

# STATE MINING AND GEOLOGY BOARD



## STRATEGIC PLAN 2017 - 2018

Department of Conservation  
Resources Agency



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

The State Mining and Geology 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 the 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, SMGB 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 non-specialized member representing the general public.

The Board serves as a regulatory, policy, and hearing body representing the State's interests in geology, geologic, and seismologic hazards, conservation of mineral resources, and reclamation of mining lands.

California is the most geologically diverse and seismically active state in the United States. The Board seeks to help California's residents coexist safely with this dynamic geology and reap the benefits of mineral extraction with a minimum of environmental impact.

### **Statutory Authority**

The Board operates within the Department of Conservation, under the Natural Resources Agency, and is granted certain responsibilities and obligations under several statutes: Public Resources Code (PRC) Sections: 660-678 and 2207, 2621-2650 (the Alquist-Priolo Earthquake Fault Zoning Act), and 2710-2796 (Surface and Mining Reclamation Act).

### **Surface Mining and Reclamation Act**

The Surface Mining and Reclamation Act of 1975 (SMARA) Public Resources Code Sections 2710 et seq. and its regulations at 14 Cal. Code of Regulations Section 3500 et seq., provide a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. SMARA also encourages the production, conservation, and protection of the State's mineral resources. Under these statutes and regulations, the Board represents the State's interests in the development, use and conservation of the State's mineral resources, and the reclamation of mined lands as authorized by law.

In April of 2016, Governor Brown signed two bills to implement "top to bottom" reforms of SMARA. AB 1142 (Gray) and SB 209 (Pavley) effectively update and

improve certain provisions of the Act, giving the Board more authority to oversee and implement SMARA.

#### 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 also is authorized to develop specific criteria through regulations to be used by Lead Agencies in complying with the provisions of the Act so as 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 10 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.

## **MISSION STATEMENT**

The mission of the State Mining and Geology Board is to provide professional expertise and guidance, and to represent in the representation of 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.

## **MEMBERS OF THE BOARD**

Gideon Kracov, Esq., Chair  
Sandra Potter, Vice Chair  
Brian Anderson  
George Kenline  
Stephanie Landregan  
John Lane  
Negar Noushkam  
Dr. Zia Zafir, PhD

## **BOARD STAFF**

Jeffrey Schmidt, Executive Officer  
Amy Scott, Executive Assistant  
Will J. Arcand, Senior Engineering Geologist  
Nick Lash, Associate Governmental Programs Analyst  
Jocelyn Fernandez, Office Technician

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## MESSAGE FROM THE CHAIRMAN

To the people of the State of California,

The latest revision of the State Mining and Geology Board's Strategic Plan reflects the combined interests and energies of the entire Board. The Board contains a group of dedicated volunteer members representing a diverse cross-section of geologic, local government, engineering and land-use expertise, appointed by the Governor to advise the Department of Conservation and advocate sound earth science and regulatory policy in regular public meetings.

This Strategic Plan is consistent with the Governor's policies and with State mandates. It is intended to provide overall policy direction for the Board and its Staff through a set of specific Goals, Strategies and Objectives. The Board looks forward to cooperative participation to meet these Goals, Strategies and Objectives by all stakeholders including members of the public, industry, academic institutions and professional and environmental organizations, elected officials, Lead Agencies, as well as the Department of Conservation and its Divisions.

Sincerely,



**Gideon Kracov, Esq.**  
**Chair, State Mining and Geology Board**

## **GOALS, RESPONSIBILITIES, AND OBJECTIVES**

Goals represent what the Board aims to accomplish. They provide the basis for decisions about the nature, scope, and priority activities that the Board undertakes. Incorporating its statutory mandates, and external and internal stakeholder comments, the Board has developed the following four goals:

- I SMARA:  
ACT TO CONSERVE THE STATE’S MINERAL RESOURCES  
AND RECLAMATION OF MINED LANDS**
  
- II SMARA:  
PERFORM LEAD AGENCY RESPONSIBILITIES UNDER SMARA  
WITHIN THE BOARD’S JURISDICTION**
  
- III ALQUIST-PRIOLO/SEISMIC HAZARDS:  
OVERSEE GEOLOGIC AND SEISMIC HAZARD  
INFORMATION MAPPING AND POLICIES**
  
- IV BOARD OPERATIONS:  
PROVIDE STRONG BOARD MANAGEMENT AND  
COMMUNICATIONS WITH ALL STAKEHOLDERS**

Within this document each responsibility is listed separately, followed by specific objectives that will assist the Board in achieving the respective responsibilities. Finally, the Primary Objectives Work Plan highlights observable and tangible targets measured in terms of time, quality, or quantity.



**I. SMARA:  
CONSERVE THE STATE’S MINERAL RESOURCES AND  
PROMOTE THE RECLAMATION OF MINED LANDS**

**RESPONSIBILITIES**

1. Review and approve all rulemaking proposals for the implementation of the SMARA reform rulemaking stipulated by AB 1142 and SB 209.
2. Encourage the production and conservation of the State's mineral resources through the mineral designation process.
3. Establish and administer mining and reclamation regulations and policies for Lead Agencies, mine operators, the California Geological Survey and the Office of Mine Reclamation.
4. Consider appeals, determinations or petitions made to the Board in compliance with SMARA.
5. Identify and continuously improve the knowledge of the location and amount of the State’s mineral resources.
6. Consider ways to assess and improve Lead Agency performance, and provide technical assistance.

**OBJECTIVES**

- I-1. Identify new geographic areas that meet the criteria for designation as having regionally significant mineral resources, and designate such lands pursuant to SMARA Section 2790 et seq. Update currently designated areas to account for land use changes.
- I-2. Determine the number of MRMP (Mineral Resource and Management Policies) Lead Agencies and obtain copies of their current MRMPs and Mining Ordinances to be updated on the Board’s website.
- I-3. Review and determine ways to improve the Board’s communication with local planning agencies and the Office of Planning and Research on the role and importance of the designation process, and the protection of mineral resources.
- I-4. Consider appeals, determinations and petitions made to the Board in compliance with SMARA.

## **II. SMARA: SERVE AS A LEAD AGENCY AND PERFORM RESPONSIBILITIES WITHIN THE BOARD'S JURISDICTION**

### **RESPONSIBILITIES**

1. Serve as the Lead Agency for certain jurisdictions where the Board has assumed Lead Agency responsibility.

In June 2001, the Board began assumption of Lead Agency authority under SMARA. The Board is currently the lead agency for 42 individual surface mining operations:

- 24 in two counties, El Dorado and Yuba
- 10 within seven cities that do not have current Board certified mining ordinances
- 8 that are dredging operations within San Francisco Bay

At each of these surface mining operations, the Board conducts inspections, reviews and approves financial assurance cost estimates, and undertakes compliance and enforcement actions when deemed necessary.

### **OBJECTIVES**

- II-1. Ensure full SMARA compliance with all statutes, regulations, and guidelines.
- II-2. Ensure financial stability of Lead Agency activities.
- II-3. Ensure best practices when acting as the Lead Agency.
- II-4. Inspect all mines at intervals of no more than every 12 months.
- II-5. Review financial assurances for all mines every 12 months.
- II-6. Review any outstanding Notices of Violation (NOV) and all future NOV's for opportunities to enter into stipulated Orders to Comply (OTC) with operators per PRC 2774.1(a) (2).
- II-7. Review conditions every 3 years under which Lead Agency authority can be returned to local jurisdictions pursuant to PRC 2774.4(b).
- II-8. Perform all other applicable Lead Agency responsibilities under SMARA.

### **III. ALQUIST PRIOLO AND SEISMIC HAZARD MAPPING ACTS:** **OVERSEE GEOLOGIC AND SEISMIC HAZARD INFORMATION MAPPING AND POLICIES**

#### **RESPONSIBILITIES**

1. Provide policies and criteria governing the exercise of city, county and State agency responsibilities to prohibit the location of developments and structures for human occupancy across the trace of active faults.
2. Provide specific guidelines for evaluating the hazards of surface fault rupture.
3. Provide for the public review and consideration of new and revised Alquist-Priolo Earthquake Fault Zone maps produced by the State Geologist pursuant to the Act.

#### **OBJECTIVES**

- III-1. Assist the State Geologist in programs relating to seismic hazards mapping, Alquist-Priolo earthquake fault zoning, and landslide mapping.
- III-2. Promote stable funding sources for programs relating to seismic hazards mapping, Alquist-Priolo earthquake fault zoning, and landslide mapping.
- III-3. Timely review and consideration of all preliminary Alquist-Priolo Earthquake Fault Zoning Act maps pursuant to Public Resources Code Section 2622.
- III-4. Timely review and consideration of all preliminary Seismic Hazards Mapping Program maps pursuant to Public Resources Code Section 2695.
- III-5. Work with the Department of Conservation and all stakeholders, on ways to improve the effectiveness of the Acts.

#### **IV. BOARD OPERATIONS: STRENGTHEN BOARD MANAGEMENT AND COMMUNICATIONS WITH ALL STAKEHOLDERS**

##### **RESPONSIBILITIES**

1. Ensure consistent and equitable application of the laws under the Board's jurisdiction.
2. Ensure the Board has sound budgeting and other administrative processes.
3. Work cooperatively with local agencies, businesses and the public on matters within the Board's jurisdiction, including outreach programs for Lead Agencies, focusing on their obligations under SMARA.

##### **OBJECTIVES**

- IV-1. Review and approve the Board's annual budget, as well as evaluate programs for the Board's budget and staffing needs, including assessment of the increasing litigation burden on the Board's budget and fees to cover appropriate administrative costs.
- IV-2. Perform Board orientation and training for all Board members on procedural and substantive responsibilities, as well as the Board budget.
- IV-3. Evaluate the Board website to promote usefulness and public access to policy and pending actions, as well as all rulemaking activities related to changes in statute.
- IV-4. Evaluate the Board's Executive Officer performance once per year, including compensation. The Board shall develop a performance review process.
- IV-5. Evaluate the Board's compliance with this Strategic Plan annually and provide quarterly reports to the Board by the Executive Officer
- IV-6. Issue Report to Legislature by December 1 of each year pursuant to SMARA PRC Section 2717.

## PRIMARY OBJECTIVES WORK PLAN

### SMARA

- I-1. Review and approve all rulemaking proposals for the implementation of the SMARA reform stipulated by AB 1142 and SB 209. *(Q1 2017 – Q4 2018)*
- I-2. Identify new geographic areas that meet the criteria for designation as having regionally significant mineral resources, and designate such lands pursuant to SMARA Section 2790 et seq. *(Ongoing)*
- I-3. Determine the number of MRMP (Mineral Resource and Management Policies) Lead Agencies and obtain copies of their current MRMPs and Mining Ordinances to be updated on the Board's website. *(Ongoing)*
- I-4. Review and determine ways to improve the Board's communication with local planning agencies and the Office of Planning and Research on the importance of the designation process, and the protection of mineral resources. *(Ongoing)*
- I-5. Consider appeals, determinations and petitions made to the Board in compliance with SMARA. *(Ongoing)*

### SMGB AS A LEAD AGENCY

- II-1. Ensure full SMARA compliance with all statutes, regulations, and guidelines. *(Ongoing)*
- II-2. Ensure financial stability of Lead Agency activities. *(Ongoing)*
- II-3. Ensure best practices when acting as the Lead Agency. *(Ongoing)*
- II-4. Inspect all mines at intervals of no more than every 12 months. *(Annually)*
- II-5. Review financial assurances for all mines every 12 months. *(Annually)*
- II-6. Review any outstanding notices of violation (NOV) and all future NOV's for opportunities to enter into stipulated orders to comply (OTC) with operators per PRC 2774.1(a) (2). *(Ongoing)*
- II-7. Review conditions every 3 years under which Lead Agency authority can be returned to local jurisdictions pursuant to PRC 2774.4(b). *(Ongoing)*
- II-8. Perform all other applicable Lead Agency responsibilities under SMARA. *(Ongoing)*

### ALQUIST-PRIOLO/SEISMIC HAZARDS

- III-1. Assist the State Geologist in programs relating to seismic hazards mapping, Alquist-Priolo earthquake fault zoning, and landslide mapping. *(Ongoing)*
- III-2. Promote stable funding sources for programs relating to seismic hazards mapping, Alquist-Priolo earthquake fault zoning, and landslide mapping. *(Ongoing)*
- III-3. Timely review and consideration of all preliminary Alquist-Priolo Earthquake Fault Zoning Act maps pursuant to Public Resources Code Section 2622. *(Ongoing)*

- III-4. Timely review and consideration of all preliminary Seismic Hazards Mapping Program maps pursuant to Public Resources Code Section 2695. *(Ongoing)*
- III-5. Work with the Department of Conservation and all stakeholders, on ways to improve the effectiveness of the Acts. *(Ongoing)*

#### BOARD OPERATIONS

- IV-1. Review and approve the Board's annual budget, as well as evaluate programs for the Board's budget and staffing needs, including assessment of the increasing litigation burden on the Board's budget and fees to cover appropriate administrative costs. *(Annually)*
- IV-2. Perform Board orientation and training for all Board members on procedural and substantive responsibilities, as well as the Board budget. *(Ongoing)*
- IV-3. Evaluate the Board website to promote usefulness and public access to policy and pending actions, as well as all rulemaking activities related to changes in statute. *(Ongoing)*
- IV-4. Evaluate the Board's Executive Officer performance once per year, including compensation. *(Annually)*
- IV-5. Evaluate the Board's compliance with this Strategic Plan and provide reports to the Board by the Executive Officer. *(Annually)*
- IV-6. Issue Annual Report to Legislature by December 1 of each year pursuant to SMARA PRC Section 2717. *(Annually)*