

3.3.15 Mineral Resources

Introduction

The purpose of the Mineral Resources section is to identify and evaluate the potential for the project to adversely affect the availability of known mineral resources. The mineral resources of concern include metals, industrial minerals (e.g., aggregate, sand and gravel), oil and gas, and geothermal resources that would be of value to the region and residents of the State.

Responsible Agencies

The protection of mineral resources in California is the responsibility of the following agencies, which either have statutory authority or are Responsible Agencies under CEQA:

- *California Department of Conservation* <http://www.consrv.ca.gov> is the primary agency with regard to mineral resource protection. The Department is charged with conserving earth resources (*Public Resources Code Sections 600-690*) <http://www.leginfo.ca.gov> and has five program divisions that address mineral resource issues: *Division of Mines and Geology*, <http://www.consrv.ca.gov/dmg> *Division of Oil, Gas and Geothermal Resources*, <http://www.consrv.ca.gov/dog/> *Division of Land Resource Protection*, <http://www.consrv.ca.gov/dlrp> *Division of Recycling*, <http://www.consrv.ca.gov/dor/> and *Office of Mine Reclamation* <http://www.consrv.ca.gov/omr>.
- *State Mining and Geology Board*, which develops policy direction regarding the development and conservation of mineral resources and reclamation of mined lands. <http://www.consrv.ca.gov/smgb/>

Other State agencies with Statutory Authority or that may wish to comment on the environmental document with regard to mineral resources issues include:

- State Lands Commission
- Coastal Commission (for land uses that could affect access to mineral resources within the Coastal Zone). (See *UC CEQA Handbook Section 3.3.14.*)
- State Water Resources Control Board (as pertains to mineral resource water quality-related issues),
- Parks and Recreation, Fish and Game, and Energy Commission (*CEQA Guidelines Appendix B*),

See *UC CEQA Handbook Section 3.3.14*, Land Use, for a description of the responsibilities of the State Lands Commission and California Coastal Commission with regard to project or land uses.

LRDP EIR

- The mineral resources impact analysis should focus on the potential loss of availability of the mineral resource due to land use conversions.

Loss of access to mineral resources would primarily be the result of conversion of lands underlain by these resources to other uses, or within close proximity to the resources, such that the construction and occupancy of the project would restrict or eliminate safe and environmentally sound measures to implement extractive operations. Loss of access could also be the result of changes in land ownership (e.g., non-renewal of a lease where active mining is occurring).

Loss of access to mineral resources for the purposes of future extraction could be considered to be primarily an economic issue. According to *CEQA Guidelines Section 15131(a)* http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art9.html purely economic impacts are not considered physical environmental impacts. Notwithstanding, important mineral resource areas are recognized at the federal and State levels through environmental resource management plans and adopted mineral resource mapping, and at the local level through land use planning documents such as general plans that incorporate such information. Therefore, the potential loss of such resources, if any, due to project implementation should be described. If mineral resources could be affected, an assessment of cumulative impacts should also be included.

Potential effects related to land use compatibility (if the project would site new uses adjacent to existing mining operations) are more appropriately discussed in the land use section of the LRDP EIR. If active mining activities were restricted or eliminated by changes in land ownership, it might be necessary to expand or open a mine in another area, which could have significant environmental effects on other natural resources. Such issues should be discussed in the appropriate technical sections of the LRDP EIR.

Project EIR

To the extent not analyzed in an LRDP EIR, the Mineral Resources section of a Project EIR or the IS should analyze whether the project would result in any effects that were not anticipated or evaluated by the LRDP EIR. Further, it should analyze the project in relation to the current LRDP and any existing land use plans.

Standards of Significance

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?
- 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?

- Exceed an applicable LRDP or program EIR standard of significance? This question enables the campus to define a campus specific standard of significance.

Analytical Methods

- The environmental analysis must evaluate site-specific characteristics in relation to the type and extent of proposed changes in land use.
- The Mineral Resources section of the EIR or Tiered Initial Study should identify the locations of mineral resources relative to the project site.

Sections 2761(a) and (b) and 2790 of the State's *Surface Mining and Reclamation Act (SMARA)* provide for a mineral lands inventory process termed classification-designation. The California Division of Mines and Geology, and the State Mining and Geology Board <http://www.consrv.ca.gov/smgb/> are responsible for administering this process and have statutory authority. Areas are classified on the basis of geologic factors, without regard to existing land use and land ownership. The areas are categorized into four Mineral Resource Zones (MRZs). Of the four categories, lands classified as MRZ-2 are of the greatest importance. Such areas are underlain by demonstrated mineral resources where geologic data indicate significant measured or indicated resources are present. MRZ-2 areas designated by the Mining and Geology Board as "regionally significant" are incorporated by regulation into Title 14, Division 2 of the California Code of Regulations. Such designations require that a lead agency's land use decisions involving designated areas be made in accordance with its mineral resource management policies, and that it consider the importance of the mineral resource to the region or the state as a whole, not just to the lead agency's jurisdiction.

The primary source of information considered in the analysis is the "mineral lands classification" maps published by the State pursuant to SMARA, as described above. Reports containing these maps are listed in *Publications Available from the Division of Mines and Geology*.

<http://www.consrv.ca.gov/dmg> Digital data is currently available for some locations and may be obtained by contacting the Division of Mines and Geology. Locations of areas classified MRZ-2 on the classification maps and their proximity to project development should be depicted graphically and described in the text, based on information provided in the published report. If mineral lands classification mapping has not been published, that should be noted. In lieu of such information, the local general plan or applicable environmental plan should be consulted to determine whether any mineral resource land use designations have been adopted, or if there are other land use or zoning designations that allow for mineral extraction. Finally, two comprehensive databases managed by the U.S. Geological Survey (*Minerals Availability System* and *Mineral Resource Data System*) <http://www.mrdata.usgs.gov> contain substantial amounts of information regarding specific mineral locations. However, interpretation of the data and its relevance to the mineral resources analysis in the EIR or Tiered Initial Study (TIS) should be limited to a general discussion and should not be used solely to determine potential effects.

Local general plans are required to incorporate the above-mentioned information where MRZ-2 classifications or regionally significant designations have been published. Although the University of

California is constitutionally exempt from local land use planning requirements, information contained in the local plans is valuable, and should be considered.

The data listed above may be assumed to reasonably indicate the potential for resources of local or regional significance. Consultation with the local land use jurisdiction regarding active and pending mining permits and status of reclamation plans may also provide useful information, along with review of the most current edition of *Mines and Mineral Producers Active in California*, Division of Mines and Geology Special Publication 103. If such information is available, mineral rights, patents, and claims should also be identified.

Once information has been gathered from the above-mentioned sources as to the existence of valuable mineral resources, the determination must be made as to whether the project would affect them.

Generally Feasible Mitigation Measures

- Avoid siting project land uses in areas classified MRZ-2 or designated as “regionally significant” by the State Geologist where feasible.
- Where MRZ-2 or “regionally significant” areas have not been identified, avoid siting project land uses in mineral resource areas formally identified in local general plans, specific plans, or relevant environmental plans, or where site-specific information evaluated by a geologist registered in the State of California suggests the potential for a mineral deposit of economic value as feasible.
- Consult with local planning jurisdictions prior to adopting any land use change that could restrict or eliminate mineral deposits identified as MRZ-2, regionally significant, or identified by the local land use jurisdiction, or that would interfere with active mining operations. The purpose of this consultation is to identify potential land use conflicts and to cooperate with the local jurisdiction so that it can fulfill its obligations under the Public Resources Code and SMARA.