95814

Following the Board meetings, links to presentations and meeting recordings will be available upon request: smgb@conservation.ca.gov