



Publication Date: Friday, October 4th, 2024

# OFFICIAL NOTICE OF PUBLIC MEETING

## THE STATE MINING AND GEOLOGY BOARD

**Will Conduct a Regular Business Meeting on:**

**Thursday, October 17, 2024, at 10:00 a.m.**

**California Natural Resources Headquarters  
715 P Street, Second Floor Conference RM 2-301  
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: 278 000 776 612** and **Passcode: PLdc8r**. You may also join us by phone by dialing (916) 318-8892 and entering the **Phone Conference ID: 986 917 243#**

For questions or comments regarding this Agenda, please contact the Board by email at [smgb@conservation.ca.gov](mailto: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:  
August 15, 2024
12. **Regular Business Items**
  - A. Consideration and approval of preliminary regulatory language and associated rulemaking package describing the Board's administrative procedures for determining an exemption from the Surface Mining and Reclamation Act of 1975 pursuant to Public Resource Code Section 2714(f).
13. **Presentations, Reports, and Informational Items**
  - A. *Mining Ordinance Update* (SMGB staff)
  - B. *Department of Conservation Panel Discussion* – Members of the Department of Conservation will discuss their roles and relationship with the Board (Department of Conservation - Gabe Tiffany, Acting Director and Elizabeth Betancourt, Natural and Working Lands Policy Advisor, California Geological Survey - Jeremy Lancaster, State Geologist, Public Affairs Office - Jacob Roper, Assistant Director, Office of Legislative and

Regulatory Affairs - Katherine Litzky, Assistant Director, Legal - Greg Tenorio, and Division of Mine Reclamation – speaker yet to be determined)

**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](mailto:smgb@conservation.ca.gov) or addressed to:

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