



STATE MINING AND GEOLOGY BOARD

DEPARTMENT OF CONSERVATION

801 K Street • Suite 2015 • Sacramento, California 95814

Policy and Legislation Committee

George Kracov, Chair; Jelisaveta Gavric, George Kenline, Michael Mendez

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CONFORMED MINUTES

THE POLICY AND LEGISLATION COMMITTEE OF THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Meeting on:

Thursday, March 12, 2015

9:30 A.M.

(or immediately following the Minerals and Geologic Resources Committee)

LOCATION:

**Assembly Hearing Room #444
State Capitol
Sacramento, California 95814**

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.

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

I. Call to Order (Kracov)

The meeting was called to order at 9:30 A.M.

II. Roll Call and Declaration of a Quorum

The meeting was called to order at 9:30 A. M. by Chairman Kracov, with Members Gavric, Kenline present and Member Mendez absent.

III. Consent Items [Action]

[All the items appearing under this section will be acted upon by the committee by one motion and without discussion; however, any committee 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, February 12, 2014, Committee Meeting.

Board Member Gavric moved to approve the minutes. Chairman Kenline seconded and the motion carried with a roll call vote.

IV. Continued Business [Action]

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

No continued business conducted.

V. New Business [Action]

2. Discussion of the State Mining and Geology Board's Administrative Procedures. Executive Officer Testa stated that the SMGB currently releases its final agenda no later than 21 days prior to the next scheduled meeting of the SMGB or its committees, and requires interested persons to submit to the SMGB fifteen (15) written copies of all comments, technical reports, and other material concerning any matters on their agenda at least fifteen (15) days prior to the hearing date. These written materials are subsequently provided to the SMGB along with the full agenda materials. In addition, persons submitting written comments and other materials should be present at the SMGB meeting and be available for questions. The SMGB, on June 10, 2010, last amended



its administrative procedures for submittal of documents to the SMGB. The Policy and Legislation Committee is considering amending its administrative procedures to clarify the SMGB's public participation and submittal of documents procedures, and to clearly identify those procedures in writing on its meeting agendas.

- Committee Chairman Kracov summarized the changes made to the administrative procedures.
- Chris Tiedemann, SMGB legal counsel, provided clarification on document submittal timelines and procedures, and also recommended one change in the description of SMARA.
- Member Gavric noted that the three day document submittal policy does not apply to all procedures and clarity is needed.
- Adam Harper representing CalCIMA thanked the committee for their work on this and suggested a stand-alone agenda for adjudicatory matters.

Committee Member Kenline moved for the Committee to recommend conditionally accepting the revised administrative procedures, incorporating the comments made. Committee Member Gavric seconded and the motion carried with a roll call vote.

VI. Public Comment Period [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 Committee 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.]

No Good of the Meeting information was discussed.

VII. Continuing Business [Information]

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

No continued business was discussed.

VIII. New Business [Information]

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

No new business was discussed.

IX. Announcements of Future Meetings

The next meeting of the Policy and Legislation Committee would be determined at a later date.

X. Adjournment

The Committee meeting was adjourned at 10:15 A.M.

APPROVED

Michael Mendez, Committee Chairman

Stephen M. Testa, Executive Officer

