



# STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

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## **CONFORMED MINUTES**

### **THE STATE MINING AND GEOLOGY BOARD**

**Conducted a Regular Business Meeting on:**

**Thursday, December 13, 2012**

**10:15 A. M.**

**(\*\*or immediately following the Policy & Legislation Committee Meeting)**

#### **LOCATION:**

**City Council Chambers  
Palm Springs City Hall  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262**

### **REVISED AGENDA**

For questions regarding this Agenda, please contact the SMGB office by telephone at (916) 322-1082, or by facsimile at (916) 445-0738. This Notice and associated staff reports can be accessed electronically at the SMGB's Internet web site at: <http://www.consrv.ca.gov/smgb/> (note: Agenda reports should be available electronically approximately one week prior to the scheduled meeting/hearing date).

The SMGB requires that all lengthy comments be submitted in writing in advance of the meeting date where this matter is to be decided. To ensure that the SMGB has the opportunity to fully preview written material, comments should be received in the SMGB office located at 801 K Street, Sacramento, CA, 95814, no later than 5:00 P.M., 15 calendar days prior to the scheduled meeting date, and must identify the Agenda Item to which it relates. For written materials in excess of two pages, or that contains large maps, photos, foldouts, or other documents requiring special handling, please submit 15 copies. The SMGB will not reproduce these types of documents. Comments on Agenda Items will be accepted by electronic mail, and are subject to the same conditions set forth for other written submissions.

New submittals received after 15 calendar days prior to the scheduled meeting date will be marked as late, and the SMGB will decide whether new submittals will be considered or not during the public hearing. Late submittals, received by the SMGB at least 48 hours prior to the scheduled meeting,

will be included in a late document submittal listing. Late submittals, received after 48 hours prior to the scheduled meeting, will not be included on the late document submittal list. The SMGB would accept a two-page written summary of testimony, or final comments based on, and limited to, review of the SMGB's packet and/or Executive Officer's report, at the time of the public hearing. Such two-page summaries would be included as part of the administrative record before the SMGB. This policy does not apply to quasijudicial proceedings (i.e., appeals, petitions, etc.) where administrative procedures for the submittal of documents are set forth in statute and regulation.

Individuals are responsible for presenting their own projects at the meeting.

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**[NOTE:** Times are approximate. The chairman may alter the hearing start time or agenda item order during the meeting.]

**I. Call to Order (Gonzalez)**

**II. Pledge of Allegiance**

**III. Roll Call and Declaration of a Quorum**

The meeting was called to order at 10:15 A. M. by Chairman Gonzalez, with Members Barry, Gavric, Lane and Wyatt present, and Member Redding absent, and a quorum was declared.

**IV. Director's Report (Nechodom, Department of Conservation) [Information]**

On behalf of the Director of the Department of Conservation, Dr. Mark Nechodom, Executive Officer Testa read the following into the record:

- *"It is with mixed feelings that we note that this will be the last State Mining and Geology Board meeting at which Jim Pompy will represent the Department of Conservation. As you must know by now, Jim has elected to retire from state service. Again. He did this once before and he was lauded and his departure much lamented. And when he was gone – as is so often the case when a highly-qualified, long-time employee leaves an organization – the Department had to wrestle with just how much we missed Jim's knowledge of SMARA, his mining and reclamation expertise, and just how pleasant it was to work with him and the Compliance Unit. But we, and he, got a second chance. Jim Pompy, Act II. Jim returned to the Department to head up the Office of Mine Reclamation. I have found him to be all of those things – knowledgeable about SMARA and mining, a genuinely pleasant person with whom to work. And I've found him a patient instructor in the arcane statute and practices that comprise SMARA. So it is with some degree of sadness and sense of loss for the organization that I note this day and the coming year. We won't have Jim Pompy to kick us around and tell us what should happen. But it is also with a sense of happiness for Jim that I mark this day. In Spanish, the word for retirement is "jubilación." And I think that pretty much says it all. I know he has plans to which he is eagerly looking forward. There are still millions of birds yet to see and record. That 25-year service gift he selected -- a leather folio -- is going to serve him well as he chooses when to work, and on what to work. He might find himself in front of some other government agencies before too long as he works on one such project; I'll let him tell you about it if he wants to do so. And it won't surprise me at all if Jim turns his long expertise in SMARA into an asset for individual mine operators. If he does, I am confident the desired outcome will be as it always has been for Jim – improved reclamation plans, navigated through the complexities of SMARA with as few bumps or hitches as possible. Our very best wishes to Jim."*



- State Geologist's Report (Parrish) [Information]

On behalf of the State Geologist, Dr. John Parrish, Executive Officer Testa reported on the following:

- An abstract and poster authored by Executive Officer Testa and State Geologist Dr. John Parrish titled "From Aggregate Availability and Sustainability in California". Was presented at AEG's annual meeting held in San Francisco from December, 3-5, 2012.
- Thirteen new or revised Alquist-Priolo Earthquake Fault Zoning Maps and four quadrangle maps under the Seismic Hazards Mapping Program are anticipated to be released by CGS for public comment in early 2013.

- Office of Mine Reclamation Report (Pompy) [Information]

Assistant Director and Chief of the Office of Mine Reclamation (OMR), Jim Pompy, reported on the following:

- Several vacancies exist within OMR including a position for an Engineering Geologist.
- Working closely with the Executive Officer in review of the Lead Agency Review Team (LART) process, with some modifications being considered.

#### **V. Chairman's Report (Gonzalez) [Information]**

Chairman Gonzalez offered congratulations to Pompy and wished him well in his retirement.

#### **VI. Executive Officer's Report (Testa) [Information]**

Executive Officer Testa reported on the following:

- With adoption of proposed regulatory language for the Palm Springs and San Gabriel Production-Consumption Regions being considered today, such consideration for the San Bernardino P-C Region will be before the SMGB at its next scheduled meeting, along with approval of proposed language for the San Luis Obispo-Santa Barbara P-C Region. In addition, a public hearing to receive comments of proposed designations and termination of designations for the Stockton-Lodi P-C Region will be scheduled in early 2013.
- Updated classification of mineral resources in the North San Francisco Bay P-C Region is anticipated in early 2013.
- A financial assurance appeal received for a surface mining operation undergoing reclamation within the jurisdiction of the City of Oxnard will be heard by the SMGB in early 2013.
- A designation appeal was received by the Friends of the Kings River in regards to the Carmelita Mine located within the jurisdiction of the County of Fresno. This matter will likely be heard by the SMGB in early 2013.
- 45-Day Notices to Correct Deficiencies were prepared and forwarded as directed by the SMGB to the Counties of Madera, Mendocino, Mono and San Mateo, and the cities of Pacifica and Taft.
- The SMGB can anticipate receiving a progress report on the Department's efforts in pursuing AB 3098 removal criteria and procedures.
- Complaints were received in regards to the Princeton Mine located in the County of Merced, and Best Rock in the County of Ventura.

#### **VII. Ex-Parte Communication Disclosure [Information]**

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



- Member John Lane noted he had discussions with Elizabeth Martin, Director of The Sierra Fund, regarding SMARA and the need for updating.
- Chairman Gonzalez noted he was contacted by John Kolski regarding possible changes to the Mine Inspection Form being considered by the Board. Chairman Gonzalez noted to Mr. Kolski that he should take his concerns to Executive Officer Testa.

**VIII. Good of the Meeting [Information]**

[This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. All persons wishing to address the SMGB should fill out a speaker card and present it to the Secretary so that the Chair can determine the number of persons who wish to speak. Speakers are limited to three minutes except by special consent of the Chairman.]

- Warren Coalson, consultant with EnviroMine and representing Rancho Roca Rocha, stated a letter was forwarded to the Executive Officer regarding Best Rock, a surface mining operation located in Ventura County. Coalson represents the land owner and raised issues regarding lack of appropriate action by OMR and the County. Member Wyatt requested that this matter be further discussed at the SMGB's next scheduled meeting.

**IX. Consent Items [Action]**

[All the items appearing under this section will be acted upon by the SMGB by one motion and without discussion; however, any Board member wishing to discuss a particular item may request the Chairman to remove the item from the Consent Calendar and consider it separately under Continued Business or New Business.]

1. Approval of Minutes, October 10, 2012, Regular Business Meeting.

Board Member Baca moved to approve the minutes, with revision. Board Member Lane seconded and the motion carried with a unanimous voice vote, with Member Wyatt abstaining.

2. Approval of a Revised Financial Assurance Cost Estimate, Gansberg Sand (CA Mine ID No. 91-02-0002), Gansberg Ranch (Operator), Chris Gansberg (Agent), County of Alpine.

Board Member Baca moved to approve the revised financial assurance cost estimate. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

3. Approval of a Revised Financial Assurance Cost Estimate, Western Aggregates (CA Mine ID No. 91-58-0001), Western Aggregates, LLC (Operator), Lloyd Burns (Agent), County of Yuba.

Board Member Baca moved to approve the revised financial assurance cost estimate. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

4. Approval of a Revised Financial Assurance Cost Estimate, Wheatland Clay Pit (CA Mine ID No. 91-58-0007), Gladding McBean (Operator), Richard Hutchens (Agent), County of Yuba.



Board Member Baca moved to approve the revised financial assurance cost estimate. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

5. Approval of a Revised Financial Assurance Cost Estimate, Stringer Pit 1 (CA Mine ID No. 91-58-0022), Silica Resources, Inc. (Operator), Nicole Lindbom (Agent), County of Yuba.

Board Member Baca moved to approve the revised financial assurance cost estimate. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

6. Approval of a Revised Financial Assurance Cost Estimate, Stringer Pit 2 (CA Mine ID No. 91-58-0023), Silica Resources, Inc. (Operator), Nicole Lindbom (Agent), County of Yuba.

Board Member Baca moved to approve the revised financial assurance cost estimate. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

7. Approval of an Interim Financial Assurance Cost Estimate, Santa Paula Materials (CA Mine ID No. 91-56-0034), Santa Paula Materials, Inc. (Operator), Mile Grbic (Agent), City of Santa Paula.

Board Member Lane moved to approve the financial assurance cost estimate. Board Member Wyatt seconded and the motion carried with a unanimous voice vote, with Member Baca abstaining.

#### **X. Continued Business [Action]**

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

#### **XI. New Business [Action]**

8. Adoption of Resolution 2012-05 Certifying the County of Riverside's Surface Mining and Reclamation Ordinance No. 555.19, as Amended by Surface Mining and Reclamation Ordinance No. 711-C.S., as Being in Accordance with the Surface Mining and Reclamation Act (SMARA; Public Resources Code Section 2710 et seq.)

Executive Officer Testa stated that the County's mining ordinance was originally certified by the SMGB in May 1994. At the request of the County, a review of the County's amendments of its certified ordinance No. 555.19 was performed. Specifically, the amended language includes the following:

Section 1. "e. *Notwithstanding the above, or any other provision herein to the contrary, the Board of Supervisors reserves exclusively to itself the duty to investigate, hear, approve, conditionally approve or disapprove all surface mining permits and reclamation plans including any modifications to said permits and plans included as part of a fast track project as defined by Section 21.34d of County Ordinance No. 348.*"

Section 2. This ordinance shall take effect thirty (30) days after its adoption.

The amendment to the County's ordinance was adopted by the County's Board of Supervisors on September 19, 2012. Such amendment essentially allows for the Board of Supervisors to reserve its right to investigate, hear, approve and conditionally approve or disapprove all surface



mining permits and reclamation plans included as part of a fast-track process; whereas, prior to the amendment being adopted, only the County's Planning Commission would hear such matters. Writtens comments have been provided by the County of Riverside, City of Temecula, Granite Construction, Rebertson's Ready Mix Concrete and Palm Desert Area Chambers of Commerce. The SMGB is considering re-certifying the amended surface mining ordinance adopted by the County of Riverside's Board of Supervisors, or continuing this matter pending resolution of ongoing litigation between the City of Temecula and the County.

- Karin Watts-Bazan, Principal Deputy County Counsel, County of Riverside, provided a synopsis of what the County role was, the administrative process implemented by the County, and the rationale as to why the SMGB should certified the amended ordinance. Ms. Watts-Bazan also responded to comment letters submitted by the City of Temecula and the Elsinore Murrieta Anza Resource Conservation District.
- Adam Harper, representing the California Construction and Industrial Materials Association (CalCIMA), spoke in favor of certification by the SMGB.
- Gary Johnson, Aggregate Resource Manager, Granite Construction Company, provided written comment and spoke in favor of certification by the SMGB.
- Warren Coalson, consultant with EnviroMINE spoke in favor of certification by the SMGB.
- Chap Warren, Aggregate Manager, Cal Portland, spoke in favor of certification by the SMGB.

Board Member Baca moved to recertify the County's amended surface mining ordinance. Board Member Wyatt seconded and the motion carried with a unanimous voice vote. Member Baca also requested the SMGB's legal counsel provide written clarification as to the timing of when an amended ordinance becomes effective.

9. Approval of Amended Inspection Form MRRC-1 (4/97) Pursuant to Title 14, Division 2, Chapter 8, Subchapter 1, California Code of Regulations, Article 1, Section 3504.5.

Deferred.

10. Adoption of Regulatory Language for Designation and Termination of Designation of Mineral Resources Areas of Statewide Significance for the San Gabriel Production-Consumption Region, Los Angeles County.

Executive Officer Testa stated that the SMGB, based on recommendations from the State Geologist, considers mineral resource areas to be designated as being of statewide or regional significance. The State Geologist has recommended designation of newly classified mineral resource lands, and termination of designation of select mineral resource lands previously designated in the San Gabriel Production-Consumption (P-C) Region, Los Angeles County. Such recommendations were accepted by the Mineral and Geologic Resources Committee (Committee) at their meeting held on April 10, 2008. Pursuant to Public Resources Code (PRC) Section 2793, the Committee held a public hearing on March 11, 2009, to receive comments on the proposed action. Comments received have been addressed. The SMGB is considering adopting the proposed regulations amending California Code of Regulations (CCR) Section 3550.5 for designations and termination of designation of mineral resources areas for the San Gabriel P-C Region and directing the

- Adam Harper, representing the California Construction and Industrial Materials Association (CalCIMA), spoke in favor of the proposed regulatory language.
- Warren Coalson, consultant with EnviroMINE, spoke in favor of the proposed regulatory language.



Board Member Lane moved to adopt the regulatory language. Board Member Baca seconded and the motion carried with a unanimous voice vote.

11. Adoption of Regulatory Language for Designation of Mineral Resources Areas of Statewide or Regional Significance for the Palm Springs Production-Consumption Region, County of Riverside, California.

Executive Officer Testa stated that the SMGB, based on recommendations from the State Geologist, considers mineral resource areas to be designated as being of statewide or regional significance. The State Geologist has recommended designation of newly classified mineral resource lands, and termination of designation of select mineral resource lands previously designated in the Palm Springs Production-Consumption (P-C) Region, Riverside County. Such recommendations were accepted by the Mineral and Geologic Resources Committee (Committee) at their meeting held on April 10, 2008. Pursuant to Public Resources Code (PRC) Section 2793, the Committee held a public hearing on March 11, 2009, to receive comments on the proposed action. Comments received have been addressed. The SMGB is considering adopting the proposed regulations amending California Code of Regulations (CCR) Section 3550.15 for the designation and termination of designation of mineral resources areas for the Palm Springs P-C Region, and directing the Executive Officer to complete the rulemaking.

- Adam Harper, representing the California Construction and Industrial Materials Association (CalCIMA), spoke in favor of the proposed regulatory language.
- Warren Coalson, consultant with EnviroMINE, spoke in favor of the proposed regulatory language.

Board Member Barry moved to adopt the regulatory language. Board Member Baca seconded and the motion carried with a unanimous voice vote.

12. Further Consideration in the State Mining and Geology Board's Issuance of a 45-Day Notice to Correct Deficiencies to the County of Mono Pursuant to the Surface Mining and Reclamation Act (SMARA).

Executive Officer Testa stated that at its regular business meeting held on June 9, 2011, the SMGB received a report from the Office of Mine Reclamation (OMR) Lead Agency Review Team (LART) on the overall status and performance status of the County of Mono (County) Surface Mining and Reclamation Act (SMARA) program. Deficiencies were reported and the SMGB directed its Executive Officer to schedule a progress report from the County in the fall of 2011. At its October 13, 2012, regular business meeting, the SMGB, based on the October 28, 2010 LART report for Mono County, issued to the County a 45-Day Notice to Correct Deficiencies. The County has subsequently requested that the SMGB reconsider issuance of the Notice

- Representing the County of Mono, the SMGB heard from John-Carl Vallejo, Deputy County Counsel; Scott Burns, Mono County Community Development Planning Director; and Nick Criss, Compliance Officer.

Board Member Baca moved to continue this matter to the SMGB's February 2013 regular business meeting. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

13. Consideration for Issuance of a 45-Day Notice to Correct Deficiencies to the City of Bakersfield Pursuant to the Surface Mining and Reclamation Act (SMARA).

Executive Officer Testa stated that at its regular business meeting held on December 13, 2012, the SMGB received a report from the Office of Mine Reclamation (OMR) Lead Agency Review Team (LART) dated November 21, 2012, on the overall status and performance status of the City of



Bakersfield (City) Surface Mining and Reclamation Act (SMARA) program. Deficiencies were reported and the SMGB is considering issuance of a 45-Day Notice to Correct Deficiencies to the City.

Board Member Baca moved to issue a 45-Day Notice to Correct Deficiencies to the City of Bakersfield. Board Member Wyatt seconded and the motion carried with a unanimous voice vote.

14. Consideration for Issuance of a 45-Day Notice to Correct Deficiencies to the County of Del Norte Pursuant to the Surface Mining and Reclamation Act (SMARA).

Executive Officer Testa stated that at its regular business meeting held on December 13, 2012, the SMGB received a report from the Office of Mine Reclamation (OMR) Lead Agency Review Team (LART) dated November 21, 2012, on the overall status and performance status of the County of Del Norte (County) Surface Mining and Reclamation Act (SMARA) program. Deficiencies were reported. Based on the LART report, the SMGB is considering issuance of a 45-Day Notice to Correct Deficiencies to the County of Del Norte.

Board Member Wyatt moved to issue a 45-Day Notice to Correct Deficiencies to the County of Del Norte. Board Member Barry seconded and the motion carried with a unanimous voice vote.

15. Approval of the State Mining and Geology Board's Annual Report for 2011-2012.

Deferred.

16. Election of Vice Chair of the State Mining and Geology Board Pursuant to Public Resources Code Section 669.

Board Member Baca moved to nominate Member Gavric. Board Member Barry seconded and the motion carried with a unanimous voice vote.

17. Adoption of 2013 Regular Business Meeting Calendar.
  - Member Baca suggested that in February the meeting date be changed to February 13 due to a scheduling conflict.

Board Member Baca moved to adopt the SMGB's 2013 meeting calendar, with modification. Board Member Wyatt seconded and the motion carried with a unanimous voice vote.

## **XII. Special Reports and Department Presentations [Possible Action]**

[Based on these Reports, the Chair may instruct SMGB staff to initiate administrative actions.]

18. Information Report on High Banking. [OMR]

- Tom Ferraro, manager of OMR's Compliance and Reporting Unit, provided an overview of high banking in California. Included was discussion of definition, types of related activities, and applicable regulations currently in place under the the Fish and Game Code and Regional Water Quality Control Board.

Board Member Baca moved to have the report recorded and filed. Board Member Lane seconded and the motion carried with a unanimous voice vote.



19. Office of Mine Reclamation, Lead Agency Review Team (LART) Reports for:

- City of Bakersfield
- County of Del Norte

Executive Officer Testa summarized the deficiencies identified by LART for the SMARA programs being administered by the City of Bakersfield and County of Del Norte.

- Ben Shelton, manager of the LART program, provided a synopsis of the LART review of the two SMARA lead agencies.

Board Member Baca moved to have the report recorded and filed. Board Member Lane seconded and the motion carried with a unanimous voice vote.

Board Member Baca moved to have the report recorded and filed. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

20. Acceptance of Inspection Reports Pursuant to PRC Section 2774(b) for the Following Surface Mining Operations as Being in Accordance with the SMGB's Requirements:

- Timm Mine (CA Mine ID #91-09-0006), County of El Dorado.
- Snows Quarry (CA Mine ID #91-09-0012), County of El Dorado.
- Atkinson Pit I (CA Mine ID #91-19-0004), City of Compton.
- Super Creek Quarry (CA Mine ID #91-33-0003), City of Desert Hot Springs.
- Garnet Pit (CA Mine ID #91-33-0031), City of Palm Springs.
- Santa Paula Materials (CA Mine ID #91-56-0034), City of Santa Paula.
- Knife River Hallwood (CA Mine ID #91-58-0002), County of Yuba.
- Dantoni Pit (CA Mine ID #91-58-0011), County of Yuba.
- Simpson Lane Project (CA Mine ID #91-58-0025), County of Yuba.

Will Arcand, Senior Engineering Geologist with the SMGB, provided a synopsis of the inspections conducted for the aforementioned surface mining operations.

Board Member Wyatt moved to accept the inspection reports for Timm Mine, Snows Quarry, Atkinson Pit I, Knife River Hallwood, Dantoni Pit and Simpson Lane Project. Board Member Gavric seconded and the motion carried with a unanimous voice vote.

Board Member Lane moved to accept the inspection report for Santa Paula Materials. Board Member Gavric seconded and the motion carried with a unanimous voice vote, with Member Baca abstaining.

Board Member Gavric moved to accept the inspection reports for Super Creek Quarry and Garnet Pit. Board Member Lane seconded and the motion carried with a unanimous voice vote.

**XIII. SMGB Committee Reports [Information and Possible Action]**

- Geohazards Committee (Chairperson Lane)
  - Alquist-Priolo Technical Advisory Committee (Executive Officer Testa)
- Minerals and Geologic Resources Committee (Chairperson Wyatt)
- Policy and Legislation Committee (Chairperson Baca)



- Committee Chairman Baca summarized the discussions and considerations before the Committee earlier today. These discussions and considerations pertained to proposed revisions to the inspection form in which OMR will provide the Executive Officer with a revised form for comment by individual SMGB Members. This matter will be before the Committee and possibly the SMGB at its February 2013 scheduled meeting for approval consideration.
- Surface Mining and Standards Committee (Executive Officer Testa)

**XIV. Continuing Business [Information]**

[This item is provided as an opportunity for any SMGB member to receive information on or any items of continuing interest to the SMGB.]

No continuing business was discussed.

**XV. New Business [Information]**

[This item is provided as an opportunity for any SMGB member to bring any item of new business to the SMGB's attention for further discussion and further action.] Items to be discussed:

- Member Gavric requested an information report summarizing the barriers which exist in the permitting of surface mines in California.
- Member Lane requested an information report on the importation of aggregate and high banking.

**XVI. Executive Session (Closed to the Public) [Possible Action]**

[The SMGB will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126.] Items to be discussed:

- A. Pending Litigation to which the SMGB is a party:
  - 1. Dutra Materials vs. SMGB, Chevron Products Company Real Party in Interest, Case No. N10-0388, Contra Costa Superior Court.
  - 2. A. Teichert and Sons, Inc. v. SMGB, Western Aggregates, LLC. Real Party in Interest, Case No. 34-2010-80000528, Sacramento County Superior Court.
  - 3. William Calvert, Elfriede Calvert and the Yuba Goldfields Access Coalition v. SMGB, Western Aggregates, LLC. Real Party in Interest, Case No. 34-2010-80000530, Sacramento County Superior Court.
- B. Possible Litigation involving the SMGB.
- C. Staff Budget

**Re-open Regular Business Session, Announce Results of Executive Session**

No Executive Session was held.

**XVII. Announcements of Future Meetings**

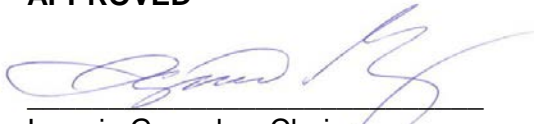
January 10, 2013, was announced as the date of the next meeting, and the City of Sacramento as the location.

**XVIII. Adjournment**

The meeting was adjourned at 3:15 P.M.



**APPROVED**

  
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Ignacio Gonzalez, Chairman  
\_\_\_\_\_  
Stephen M. Testa, Executive Officer