



Publication Date: Friday, September 5th, 2025

CONFORMED MINUTES

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Critical Minerals Committee Meeting on:

Thursday, September 18, 2025, at 9:30 a.m.

**California Natural Resources Headquarters
715 P Street, Second Floor RM 2-302B
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: 293 691 283 980 6** and **Passcode: xk3Py3XN**. You may also join us by phone by dialing (916) 318-8892 and entering the **Phone Conference ID: 377 214 307#**

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>.



PUBLIC MEETING AGENDA

1. Call to Order (Kenline)

Meeting was called to order by Chair Kenline at 9:32 A.M.

2. Pledge of Allegiance

Executive Officer Jeffrey Schmidt led the Pledge of Allegiance.

3. Roll Call and Declaration of a Quorum

Regulatory Analyst Natalie Decio called roll, confirming the presence of Member Driscoll, Ex Officio Member Sheingold, and Chair Kenline. A quorum was declared. At 9:36 a.m., a second roll call was taken following the arrival of Vice Chair Holst, confirming that all remaining committee members were present. Members Jung, Whyte, and Zafir were also noted as being in attendance.

4. Review of the Agenda (Kenline)

Chair Kenline reviewed the agenda, noting that the Committee would discuss and consider the initial draft definition of critical minerals, as well as whether to recommend Board staff's collaborative work plan to update the Board's Mineral Classification and Designation Guidelines to support the recognition and conservation of the state's critical mineral resources. He noted that the Committee's actions may include a recommendation to forward these items to the full Board for consideration and a subsequent public hearing.

5. Chair Report (Kenline)

The Chair reported that the Committee is considering a new state policy to recognize critical minerals. At its meeting on May 15, 2025, the Board unanimously approved the creation of the Critical Minerals Committee in response to increasing federal attention and legislative interest. At the June 19, 2025, meeting, the Committee discussed creating a California-specific definition of critical minerals and received a staff presentation on rising demand, economic value, and the role of critical minerals in supporting the state's climate and energy goals.

The Committee agreed to direct staff to develop a draft definition for California's consideration. The Committee also reviewed the need to update the Board's Mineral Classification and Designation Guidelines to include critical minerals. Under SMARA and PRC Section 2790, the Board is authorized to designate important mineral resources to prevent incompatible land uses from precluding future access. The Committee recommended that staff work with the State Geologist to update these guidelines.

Chair Kenline noted that today's meeting will include an update on the work plan to revise the guidelines and further discussion on the proposed definition of critical minerals.

6. Public Comment Period

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. Speaker testimony is limited to three minutes except by special consent of the Chair.

There were no public comments.

7. 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 Critical Minerals Committee Meeting held on:

June 19, 2025

Vice Chair Holst motioned to approve the June 19, 2025, conformed minutes, and Chair Kenline seconded the motion. The motion passed unanimously.

8. Discussion Items

- A. Review and possible recommendation of initial definition of “critical minerals.”

Chair Kenline introduced the item, noting that SMARA defines several mineral categories but does not currently define “critical minerals.” Mallory Jones, Board Geologist, presented the staff’s initial draft definition of critical minerals for Committee review and possible recommendation. She noted that at the June 19, 2025, meeting, the Committee directed staff to draft a California-specific definition, considering federal definitions and public input. Staff used federal definitions (from DOI Executive Order 13817 and the DOE Energy Act of 2020) as a baseline and collaborated with the California Geological Survey (CGS) and the Committee Chair to draft a definition that reflects California’s economic security and energy transition priorities. After introducing the draft definition, Jones opened the floor for discussion.

Adam Harper of the California Construction and Industrial Materials Association (CalCIMA) expressed strong support for the Committee’s work, emphasizing that defining critical minerals is a scientific and informational exercise—not a permitting decision. He noted that the process simply enables the State Geologist to identify and map critical minerals, providing transparency and data to inform future policy discussions. Harper urged the Committee to move forward without delay, reminding members that SMARA was created with industry support to ensure society could plan for essential mineral resources. He stressed that this effort is preliminary, adaptable, and focused on guidelines rather than regulations.

Jared Naimark (Earthworks), speaking on behalf of several environmental organizations, submitted a joint comment letter with recommended changes to the draft definition. He urged the Board to be more specific, clarifying that minerals should be highly vulnerable to supply chain disruption and tied to the state’s energy transition goals. Naimark cautioned against simply replicating federal lists, citing potential political influence and methodological flaws. He recommended incorporating secondary production (e.g., recycling rates) into the methodology and warned against overly broad definitions that could lead to unintended incentives or permitting streamlining in the future.

Chair Kenline then engaged Naimark in discussion, questioning whether the definition should be limited to energy transition uses. He expressed concern that such constraints could overlook minerals with multiple societal benefits (e.g., defense, infrastructure, or transportation applications). Naimark responded that California’s focus should remain on climate and renewable energy goals while maintaining flexibility for evolving technologies.

The committee then engaged in a detailed discussion about whether the proposed definition of “critical minerals” is too narrow or too broad. Vice Chair Holst raised concerns that the current language, which ties criticality to “manufacturing of a domestic product,” might exclude direct medical or other essential uses that do not involve manufacturing. Holst also suggested clarifying the term “energy transition” to

explicitly reference California's climate and fossil fuel reduction goals. Chair Kenline and State Geologist Jeremy Lancaster emphasized that nearly all mineral extraction involves some level of processing or manufacturing and urged keeping the definition flexible to account for evolving technologies and societal needs.

Legal counsel Nicole Rinke reminded the Committee that the definition can be refined later during pre-rulemaking and formal rulemaking, and that today's recommendation is just a starting point.

Ultimately, Member Driscoll moved to recommend the definition to the Board for further consideration, with Chair Kenline seconding. The motion passed 2–1, with Vice Chair Holst voting "no," stating support for the effort but preferring improvements to the definition before advancing.

- B. Proposal of plan for updating the Board's Mineral Classification and Designation Guidelines to reflect the inclusion of conserving critical minerals.
- Chair Kenline introduced Item 8B, noting the importance of modernizing the Board's Mineral Classification and Designation Guidelines to include conserving critical minerals and to reflect current economic, technological, and policy considerations. Senior Geologist, Paul Fry, then presented a three phased approach to update the 2000 *Guidelines for Classification and Designation of Mineral Lands* with a focus on critical minerals. The first phase includes collaboration with CGS to review existing guidelines, identify necessary updates, and establish a timeline. The second phase is comprised of consultation with legal counsel, preparation of draft updates, and a presentation to the Critical Minerals Committee for review and refinement prior to Board consideration. The third phase includes conducting pre-rulemaking activities and public outreach, gathering interested parties' feedback, and initiating formal rulemaking to ensure the updated guidelines are legally defensible.

CalCIMA's Adam Harper expressed strong support and encouraged close coordination with CGS. He also raised considerations regarding economic thresholds for critical mineral classification, confidentiality of proprietary beneficiation data, and potential for a modular, phased approach given the complexity of critical mineral classification. Additionally, Vice Chair Holst suggested a future report from the State Geologist on CGS's capacity to perform additional classification work.

Following the comments made, Member Driscoll moved to recommend Board staff's proposed plan of action. Vice Chair Holst seconded the motion, and the motion carried unanimously.

9. Presentations, Reports, and Informational Items

There were no presentations, reports, or informational items.

10. Announcements and Future Meetings

No announcements or future meetings planned at this time.

11. Adjournment

With a unanimous vote, the September 18, 2025, Critical Minerals Committee meeting was adjourned by Chair Kenline at 10:56 A.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 State 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