

## 4.12 MINERAL RESOURCES

This section evaluates the project's potential to impact mineral resources within and adjacent to the project area. The analysis consists of a description of existing conditions of the project site and surrounding area, a summary of the regulatory framework, and an evaluation of potential impacts associated with mineral resources.

### 4.12.1 Existing Conditions

#### 4.12.1.1 Regional Setting

There are a wide variety of mineral resources found in San Luis Obispo County, although relatively few minerals are currently extracted commercially. Quarries and mines in the San Luis Obispo area produce basaltic stone for masonry, "red rock" for road base and surfacing, and cinnabar, an ore of mercury. Petroleum, natural gas, mercury, gypsum, sand and gravel, construction stone, and clay are also produced in the county. The primary factor in the production of sand, gravel, and stone is local demand, and this activity is directly related to growth trends and construction needs (County of San Luis Obispo 2010). Sand, gravel, and crushed stone are collectively referred to as construction aggregate, which provide the bulk and strength to PCC, asphaltic concrete (AC, commonly called "black top"), plaster, and stucco. Material specifications for PCC-grade aggregate are more restrictive than specifications for other grades of aggregates, deposits suitable for use as PCC aggregate are the scarcest and most valuable of aggregate resources.

The San Luis Obispo-Santa Barbara Production-Consumption Region (P-C Region) is defined by the CDOC as the 2,062 square miles in western San Luis Obispo and Santa Barbara Counties in which significant aggregate resources and active operations exist (CDOC 2017). The P-C Region includes the cities of Atascadero, Buellton, Paso Robles, Santa Maria, and Solvang. Atascadero and Paso Robles have active aggregate operations within their respective jurisdictions, and Atascadero, Paso Robles, Buellton, Santa Maria, and Solvang have land classified for concrete-grade aggregate within their jurisdictions.

Within the San Luis Obispo-Santa Barbara P-C Region, the land classified as containing significant PCC- and AC-grade resources and not precluded from mining by incompatible land uses covers 38,132 acres. The most recent CDOC publication also included 2,763 acres of newly identified resources near the P-C Region (CDOC 2017). The P-C Region contains an estimated total of 10.7 billion tons of PCC-grade and AC-grade aggregate resources. This is a decrease of approximately 788 million tons from what was identified in 1989 due to land use changes (273 million tons), production (90 million tons), and a change in waste factors used (425 million tons) (CDOC 2017). Mining sites are currently permitted for extraction of approximately 75 million tons of PCC- and AC-grade aggregate resources (CDOC 2017).

### 4.12.2 Regulatory Setting

#### 4.12.2.1 Federal

There are no federal regulations related to mineral resources applicable to the project.

#### 4.12.2.2 State

##### 4.12.2.2.1 SURFACE MINING AND RECLAMATION ACT

The Surface Mining and Reclamation Act (SMARA) of 1975 mandates that the State Mining and Geology Board (SMGB) and CDOC Division of Mines and Geology (DMG) prepare a mineral resource

report for each county. SMARA additionally regulates the permitting of mining operations, provides for inspections during the life of the mine, and contains provisions to ensure that remediation occurs after completion of mining operations. SMARA is administered by the CDOC Division of Mine Reclamation (DMR). SMARA requires cooperative efforts from the CGS and the SMGB to identify and classify mineral areas in the state.

SMARA Sections 2761(a) and (b) and 2790 provide for a mineral lands inventory process termed Classification-Designation. The primary objective of the process is to provide local agencies, such as counties and cities, with information on the location, need, and importance of minerals within their respective jurisdictions. It is also the intent of this process, through the adoption of general plan mineral resource management policies, that this information be considered in future local land use planning decisions.

Areas are classified based on geologic factors, without regard for existing land use and land ownership for each P-C Region. The mineral resource areas within the San Luis Obispo-Santa Barbara P-C Region are categorized into one of four Mineral Resource Zones (MRZs), described below (CDOC 2017).

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based on economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- **MRZ-3:** Areas containing known or inferred mineral occurrences of undetermined mineral resource significance.
- **MRZ-4:** Areas where geologic information does not rule out either the presence or absence of mineral resources

In many regions, large portions of the areas classified as MRZ-2 are already committed to various urban uses that limit or prohibit access to underlying resources. If an area is classified by the SMGB as an area of statewide significance, the lead agency must designate that area in its general plan as having important minerals to be protected pursuant PRC Section 2762(a). If a lead agency has given classified areas such designation, then prior to permitting a use that would threaten the potential to extract minerals in that area, the lead agency shall prepare a statement specifying its reasons for permitting the proposed use, in accordance with the requirements set forth in PRC Section 2762(d). As an aid to local planning agencies, classification reports prepared for metropolitan areas also identify MRZ-2 areas that have not been urbanized. These non-urbanized areas, called resource sectors, are areas judged to contain a significant deposit of construction quality aggregate that is available, from a general land-use perspective, to meet future needs of the region. In other words, areas currently permitted for mining and areas found to have land uses compatible with possible mining are identified as sectors.

### **4.12.2.3 Local**

#### **4.12.2.3.1 COUNTY OF SAN LUIS OBISPO GENERAL PLAN**

##### **Conservation and Open Space Element**

The County's COSE provides goals, policies, and implementation measures for the protection of natural resources and open space areas (including mineral resources) throughout the region (County of San Luis

Obispo 2010). The COSE includes policies for the conservation and development of significant mineral deposits in balance with other County General Plan goals and policies.

## **Land Use and Circulation Elements**

### ***Framework for Planning (Inland)***

The County's Framework for Planning (Inland) is Part 1 of the County's LUCE and provides a comprehensive overview of the County's land use policies and defines land use categories for all unincorporated areas within the county. The Framework for Planning (Inland) established the EX (Energy or Extractive Resource Area) and EX1 (Extractive Resource Area) combining designations (zoning overlays) to protect significant resource extraction and energy production areas. As outlined in County LUO Section 22.14.040, Energy and Extractive Resource Area (EX), the intent of this designation is to prevent encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production. The EX combining designation identifies where mineral or petroleum extraction occurs or is proposed to occur, the state geologist has designated a mineral resource area of statewide significance, and/or major public utility electric generation facilities exist or are proposed.

In addition to the EX designation, as outlined in the County LUO Section 22.14.050, Extractive Resource Area (EX1), there is a EX1 designation for mineral extraction and mineral resources of regional significance. The EX1 designation is used to identify areas of the county that the CDOC DMG has classified as containing or being highly likely to contain significant mineral deposits. The purpose of the EX1 is to protect existing resource extraction operations from encroachment by incompatible land uses that could hinder resource extraction (County of San Luis Obispo 2010). In general, a CUP is required to establish a new mining operation in those land use categories in which mines and quarries are allowable (COSE 2010 appendices).

The County is currently updating the mining combining designations to incorporate recent updates by the California Mining and Geology Board (County of San Luis Obispo 2018a). These proposed amendments would adjust boundary maps of regionally significant Mineral Resource Areas, EX1 designated areas, and create Mining Disclosure Zones (MDZ) throughout the County. The current EX designated areas would be extended to include the footprint of existing active and idle mining operations. The EX1 designation would be renamed to Mineral Resource Area (MRA), clarify the designation is intended for areas with mineral resources of regional significance, and revised the current boundaries to match boundaries classified by the SMGB. The new MDZ designation would apply to a 0.25-mile buffer around legally established existing active and idle mining operations to serve as a means of notification and public disclosure for landowners and the general public within the vicinity of the mine (County of San Luis Obispo 2018a).

#### **4.12.2.3.1 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)**

The County's LUO, Title 22 of the County Code, includes regulations that have been adopted by the County to implement the General Plan and to guide and manage the future growth of the county in compliance with the General Plan; to regulate land use in a manner that will encourage and support the orderly development and beneficial use of lands within the county; to minimize adverse effects on the public resulting from the inappropriate creation, location, use or design of building sites, buildings, land uses, parking areas, or other forms of land development by providing appropriate standards for development; to protect and enhance the significant natural, historic, archaeological and scenic resources within the county as identified by the county General Plan; and to assist the public in identifying and understanding regulations affecting the development and use of land.

Chapter 22.14 of the LUO includes site planning and project design standards pertaining to Combining Designations, which apply to areas of the county having natural or built features that are sensitive, hazardous, fragile, of cultural or educational value, or of economic value as extractable natural resources. As described above, County LUO Section 22.14.040, Energy and Extractive Resource Area (EX), and Section 22.14.050, Energy and Extractive Resource Area (EX1), defines the purpose, applicability, processing requirements, and development standards of the EX and EX1 designations.

Chapter 22.36 of the LUO, Surface Mining and Reclamation, provides regulations for surface mining and related mineral extraction operations, to provide for the reclamation of mined lands, prevent or minimize adverse environmental effects and safety hazards, and provide for the protection and subsequent beneficial use of mined and reclaimed lands. This section also adopts the state guidelines as minimum acceptable practices for surface mining and reclamation practices contained in SMARA Section 2207, PRC Section 2710 et seq., and CCR Chapter 8, Title 14, Section 3500 et seq. The section outlines the permit requirements for surface mining, the required reclamation plan, annual inspections, and standards related to underground mining.

#### **4.12.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Mineral Resources**

Table 4.12-1 lists applicable state, regional, and local land use policies and regulations pertaining to mineral resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.12.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.12-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.12.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

**Table 4.12-1. Preliminary Policy Consistency Evaluation**

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
<b>County of San Luis Obispo General Plan</b>		
<b>Conservation and Open Space Element</b>		
<b>Goal MN 1</b> Conservation and development of significant mineral deposits will be a high priority, but will be balanced with other County general plan goals and policies.		
<b>Policy MN 1.1 Balance Test.</b> Evaluate proposed mining operations in areas having open space, scenic, habitat, recreational, or agricultural value by balancing these values against the need for extracting mineral resources from such areas.	The intent of this policy is to weigh the need for mining operations in areas with other value.	<b>Potentially Consistent.</b> The project does not include proposed mining operations.
<b>Policy MN 2.2 Incompatible Development.</b> Protect existing resource extraction operations from encroachment by incompatible land uses, land use category changes, and land divisions that could hinder resource extraction.	The intent of this policy is to protect resource extraction from conflicting with development.	<b>Potentially Consistent.</b> The project does not encroach upon and would not hinder existing resource extraction operations or areas suitable for resource extraction in the future.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
<p><b>Policy MN 2.1 Protect mineral resources.</b>                      Protect mineral and aggregate resources from incompatible uses in designated areas likely to contain significant mineral deposits in order that such deposits may be available for future use. Extract in-stream aggregate materials in a sustainable manner that balances the rate of extraction with the rate of natural replenishment.</p>	<p>The intent of this policy is to protect mineral resource-designated areas from incompatible uses to preserve such deposits for future use.</p>	<p><b>Potentially Consistent.</b> The project is not located within a mineral resource designation.</p>
<p><b>Policy MN 2.4 Discretionary Land Use Permits.</b>                      Require that proposed uses that require a discretionary land use permit will not adversely affect the continuing operation or expansion of an existing extraction use.</p>	<p>The intent of this policy is to ensure proposed development does not conflict with existing resource extraction.</p>	<p><b>Potentially Consistent.</b> The project does not encroach upon and would not hinder existing resource extraction operations or areas suitable for resource extraction in the future.</p>

### 4.12.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on mineral resources if the effects exceed the significance criteria described below:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- b. Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Each of these thresholds is discussed under Section 4.12.5, *Project-Specific Impacts and Mitigation Measures*, below.

### 4.12.4 Impact Assessment and Methodology

The project’s potential impacts associated with mineral resources were evaluated by use of the environmental checklist questions included in Appendix G of the State CEQA Guidelines, included in Section 4.12.3, *Thresholds of Significance*. Potential impacts were evaluated based on a comprehensive review of the proposed project and all associated components, CDOC applicable database information, and all applicable regulatory requirements.

### 4.12.5 Project-Specific Impacts and Mitigation Measures

#### WOULD THE PROJECT RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?

##### Specific Plan Area

No portion of the Specific Plan Area or adjacent properties are within a County-designated Energy or Extractive Area or Extractive Resource Area (County of San Luis Obispo 2010; CDOC 2017). The project site does not fall within the proposed revised boundaries of the EX1 designation (renamed as MRA), expanded EX designation boundaries, or a 0.25-mile buffer under the MDZ designation (County of San Luis Obispo 2018a). The entire project site has been classified as MRZ-3 (indicating there are

known or inferred mineral occurrences of undetermined mineral resource significance) (CDOC 1989). In addition, based on a review of the CalGEM Well Finder, there are no oil or gas wells or fields on the project site (CDOC 2019). As such, there are no identified significant mineral resources in the project site vicinity, and project development would not result in the loss of availability of any known mineral resources. The project does not propose exploration or mining of any known mineral resources. Therefore, the project would not preclude the future extraction or in any way result in impacts to such resources, and there would be *no impact*.

### **Off-Site Improvements**

Proposed off-site improvements would result in construction and installation of transportation, water, and wastewater infrastructure improvements within previously developed roadways, road shoulder areas, or otherwise disturbed areas within existing NCSO facilities (e.g., Southland WWTF) (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). The proposed off-site improvements are in areas classified as MRZ-3 and would not fall within a County-designated Energy or Extractive Area or Extractive Resource Area (CDOC 1989). There are no oil or gas wells or fields within the off-site improvement areas (CDOC 2019). The project would not result in the loss of availability of a known mineral resource, and *no impact* would occur.

### **WOULD THE PROJECT RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN OR OTHER LAND USE PLAN?**

#### **Specific Plan Area**

As stated under MR Impact 1, there are no identified significant mineral resources in the project site vicinity, and the project does not propose exploration or mining. The project site is not located on land designated for mineral resources. It is currently designated as the Cañada Ranch Specific Plan in the County's General Plan and an expansion area under the South County Area Plan, as well as County LUO Section 22.98.072. Implementation of the project would not conflict with any local general plan, specific plan, or other land use plan. Therefore, the project would have *no impact* related to the loss of a locally important mineral resource recovery site.

#### **Off-Site Improvements**

The proposed off-site improvements are not located on land designated for mineral resources by the County's General Plan. Implementation of these improvements would not conflict with any local general plan, specific plan, or other land use plan. Therefore, the project would have *no impact* related to the loss of a locally important mineral resource recovery site.

### **4.12.6 Cumulative Impacts**

***MR Impact 1: The project would not result in a cumulatively considerable impact to mineral resources. Impacts would be less than significant (Class III).***

The project's cumulative study area and development scenario is described in Chapter 3, *Environmental Setting* (refer to Table 3-2, Cumulative Development Scenario Project List). The project would not result in effects that, when considered in combination with the impacts of nearby regional projects, would be considered cumulatively considerable or significant. The County's proposed mining designation amendments would adjust EX combining designations to reflect state-designated regionally significant mineral resources and would help prevent closure and elimination of these sites. The County's

Infrastructure and Facilities Capital Improvement Plan does not indicate expectation of any projects that would impact availability of mineral resources or mineral resource recovery sites (County of San Luis Obispo 2017). The County's proposed mining designation amendments would adjust EX combining designations to reflect state-designated regionally significant mineral resources and would help prevent closure and elimination of these sites. The County's Infrastructure and Facilities Capital Improvement Plan does not indicate expectation of any projects that would impact availability of mineral resources or mineral resource recovery sites. Therefore, the project is not expected to result in significant cumulative impacts to mineral resources or mineral resource recovery sites. Potential cumulative impacts would be *less than significant*.

<b>MR Impact 1 (Class III)</b>
The project would not result in a cumulatively considerable impact to mineral resources.
<b>Mitigation Measures</b>
<i>Mitigation is not necessary.</i>
<b>Residual Impacts</b>
<i>The project would not contribute to a loss of mineral resources; therefore, residual cumulative impacts would be less than significant (Class III).</i>

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