



Publication Date: Friday, May 2nd, 2025

OFFICIAL NOTICE OF PUBLIC MEETING

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, May 15, 2025, at 10:00 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: 269 627 687 741** and **Passcode: hT6W6mJ6**. You may also join us by phone by dialing (916) 318-8892 and entering the **Phone Conference ID: 481 665 909#**

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 (Sheingold)**
2. **Pledge of Allegiance**
3. **Roll Call and Declaration of a Quorum**
4. **Review of the Agenda (Sheingold)**
5. **Department Reports**
 - A. Department of Conservation Report (Tiffany)
 - B. Division of Mine Reclamation Report (Whalin)
 - C. California Geological Survey Report (Lancaster)
6. **Chair Report (Sheingold)**
7. **Executive Officer Report (Schmidt)**
8. **Geologist Report (Fry, Jones)**
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.
10. **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.
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:
March 20, 2025
12. **Regular Business Items**
 - A. Consideration and approval of proposed final rulemaking package for the Board's designation of mineral lands in the greater Sacramento area production-consumption region.
 - B. Consideration and approval of the Board's new Critical Minerals Committee
13. **Presentations, Reports, and Informational Items**
 - A. *An Overview of Critical Minerals Assessments by the California Geological Survey* (Jeremy Lancaster, State Geologist, CGS)
 - B. *California's Metallic Mining Backfill Regulations Ensure Robust Reclamation of Mining Projects to Protect Landscape Values, Environmental and Cultural Resources* (Wendy Park, Senior Attorney, Center for Biological Diversity and Joseph Miller, Indigenous Community Relations Coordinator, Friends of the Inyo)
 - C. *Mining Ordinance Update Project Status* (SMGB Staff)

14. Executive Session (Closed to the Public)

The Board will discuss information from its legal counsel on potential litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126.

15. Announcements and Future Meetings

16. Adjournment

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



Agenda Item No. 11A

May 15, 2025

Consideration and Approval of Minutes for the March 20, 2025, Regular Business Meeting

INTRODUCTION:

Approve the Conformed Minutes for the State Mining and Geology Board's March 20, 2025, Regular Business Meeting.

SUGGESTED MOTION:

Board Chair and Members, in light of the information before the State Mining and Geology Board today, I move that the Board approve the Conformed Minutes for the March 20th, Regular Business Meeting.

Respectfully submitted:

Jeffrey Schmidt,
Executive Officer



Publication Date: Friday, March 7th, 2025

*****DRAFT*****

CONFORMED MINUTES

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, March 20, 2025, at 10:00 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: 265 691 186 901** and **Passcode: JB7Eh7ne**. You may also join us by phone by dialing (916) 318-8892 and entering the **Phone Conference ID: 522 460 882#**

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PUBLIC MEETING AGENDA

1. Call to Order (Vice Chair Jung)

Meeting was called to order by Vice Chair Jung at 10:01 A.M.

2. Pledge of Allegiance

Vice Chair Jung led the Pledge of Allegiance.

3. Roll Call and Declaration of a Quorum

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

4. Review of the Agenda (Vice Chair Jung)

Vice Chair Jung reviewed the agenda, noting that the previous meeting minutes were the only Consent Item. Jung mentioned that there were two Business Items and a handful of informational presentations on the agenda as well.

5. Department Reports

A. Department of Conservation Report (Lucchesi)

Over the past three months in her new position, Director Jennifer Lucchesi has focused on empowering Conservation's team and reconnecting with communities and the lands they steward. Key priorities include supporting California's climate resilience goals and facilitating a responsible energy transition. The Director praised recent collaboration between Board staff, the Division of Mining Reclamation (DMR), and the California Geological Survey (CGS) on SMARA compliance, emphasizing a commitment to maintaining this momentum.

Highlights include progress on a new case management system to modernize the outdated SMARA database, supported by legislative funding and the California Construction and Industrial Materials Association (CalCIMA). CGS is also advancing projects to identify and map critical mineral resources essential for the state's energy transition. The Director expressed enthusiasm for continued partnerships with government and industry to work toward carbon neutrality and welcomed ongoing communication and collaboration. Lucchesi closed with appreciation and eagerness to learn and support collective priorities.

Following the Director's update, Member Holst asked a question regarding when the reports on critical mineral studies might be delivered. State Geologist Jeremy Lancaster stepped in to provide an update on CGS' work regarding the four USGS-funded projects. Two completed projects involved geologic framework mapping and geochemical evaluations. One was in the New York Mountains, near the nation's only rare earth mine, which found no significant mineral deposits. The second was in the Salton Trough (Lithium Valley), studying geologic sources of lithium-bearing brines. Both projects are published on the CGS website. The other two projects are active and currently underway. The first is in Barstow, California, focusing on lithium-bearing formations in the Barstow Formation, and it is expected to be completed by year-end. The second is a mine waste evaluation project targeting three mines—Black Rock in Mono County, Pine Creek and Darwin Mine in Inyo County—analyzing for minerals such as tungsten, copper, bismuth, manganese, and more. All resulting data and reports are or will be publicly available online.

B. Division of Mine Reclamation Report (Whalin)

DMR Supervisor Lindsay Whalin began with an Abandoned Mine Lands Unit (AML) update, noting a mine safety incident back in February where a 16-year-old was rescued from a 50 foot deep abandoned mine shaft in Placer County. The rescue, involving Cal Fire and local crews, took place on public land near state parks in Auburn. In response, DMR is in contact with Auburn State Parks to potentially collaborate on evaluating and closing up four nearby mine openings to improve safety.

Whalin moved on to discuss the federal Good Samaritan legislation, which offers limited liability protections for third parties involved in abandoned mine cleanups. She was invited to a small summit hosted by the US EPA Mountains, Deserts, and Plains Office to help shape guidance and selection criteria for the program. Drawing on her experience in water-quality-focused cleanups, Whalin emphasized the importance of including projects that address water quality, not just “dirt-only” (dry land) sites.

The DMR Supervisor also discussed the federal funding freeze which has impacted DMR’s work on abandoned mines. The department typically receives federal funding to collect data and assist agencies like the National Park Service (NPS) and the Bureau of Land Management (BLM) in addressing mine-related hazards on federal lands. With the freeze, some planned projects for the next fiscal year have been disrupted, and the uncertainty is expected to affect work in future years as well.

Whalin concluded with DMR’s SMARA updates. She shared that one administrative penalty has been issued so far for the 2023 reporting year and that an inspection workshop is scheduled for March 25th, with at least one board member registered. She also thanked Board and DMR staff, DOC budgets, and legal teams for their collaboration on updates to the New Mining Operation form and fee schedule.

C. California Geological Survey Report (Lancaster)

State Geologist Jeremy Lancaster began his update by following up on other USGS funding questions that Member Holst asked earlier in the meeting. Lancaster noted that the USGS funding comes from the Earth MRI (Earth Mapping Resources Initiative) program, and currently, that funding is still active and not affected by federal funding freezes. The program is federally funded at \$64 million annually for five years, focusing on critical minerals. Additionally, the State Geologist is actively engaged through the Association of State Geologists and recently visited Washington D.C. to discuss increased funding and emphasis on critical minerals with the Department of Interior and USGS leadership.

Moving on to the Seismic Hazards Program, Lancaster highlighted that as part of the Alquist-Priolo Earthquake Fault Zoning Act, nine new fault zone maps will be released on May 22, 2025, with a 90-day public review period. Seven of the maps cover the San Gregorio Fault Zone in San Mateo County, and two maps cover the Sierra Madre Fault Zone in Los Angeles County. Four additional maps (liquefaction and landslide zones) under the Seismic Hazard Mapping Act will also be released. One of the maps covers Sonoma County, one in Contra Costa County, and two in Sacramento County.

Shifting to the Burned Watershed Geohazards Program, Lancaster discussed how this program is climate adaptation focused. It responded to 18 wildfires from May 2024 to January 2025, including the Eaton and Palisades fires in Southern California. The program deploys Watershed Emergency Response Teams to assess risks of debris flows and flash floods and recommend mitigation. Close coordination with Cal Fire, Cal OES, counties, and

cities has helped minimize damage, even during two recent moderate storms in the impacted burn areas, with no reported loss of life.

Finally, Lancaster announced that after a 20-year hiatus, CGS is reviving the "California's Geology" magazine. This annual publication will release its first new issue on March 24th. The magazine supports CGS's mission to educate the public on California's geologic hazards and resources and reflects a strategic push to elevate CGS's visibility as a trusted geoscience resource.

6. Chair Report (Vice Chair Jung)

Vice Chair Jung was provided a written Chair Report from Chair Sheingold which was read for the Board. The Chair had regular conversations with Board, DMR, and DOC staff, and he met with the new DOC Director. Additionally, he participated in a DOC discussion on critical minerals, discuss the March 20th Regular Business Meeting agenda with the Vice Chair to prep for his chairing of the Board meeting. Finally, upon advice from the Board's attorney, the Board declined to hear an appeal of the City of Pacifica's denial of an amended reclamation plan for the Rockaway Quarry.

7. Executive Officer Report (Schmidt)

Executive Officer Schmidt reported that rulemaking efforts are in progress for seven mineral designations and for Public Resources Code (PRC) 2207, which sets annual reporting fees for lithium brine operations. Regulations related to PRC 2714(f), which outlines exemption procedures from SMARA, and PRC 2790, concerning mineral designations in the Greater Sacramento Area, are currently under review by the Office of Administrative Law (OAL). A public hearing is scheduled for March 27, with a public comment deadline of March 28.

Additionally, Board staff is working on reviewing ordinances for Shasta, Mendocino, San Bernardino, as well as the City of Susanville, and has planned informational workshops regarding the Mining Ordinance Update Project. Board staff is also monitoring Assembly Bill 580, which would remove the 2026 sunset date on the Board's role as lead agency for the Metropolitan Water District. The bill is currently in committee, with no hearing date set. Lastly, Board staff recently visited a Kern County site where the Gold Discovery Group (GDG) is conducting exploratory drilling, following a SMARA exemption granted last year, and findings from that visit will be shared during this meeting.

8. Geologist Report (Fry, Jones)

Senior Geologist Paul Fry reported that since the December 19, 2024, Regular Business Meeting, staff have scheduled outreach meetings for the Mining Ordinance Update Project with the California County Planning Directors Association (CCPDA) and CalCIMA in early April. Staff are reviewing ordinance updates from Mendocino and Shasta counties and recently met with Sonoma County staff, who proactively reached out to learn more about the project, to discuss their mining ordinance. On January 17th Board staff submitted the 2714(f) and Sacramento PC Mineral Designation packages to OAL, and staff will be hosting hybrid public hearings for both on March 27th. Board staff also helped draft a letter declining to hear an appeal concerning an amended reclamation plan for Rockaway Quarry in Pacifica, California, and staff conducted a site visit for GDG's exploratory drilling project in Kern County.

Additionally, Board staff have been collaborating with DOC's Office of Legislative and Regulatory Affairs on SB 125 regarding geothermal brine operations and lithium production. Board staff also collaborated with DMR and DOC on the development of the 2024 annual mining fee schedule and an updated New Mining Operation Report form. A presentation was given at the recent DOC New Employee Orientation, the Bay Conservation District' Sand Studies

Commissioner Working Group meeting was attended by Board staff, and annual administrative fee invoices were prepared for Board-regulated operations.

Finally, upcoming activities include scheduling Mining Ordinance Update workshops with the Rural County Representatives of California, the California State Association of Counties, and the League of California Cities, presenting at DMR's mine inspection certification workshop on March 25th, and responding to a significant number of public comments following the conclusion of the public comment period for the two ongoing rulemaking packages.

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.

Nothing to report.

10. 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.

Adam Harper from CalCIMA expressed his appreciation to the Board and staff for their strong outreach and communication, particularly regarding the mining ordinance workshops. He acknowledged the industry's responsibility in supporting SMARA modernization and committed to continued collaboration with the Board and state.

Harper also thanked the Department for bringing back a long-missing CGS publication, noting its value in making mineral information more accessible. He expressed gratitude to Director Lucchesi for engaging with their leadership group during a recent CalCIMA summit, praising the transparency and openness. He concluded by encouraging continued improvements to the SMARA database.

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:
December 19, 2024

Member Zafir motioned to approve the Conformed Minutes, and Member Holst seconded the motion. The motion passed unanimously.

12. Regular Business Items

A. Consideration and adoption of the 2024 Annual Mine Fee Schedule pursuant to Public Resources Code section 2207.
Senior Geologist Paul Fry introduced Item 12A, the consideration and adoption of the 2024 Annual Mine Fee Schedule, explaining that fees are calculated under Public Resources Code 2207, with a revenue cap of \$8 million. Fixed fees and those at the statutory \$10,000 cap are adjusted for the cost of living based on the California Price Index, while other fees are adjusted to ensure sufficient funding for SMARA-related programs, including SMGB, DMR, and CGS.

Clayton Haas, Assistant Director with DOC, then detailed the budgeting process, which starts with calculating total revenue needs—including salaries, benefits, operational expenses, and a 10% economic uncertainty reserve—then subtracting projected revenue on hand at the end of the current fiscal year, June 30, 2025. This year’s funding need is \$3.953 million, which is lower than last year due to a higher year-end balance and a mandated 7.95% statewide budget reduction. As a result, while the top fee tier (adjusted annually for cost of living) slightly increased, the remaining five tiers were reduced by 32% from the previous year to meet the overall funding requirement.

Fry resumed his presentation and provided visual context for the proposed 2024 Annual Mine Fee Schedule. The graphs highlighted that the overall revenue need has decreased over the past few years and showed that the majority of fee-paying operators fall into either the smallest or largest operation categories. A bar graph illustrated that while the top-tier fee—paid by operators producing over 100,000 tons—continues to rise due to cost of-living adjustments, most other fee categories have decreased in recent years.

A comparison table showed changes between the 2023 and proposed 2024 fee schedules, indicating that most fee categories have gone down. The largest fee category increased by \$361. Overall, Fry noted that most operators should see a decrease in fees and recommended the Board adopt the proposed 2024 fee schedule.

Prior to taking a vote, Adam Harper from CalCIMA made a public comment. He expressed support for the proposed fees and praised the department’s efficient operations. Harper noted that unlike in the past, fees are no longer constantly increasing, indicating better cost management. Following the comment, Member Landregan motioned to adopt the proposed 2024 Annual Mine Fee Schedule with Member Kenline seconding the motion. The motion passed unanimously.

- B. Consideration and adoption of updates to the New Mining Operation Report pursuant to Public Resources Code section 2207(a) and California Code of Regulations section 3696(b).

Geologist Mallory Jones presented proposed updates to the New Mining Operation Report form, originally approved in 1996. The form, pursuant to PRC 2207(a), is submitted by mining operators once their operation is permitted by a lead agency. The updates were prompted primarily by the relocation of DOC’s headquarters in 2021, after an operator mistakenly submitted materials to the old address. The changes are intended to modernize and clarify the form without altering its original requirements, and therefore, are considered non-substantial.

Revisions include updating the department’s address, reformatting and relabeling sections for clarity, and incorporating modern contact fields like email addresses. Specific adjustments were made to reflect accurate reporting practices, remove outdated fields, and align with related reporting forms (MRRC-1 and MRRC-2). The revised form now includes standardized language, streamlined input fields, and a specified \$500 initial fee.

Following the presentation, Member Landregan moved to approve the proposed non-substantial revisions to the New Mining Operation Report form, and Member Zafir seconded the motion. The motion passed unanimously.

13. Presentations, Reports, and Informational Items

A. *Hallwood Final Phase Presentation, Yuba County* (Chris Hammersmark, cbec Eco Engineering)

Chris Hammersmark, Director at CBEC Eco Engineering, presented an update on the Hallwood Side Channel and Floodplain Restoration Project. He led the project, which was designed to restore ecological processes and enhance juvenile salmonid habitat—particularly for Chinook salmon and steelhead trout—in the Yuba Goldfields. This area had been heavily altered by hydraulic mining, which deposited up to 40 feet of sediment across miles of former river channels and floodplains. The project focused on removing a middle training wall—two artificial ridges that constrained the river’s flow—and reestablishing floodplain connectivity. Over four phases of construction, nearly 3.1 million cubic yards of sediment were removed, creating 155 acres of enhanced floodplain and riparian habitat, including perennial and seasonal channels and native vegetation areas.

The project began development in 2013 and saw active implementation between late 2019 and 2023, with monitoring starting in 2021. Early signs show significant ecological success. The site now supports more native fish and far fewer non-native predators. These improvements have led to longer residence times and faster growth rates for young salmonid, which is key for their survival downstream. Additionally, the invertebrate prey base has increased, meaning more food is available for juvenile fish. Data show that salmon and steelhead now use the area more frequently and for longer durations than before, and predator fish densities have dropped sharply in restored zones compared to control sites.

The restoration also aimed to foster natural recruitment of riparian vegetation by lowering floodplain elevations closer to the water table. This has resulted in widespread natural colonization of native trees such as cottonwoods and willows, with only minimal intrusion by invasive species like tree of heaven. These successes point to the restoration of a more functional and self-sustaining ecosystem, even amid recent drought conditions.

Funding for the project came from multiple sources, including the U.S. Fish and Wildlife Service, Yuba Water Agency, California Natural Resources Agency (via Propositions 1 and 68), and Teichert Aggregates, a contractor whose involvement significantly reduced project costs. Hammersmark emphasized the collaborative nature of the effort and expressed pride in the ecological and economic efficiency of the project, which continues to yield valuable lessons through ongoing monitoring.

Following the presentation, Board members and the public had several questions and comments for Hammersmark. Member Landregan asked whether the project originally aimed to mitigate hydraulic gold mining impacts and arsenic contamination, and Hammersmark clarified that the funding came from broader fishery mitigation tied to the Central Valley Project, not specific acre-for-acre remediation. He explained that while mercury from historic mining was a major concern, they implemented rigorous sampling and mitigation measures like vegetation and cobble cover to address it. Member Landregan also asked about long-term naturalization, and Hammersmark noted that the river is dynamic and evolving as intended, with no plans to intervene again unless a major issue arises—current changes are benefiting fish and wildlife habitat. Finally, in response to a question about unintended consequences, Chris said the river adjusted faster than expected, with a channel shifting earlier than anticipated, but the result was improved rearing and spawning habitat, exceeding their original goals.

Member Driscoll asked whether, instead of extracting the sediment, the project could have simply moved it, noting that its beneficial use, particularly by Teichert, seemed to reduce

costs. Hammersmark responded that the sediment couldn't be shifted aside—it had fundamentally altered the landscape. Complete removal was necessary to restore the natural river and floodplain. He added that the extracted material was put to good use, supplying local aggregate for a nearby Highway 20 repaving project, which saved costs and reduced environmental impacts—an example of both ecological and public benefit.

Member Holst recently visited the project site and was impressed by the restoration of such a heavily disturbed landscape. He asked about the project's origins, including whether it used a SMARA exemption and how it was permitted. Hammersmark explained the project began ten years ago, sparked by hydraulic modeling, and required coordination between landowners. Initially a small enhancement effort, the project expanded into a large-scale restoration, and while permitting was unclear at the time, an exemption was granted, with clearer pathways now in place for similar efforts.

Finally, Adam Harper from CalCIMA, closed out the discussion by praising the project as a prime example of integrated resource management, highlighting its ability to deliver construction materials, environmental restoration, and significant taxpayer savings. Harper noted that the construction aggregates industry has been legally restoring land in California since 1975 and this project exemplifies how that effort can align with ecological goals.

B. *PRC 2714(f) Exemption Update, Atolia Exploratory Drilling Project, Gold Discovery Group, Kern County* (SMGB Staff)

Senior Geologist Paul Fry provided an update on the exploratory drilling project conducted by GDG in Kern County, which was granted a SMARA 2714(f) exemption by the Board in June 2024. This update was in response to the Board's request during its December 2024 meeting, and it followed a recent site visit by staff. The project site is located in the Mojave Desert, north of Johannesburg, in a region that has experienced extensive historical mining dating back to the 1800s. The current exploratory project included 115 boreholes to assess placer gold deposits. The drilling method used a hollow stem auger rig, with split spoon samplers retrieving soil samples for grain size and metals assay.

Fry detailed the team's observations from the site visit, highlighting that GDG had implemented environmental protections, such as exclusionary fencing for desert tortoise protection and the presence of an on-site biological monitor during drilling. The group also minimized impact by conducting much of their drilling on or adjacent to existing roads. Reclamation efforts were a key focus of the visit. Fry showed that previously drilled locations were well-restored, and the surface raked to match the surrounding environment. Some drill sites, which they visited a week or two following drilling, were almost indistinguishable from untouched land.

Fry concluded that the operator had completed their drilling program on the day of Board staffs' site visit and that their reclamation efforts appeared consistent with BLM requirements. The project site, already heavily impacted by legacy mining, showed minimal additional disturbance by GDG's exploratory drilling project.

Following the presentation, board members raised several technical and environmental questions. Member Zafir asked how the boreholes were backfilled, and Fry explained that drill cuttings were reused to fill the holes, which were typically shallow—no deeper than 24 feet. Member Driscoll inquired about the type of deposit being explored, potential metals of concern from historic hard rock mining, and whether new roads or drill pads were constructed. Fry confirmed the project targeted placer deposits, stayed mostly within

existing roads to limit disturbance, and said he would follow up on the historical mining concerns.

Member Holst asked about the protocol and conditions of the recent site visit, including whether it was pre-announced and if there were any access restrictions. Fry explained that the visit was initiated after the December board meeting, in response to Holst's concerns, and coordinated with project proponent Sean Tucker, who was very open and cooperative. Fry noted there were no limitations on site access. Member Holst expressed appreciation for the site visit and found the update valuable, especially as a way to begin gathering data on the impacts of exemption decisions.

C. *Mining Ordinance Update Project, Review Order and Outreach Update (SMGB Staff)*

Geologist Mallory Jones presented an update on the Mining Ordinance Update Project, focusing on the review order and current outreach efforts. She explained that under the SMARA, lead agencies are required to have local mining ordinances (PRC 2774(a)), and the Board is responsible for reviewing and certifying these ordinances (PRC 2774.3). Many ordinances haven't been certified since the 1990s, making them inconsistent with current state policies. In response, the Board began updating its guidance in 2021, with the new guidance document approved in September 2023.

The project is divided into phases. Phase one is nearly complete, with only some final touches being made to workshop materials. Board staff have also developed a review order, designed to manage workload and support agencies effectively. Because reviewing ordinances is a time-consuming and detailed process, staff are organizing agencies into small, geographically balanced groups based on the number of mines under their authority. This group-based approach allows for more focused support and encourages open communication with lead agencies throughout the update process.

The review order divides the state into northern, central, and southern regions. Agencies are prioritized based on the number of mining operations, with larger agencies reviewed earlier. Board staff has already begun reviews with a few agencies—such as those in Mendocino and Shasta counties, and Humboldt, Merced, and San Diego counties are slotted into the first group to be reviewed. The review list has been posted online and will be updated regularly.

In terms of outreach, two virtual workshops have been scheduled for April—one with the CCPDA and the other with CalCIMA. More sessions are being planned, and Board staff are open to one-on-one meetings with lead agencies to address specific questions or concerns. This outreach is expected to help streamline future ordinance reviews and increase agency engagement throughout the update and certification process.

Following the update, several board members raised questions and provided comments regarding the project. Vice Chair Jung asked if any agencies besides Sonoma County had reached out for assistance as Senior Geologist Paul Fry previously noted in the Geologist Report. Jones confirmed that only Sonoma had contacted the Board so far, prompting a one-on-one meeting to inform them about the project and reassure them regarding their place in the review order. Member Landregan inquired about in-person engagement and participation in association conferences. Jones responded that due to budget constraints, staff are currently focused on virtual workshops but are exploring future conference participation when feasible.

Member Holst raised multiple points about the prioritization process, asking whether lead agencies are informed of their rank and what happens if they decline to participate. Jones explained that upcoming workshops will help clarify the process to agencies. Fry added that although participation is required by law, the Board is currently focusing on voluntary engagement to avoid having to “take over by default” as the SMARA lead agency for noncompliant jurisdictions.

Holst further questioned the staff capacity and project timeline, acknowledging the large number of lead agencies—around 96, grouped into 27 clusters—and estimating the project could take a decade to complete. Fry noted that the process should speed up over time as agencies begin to emulate successful ordinance models from other jurisdictions.

Finally, when asked if Kern County has been involved, Fry responded that the Board has not directly engaged them yet, but he noted that the first outreach workshop will be with the CCPDA, targeting planning directors, including those in Kern County, to ensure key decision-makers are informed about the ordinance update project.

14. Executive Session (Closed to the Public)

The Board will discuss information from its legal counsel on potential litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126.

No executive session was held.

15. Announcements and Future Meetings

The next Regular Business Meeting will be held on May 15, 2025.

16. Adjournment

The March 20, 2025, Regular Business Meeting was adjourned by Vice Chair Jung at 12:05 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 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**



Agenda Item No. 12A

May 15, 2025

Consideration and approval of proposed final rulemaking package for the Board's designation of mineral lands in the Greater Sacramento Area Production-Consumption Region.

INTRODUCTION:

The Board proposes to add new proposed regulations which would add Section 3550.18 to Title 14, Article 2, of the California Code of Regulations (CCR), and provide a description of the locations of mineral resources areas designated to be of regional significance within the Greater Sacramento Area Production-Consumption Region (GSA), Sacramento County.

The initial public comment period and public hearing have been completed for the Greater Sacramento P-C Region Mineral Designation rulemaking package. Board staff worked with the Office of Legislative and Regulatory Affairs (OLRA) to prepare the package to submit the Office of Administrative Law (OAL) for attorney review. With the Board's approval, staff will submit the final rulemaking package to OAL.

BACKGROUND:

Mineral Classification

In 2018, CGS released Special Report 245 – Mineral Land Classification: Concrete Aggregate in the Greater Sacramento Area Production-Consumption Region (O'Neal and Gius, 2018). This report is the first mineral land classification (MLC) study of concrete aggregate resources in the newly defined GSA P-C Region.

Special Report 245 combines nine mineral studies CGS previously conducted into a single P-C Region. Additionally, Special Report 245 classifies approximately 3,500 square miles of previously unclassified land within the GSA. The newly defined P-C Region covers approximately 6,080 square miles and includes the Sacramento-Fairfield and Yuba City-Marysville P-C Regions, Sacramento County, and the western portions of Nevada, Placer, and El Dorado County study areas. Additionally, lands within Yuba, Sutter, Yolo, and Solano counties, which had not been previously classified, are now classified in this new P-C Region.

At its February 14, 2019, regular business meeting, the Board accepted Special Report 245. On January 19, 2022, the State Geologist recommended for designation select mineral resource lands in the GSA P-C Region. In Special Report 245, the State Geologist identified several candidate areas which meet or exceed the threshold economic value, thus qualifying each area to be considered for designation as an area of regional or statewide significance by the Board.

In 2021, CGS produced a mineral land classification report (Special Report 255) for the Shifler property and subsequently re-classified the proposed mining project area within the property as MRZ-2 due to the presence of PCC grade aggregate. On January 4, 2021, the State Geologist recommended the Board accept the Shifler Property petition and at its January 21, 2021, regular business meeting, the Board accepted the request for petition. On May 20, 2021, the Board accepted Special Report 255 and directed staff to designate regionally significant mineral resources identified in SR 245 and 255 through rulemaking.

Mineral Designation

The Board conducted pre-rulemaking workshops on January 23, 2024, with representatives from the lead agencies and on February 27, 2024, with members of the general public.

Following pre-rulemaking activities, Board staff prepared proposed regulatory language and the initial rulemaking package in consultation with the Department of Conservation. The initial package was accepted by the Board at the August 15, 2024, Regular Business Meeting, and the Board directed staff to proceed with the formal rulemaking process.

Board staff submitted the initial rulemaking package to the Office of Administrative Law (OAL). On January 31, 2025, the Notice of Proposed Rulemaking Action was published in the California Regulatory Notice Register commencing the 45-day comment period.

A public hearing was held on March 27, 2025, and on March 28, 2025, the public comment period closed. One comment was received during the public comment period which Board staff responded to in the Final Statement of Reasons (FSOR).

Today, with the Board's approval, staff will submit the final rulemaking package to OAL. Please note the only documents in the final rulemaking package with new content are:

- Statement of 45-Day Public Comment Period and Public Hearing Mailing Notice*
- Statement of Reminder Mailing Notice*
- Updated Informative Digest*
- FSOR*
- Public Comments*
- Public Hearing Documents*

ATTACHMENTS:

The final rulemaking package includes the following documents which can be accessed at the link below.

- Notice of Proposed Action (NOPA)
- Notice: Reminder of Close of Public Comment Period and Public Hearing
- Initial Statement of Reasons (ISOR)
- Text of Regulations
- Statement of 45-Day Public Comment Period and Public Hearing Mailing Notice*
- Statement of Reminder Mailing Notice*
- Updated Informative Digest*
- Final Statement of Reasons (FSOR)*
- Public Comments*
- Documents Incorporated by Reference
- Economic and Fiscal Impact
- Documents Relied Upon
- Public Hearing Documents*

Link to Final Rulemaking Package: <https://doc.box.com/s/6qdvmae90cmlypj9howzp3iw36lufpwi>

EXECUTIVE OFFICER RECOMMENDATION:

Direct Board staff to proceed with the rulemaking process.

SUGGESTED MOTION:

Board Chair and Members, in light of the information before the Board today, I move that the Board direct Board staff to proceed with the rulemaking process for the designation of mineral lands in the greater Sacramento area production-consumption region.

Respectfully submitted:



Jeffrey Schmidt
Executive Officer



Agenda Item No. 12B

May 15th, 2025

Consideration and approval of the Board's new Critical Minerals Committee

INTRODUCTION

The State Mining and Geology Board (Board) appoints committees to assist in its ongoing tasks. Committees are created by a majority affirmative vote (5 members) of the total authorized membership of the Board. Committee members are appointed by the Board's Chair and serve at the pleasure of the Chair. The Chair may also serve as an ex-officio member of each committee and may vote on committee issues.

BYLAWS CONSIDERATIONS The Board's Bylaws state:

"Committees: Committees may be created by a majority affirmative vote of the total authorized membership of the Board. Members of such committees shall be appointed by, and shall serve at the pleasure of, the Chair, who may serve as an ex-officio member of each committee. The Chair shall annually review the need for, and the function of, each committee and make recommendations to the Board for changes as appropriate."

DISCUSSION

The Board's Bylaws require the Chair to annually review the need for and functions of each committee and make recommendations to the Board for changes. At this Board meeting, the Chair would like to discuss the creation of a Critical Minerals Committee as well as the following proposed appointments of Board members to serve on the committee as reflected on the following roster:

COMMITTEE	MEMBERS
Critical Minerals	George Kenline, Chair
	Eric Holst, Vice Chair
	Alan Driscoll

Larry Sheingold, Board Chair, will serve as an ex-officio member on the committee

CRITICAL MINERALS COMMITTEE

The Governor and Legislature have recognized the value of critical minerals as California and the United States consider policies for a cleaner energy transition. Just as important, California leaders see the need to build reliable supply chains for tomorrow. The energy transition will involve a number of strategic and critical minerals that exist throughout California. Local conservation and extraction of minerals will not only provide economic value but also reduce the state's vulnerability to pandemic and geopolitical hostilities abroad and protect minerals for future generations.

California has established the highest environmental standards for developing and reclaiming mined lands and the Board's role is to uphold California's reclamation standards and mineral

conservation. Locally beneficiated critical mineral resources can provide great value in California's transition to clean energy. Whether it is re-processing former waste dumps or developing new deposits, the reality of transitioning to clean energy is that the demand for critical minerals will be exponentially greater. It will be necessary for the Board and State Geologist to step up and play a significant role.

Critical minerals such as copper, lithium, nickel, cobalt and rare earth elements are essential components of today's rapidly growing energy technologies – from wind turbines and electricity networks to electric vehicles. Recent demand for these minerals has accelerated, and the Board is responsible for ensuring responsible mineral resource conservation, development, and environmental protection. Thus, the Board now has a responsibility in California's Critical Mineral Resource policies. That is why it is now necessary to create the Critical Minerals Committee. The new committee will represent the state's interests by evaluating current regulations, critical minerals conservation and availability, vulnerabilities and consider interested parties, and as needed, make recommendations for consideration by the Board.

In 2020, Congress passed legislation that addressed critical mineral policies, defined *critical mineral* in statute, and specified criteria for developing a critical minerals list.

The Energy Act of 2020 defines a “**critical mineral**” as:

- Any mineral, element, substance, or material designated as critical by the Secretary of the Interior, acting through the director of the U.S. Geological Survey.

The definition of whether a mineral is considered critical or not varies from year to year, since this classification depends on not only the context and the stakeholder's point of view but is also subject to change because the shifting techno-socio-economic paradigm largely defines the criticality level of minerals.

According to the U.S. Department of Energy (DOE), a generic supply chain—which includes extraction, processing, components, end-use technology, and recycling and reuse—provides a useful context to consider geologic, technical, environmental, political, and economic factors that impact supply risk.

The Critical Minerals Committee will consider modifying or adding SMARA definitions for critical minerals and updating the Board's Mineral Classification and Designation Guidelines. Since the USGS's list of critical minerals falls within SMARA definitions of metallic or industrial minerals, the Committee can work with CGS to determine how they should be defined in SMARA. A critical mineral resource may not be economical to extract if the mine is solely to develop that resource. Sometimes these minerals form alongside or altogether with precious metals and industrial minerals, to include iron and salt deposits. The Committee will also evaluate availability, consider strategies for conservation, development and responsible reclamation performance standards.

The “Recommendations to Improve Mining on Public Lands” (Final Report; September 2023) prepared by the Interagency Working Group under the Biden-Harris Administration validated the expected increase in demand for critical minerals. Critical Mineral resource areas exist where the geology is favorable, which may occur on private, public and reservation lands. The Critical

Minerals Committee will evaluate the current MOU agreements with Federal agencies and determine whether they need to be updated or recommend drafting new agreements.

REFERENCES:

- [Critical Minerals in California Building the Supply Chain for Tomorrow](#)
- [What are Critical Materials and Critical Minerals?](#)
- [Global Critical Minerals Outlook 2024 Market Review](#)
- [What Are Critical Minerals, and Why Are They So Important?](#)
- [The Hard Math of Minerals](#)
- [Recommendations to Improve Mining on Public Lands](#)
- [Board Guidelines for Mineral Classification and Designation](#)

EXECUTIVE OFFICER RECOMMENDATION:

The above committee proposal presents no conflicts with Statute, or the Board's regulations and Bylaws. Approval of this committee and appointment of its members, or the creation of additional committees, are discretionary acts by the Board and its Chair. The Executive Officer makes no recommendations regarding appointments of members to committees but welcomes the discussion regarding the roles of the committee and new appointees as proposed by the Chair.

SUGGESTED MOTION:

Board Chair and Members, considering the information before the State Mining and Geology Board today, I move that the Board adopt the proposed new Board Committee and roster as discussed and presented today.

Respectfully submitted:



Jeffrey Schmidt

Executive Officer



Agenda Item No. 13A

May 15, 2025

Presentation: *An Overview of Critical Minerals Assessments by the California Geological Survey*
by: Jeremy Lancaster, State Geologist, CGS

INFORMATION:

State Geologist Jeremy Lancaster will provide an overview of California's Critical Minerals potential, and CGS's efforts to evaluate additional critical minerals potential under collaborative grant agreements with the USGS.



Agenda Item No. 13B

May 15, 2025

Presentation: *California's Metallic Mining Backfill Regulations Ensure Robust Reclamation of Mining Projects to Protect Landscape Values, Environmental and Cultural Resources*

by: Wendy Park, Senior Attorney, Center for Biological Diversity
and

Joseph Miller, Indigenous Community Relations Coordinator, Friends of the Inyo

INFORMATION:

Conservation organizations Friends of the Inyo and Center for Biological Diversity will respond to industry's December 2024 presentation asking the Board to reconsider the mining backfill regulations. The presentation will address why the Board should leave these critical environmental protections in place.



Agenda Item No. 13C

May 15, 2025

Presentation: *Mining Ordinance Update Project Status*
by: SMGB staff

INFORMATION:

Board staff will present a brief update on recent outreach efforts related to the Mining Ordinance Update Project, including initial contact with the first group of Lead Agencies involved in ordinance updates. Additionally, staff will provide a status report on Mining Ordinances currently under review.