

## **2.8      Mineral Resources**

This section describes the existing setting of the Project site, identifies associated regulatory requirements, and evaluates potential impacts to mineral related to implementation of the JVR Energy Park Project (Proposed Project). Potential impacts to mineral resources of the Proposed Project were evaluated based on a review of existing resources, technical data, and applicable laws, regulations, guidelines, and standards, as well as the following technical reports prepared for the Proposed Project:

- Mineral Resource Technical Report - JVR Energy Park (Appendix L to this EIR)

There were no comments received in response to the Notice of Preparation (NOP) regarding mineral resources. A copy of the NOP and comment letters received in response to the NOP is included in Appendix A of this EIR.

### **2.8.1      Existing Conditions**

#### **Topographical Setting**

Topography on the 1,356-acre Proposed Project site ranges from gently sloping valley floor to moderately steep existing natural slopes approaching 1:1 (horizontal to vertical) slope inclinations along the western and eastern boundaries of the site. Two northerly flowing active drainages transect the site ultimately converging into a broad drainage near the middle of the site which flows in a northerly direction eventually becoming Carrizo Gorge before discharging into the desert area. Within the central valley portion of the Proposed Project site, the existing elevations range from a high of approximately 2,800 feet above mean sea level (AMSL) in the south to a low of approximately 2,700 feet in the north.

#### **Site Geology**

The Proposed Project site is located in the lower Peninsular Range Region of San Diego County, a subset of the greater Peninsular Ranges Geomorphic Province of California. The Peninsular Ranges Geomorphic province is approximately bounded to the east by Elsinore Fault Zone, to the north by the Transverse Ranges, the south by Baja California, and to the west by the Pacific Ocean.

The Project site is underlain by Tertiary volcanic rocks, Tertiary sandstone, Cretaceous plutonic rocks, and Jurassic metamorphic rocks. The plutonic and metamorphic basement rocks are non-conformably overlain by relatively undisturbed sedimentary rocks consisting of older minor terrace deposits and generally unconsolidated Holocene alluvium consisting of clayey sand with scattered gravels.

Surficial units onsite include undocumented artificial fill (unmapped), topsoil/colluvium (unmapped), young alluvium (map symbol Qa), and terrace deposits (map symbol Qfg), Tertiary sandstone (Ta), and bedrock units (Tb1 and Qd). Refer to Appendix L for detailed information regarding these surficial units.

Bedrock units onsite include Jacumba Volcanics (Tb1) and Basement Complex (Qd). The Jacumba Volcanics consist of predominantly basalt flows in the Proposed Project area. The basalt flows are largely alkali and tholeiitic with breccia and pyroclastic rocks. These rocks include the cinder cone (Round Mountain) located in the northwestern portion of the Proposed Project site. The Basement Complex (Qd) units consist of migmatite and schist of Stephenson Peak along the western portion of the Proposed Project site and tonalite of the La Posta along the eastern portion. Refer to Appendix L for detailed information regarding these bedrock units.

### Land Uses

The total Proposed Project site encompasses approximately 1,356 acres, of which approximately 643 acres are proposed for the solar facility development. A portion of the proposed development footprint was previously used for agricultural operations. Most of the proposed development footprint site is covered with fallow agriculture.

The Proposed Project site is primarily undeveloped. An existing easement for the San Diego and Arizona Eastern Railway enters the southwestern portion of the Project site at the western boundary, running generally east/west then turning northward and exiting the northwestern corner of the property near I-8. An existing San Diego Gas & Electric (SDG&E) easement also traverses the central portion of the site from east to west. Several large-scale SDG&E transmission towers are present within this easement. Old Highway 80 traverses the southern portion of the Project site.

The majority of the lands surrounding the Project site are largely undeveloped. The town of Jacumba Hot Springs is located southwest of the Project site and consists of residential uses and small-scale commercial uses. The southwestern portion of the Project site is adjacent to residential lands uses. The Jacumba Valley Airport is located just south of Old Highway 80, and directly south and east of the southernmost portion of the Project site. The U.S./Mexico international border lies just south of the Project site. Two gas stations are located along Carrizo Gorge Road, adjacent to the northeastern property boundary and south of I-8.

### Mineral Resource Potential

As mandated by the Surface Mining and Reclamation Act of 1975, the California State Mining and Geology Board classifies California mineral resources with the Mineral Resource Zones (MRZs) system. These zones were established based on the presence or absence of significant sand and gravel deposits and crushed rock source areas (i.e., products used in the production of cement).

The classification system emphasizes Portland Cement Concrete aggregate, which is subject to a series of specifications to ensure the manufacture of strong, durable concrete. The following guidelines are presented in the mineral land classification for the region (CGS 1982 and 1996b):

- MRZ-1 – Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2 – Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that there is a high likelihood for their presence.
- MRZ-3 – Areas containing mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ-4 – Areas where available information is inadequate for assignment to any other MRZ zone.

The Proposed Project site is located within southeastern San Diego County which includes no mapped Mineral Resource Zones. Specifically, it should be noted that the Proposed Project site does not contain MRZ-2 zones within or adjacent to the boundaries; the closest MRZ-2 zone to the Proposed Project is located to the southeast roughly 39 miles away. The Proposed Project site also does not contain MRZ-3 zones. Refer to Figure 3 in Appendix L.

The Proposed Project site is a predominantly volcanic rock site, with fine-grained alluvial clay and clayey sand deposits overlying the volcanic rock. In addition, the Proposed Project site is located east and outside of the County mapped P-C Boundary which is an uncategorized zone. Further, the site is not located in an area near existing aggregate production areas. The nearest production areas within San Diego County are at least 39 miles away. Closer production areas located in Imperial County are at least 13 miles away.

Documented historical aggregate extraction operations have been identified on the Proposed Project site. A minor rock quarry was also previously located in the northeastern portion of the site, which was apparently utilized for gravel production in the past. Based on review of the physical pit excavation, the quality of the volcanic rock making up the pit is considered substandard for aggregate use, in particular for use in aggregate for concrete (Appendix L). Based on site reconnaissance and geologic mapping, we found that the volcanic rock within the pit and at the site consists of highly fractured and strongly to moderately weathered, weak, basalt. The preferred rock for aggregate production in San Diego County generally consists of fresh crystalline rock or metavolcanic rock.

## 2.8.2 Regulatory Setting

### Federal Regulations

There are no federal regulations, authorities, or administering agencies pertaining to mineral resources that regulate the Proposed Project.

### State Regulations

#### California Surface Mining and Reclamation Act

Sections 2762 and 2763 of the California Surface Mining and Reclamation Act (SMARA) require that jurisdictions issue a Statement of Reasons when projects would result in the elimination of the potential to extract minerals in the areas containing regionally significant mineral resources. However, the Project would not result in the elimination of the potential to extract minerals and therefore is not subject to the Statement of Reasons.

Additionally, Sections 2762 and 2763 of SMARA require that jurisdictions issue a Statement of Reasons for projects that include the elimination of the potential for extraction in areas of regionally significant minerals resources. SMARA requires that the County decision makers consider this elimination of extraction potential in their decision on land use. The Statement of Reasons lists potential reasons to approve the proposed project and to include elimination of the potential for extraction of all of this resource; decision makers may adopt or modify any of these. The Statement of Reasons must be submitted to the State Geologist and California State Mining and Geology Board for their review for a period of 60 days in conjunction with the environmental review of the proposed project.

#### Integrated Waste Management Act

Assembly Bill 939, the Integrated Waste Management Act, mandates that each jurisdiction reduce the amount of waste entering landfills each year. This is beneficial in lengthening the lifespan of available mineral resources within the County by recycling materials from demolished buildings, roadways, or other facilities.

### Local Regulations

#### County of San Diego General Plan

The Conservation and Open Space Element of the General Plan includes a Mineral Resources section, which identifies goals and policies intended to assure an adequate supply of mineral resources to support the economic activity projected to occur under the General Plan and to assure compliance with the requirements of the SMARA with regard to the conservation of mineral

resources, and the permitting and reclamation of mining sites. The following goals and policies are identified:

- **Goal COS-10: Protection of Mineral Resources.** The long-term production of mineral materials adequate to meet the local County average annual demand, while maintaining permitted reserves equivalent to a 50- year supply, using operational techniques and site reclamation methods consistent with SMARA standards such that adverse effects on surrounding land uses, public health, and the environment are minimized.
  - **Policy COS-10.1 Siting of Development.** Encourage the conservation (i.e., protection from incompatible land uses) of areas designated as having substantial potential for mineral extraction. Discourage development that would substantially preclude the future development of mining facilities in these areas. Design development or uses to minimize the potential conflict with existing or potential future mining facilities. For purposes of this policy, incompatible land uses are defined by SMARA Section 3675.
  - **Policy COS-10.2 Protection of State-Classified or Designated Lands.** Discourage development or the establishment of other incompatible land uses on or adjacent to areas classified or designated by the State of California as having important mineral resources (MRZ-2), as well as potential mineral lands identified by other government agencies. The potential for the extraction of substantial mineral resources from lands classified by the State of California as areas that contain mineral resources (MRZ-3) shall be considered by the County in making land use decisions.
  - **Policy COS-10.3 Road Access.** Prohibit development from restricting road access to existing mining facilities, areas classified MRZ-2 or MRZ-3 by the State Geologist, or areas identified in the County Zoning Ordinance for potential extractive use in accordance with SMARA Section 2764.a.
  - **Policy COS-10.4 Compatible Land Uses.** Discourage the development of land uses that are not compatible with the retention of mining or recreational access to non-aggregate mineral deposits. See Policy COS-10.1 for a definition of incompatible land uses.
  - **Policy COS-10.6 Conservation of Construction Aggregate.** Encourage the continued operation of existing mining facilities and streamline the permitting of new mining facilities consistent with the goal to establish permitted aggregate resources that are sufficient to satisfy 50 years of County demand.
  - **Policy COS-10.7 Recycling of Debris.** Encourage the installation and operation of construction and demolition (C&D) debris recycling facilities as an accessory use at permitted (or otherwise authorized) mining facilities to increase the supply of available mineral resources.

- **Policy COS-10.8 New Mining Facilities.** Develop specific permit types and procedures for the authorization of new mining facilities that recognize the inherent physical effects of mining operations and the public necessity for available mineral resources adequate to meet local demand, in accordance with PRC Section 2762.
- **Policy COS-10.9 Overlay Zones.** Provide zoning overlays for MRZ-2 designated lands and a 1,300-foot-wide buffer area adjacent to such lands. Within these overlay zones, the potential effects of proposed land use actions on potential future extraction of mineral resources shall be considered by the decision makers.

### San Diego County Zoning Ordinance, Sections 2820–2835, S82 Extractive Use Regulations

San Diego County Zoning Ordinance, Section 2820 et seq., are known as the S82 Extractive Use Regulations and are intended to identify and create areas within the County where mining, quarrying, or oil extractive uses are permitted. Typically, the S82 Extractive Use Regulations would be applied to areas of mineral deposits to signify the presence of such deposit and notify adjacent or affected properties of the intention to allow extraction of minerals within the zone. They would be used to preserve areas with valuable mineral deposits until extraction can take place.

### San Diego County Zoning Ordinance, Sections 6550–6556, Extractive Use Regulations

San Diego County Zoning Ordinance, Section 6550 et seq., is known as the Extractive Use Regulations and provides the means for public review and regulation of mineral extraction and associated on-site processing operations.

### County of San Diego Code of Regulatory Ordinances Sections 87.701–87.714, Surface Mining

In 2003, the Board of Supervisors added Sections 87.701 through 87.714, entitled Surface Mining, to the County of San Diego Code of Regulatory Ordinances to regulate all surface mining operations in the unincorporated area of the County, as authorized by the San Diego County Zoning Ordinance and SMARA to ensure that:

- a) The continued mining of minerals will be permitted in a manner which will protect the public health and safety and will provide for the protection and subsequent beneficial use of mined and reclaimed land;
- b) The possible adverse effects of surface mining operations on the environment, including air pollution, impedance of groundwater movement, water quality degradation, damage to

aquatic or wildlife habitat, flooding, erosion and sedimentation, will be prevented or minimized; and

- c) The production and conservation of minerals will be encouraged while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.

This Ordinance is intended to implement the minimum requirements of SMARA and to specify local requirements. County Code Sections 87.701 through 87.714 require that no person conduct surface mining unless a Major Use Permit is obtained, a Reclamation Plan is approved as provided by the Zoning Ordinance and SMARA, and financial assurances for reclamation have been approved by the County. Grading performed pursuant to such a Major Use Permit or Reclamation Plan must be in accordance with a plot plan and conditions approved therewith.

### **2.8.3 Analysis of Project Effects and Determination as to Significance**

The Proposed Project is a solar energy facility, which includes a switchyard that would be transferred to San Diego Gas & Electric (SDG&E) after construction. For the purposes of this analysis, the SDG&E Switchyard (as described in Section 1.2.1 of this EIR), is a component of the Proposed Project and has been analyzed as part of the whole of the action. However, the EIR highlights the specific analysis of the Switchyard under each threshold of significance in the event that responsible agencies have CEQA obligations related to the Switchyard.

Direct, indirect, and cumulative impacts pertaining to mineral resources are evaluated based on specified thresholds identified in the CEQA Guidelines, Appendix G and in the County of San Diego's Guidelines for Determining Significance, including the following:

- County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, Mineral Resources
- County of San Diego Report Format and Content Requirements, Mineral Resources

The County's Guidelines for Determining Significance are generally intended to address the questions posed in Appendix G of the CEQA Guidelines. In 2018, the CEQA Guidelines were updated and several of the questions listed in Appendix G were revised, deleted or modified. The County's Guidelines for Determining Significance have yet to be updated to address these amendments. Accordingly, this EIR analyzes the impacts from the Project using the County's Guidelines for Determining Significance and the questions posed in Appendix G. Where the questions in Appendix G have not been revised, only the County's Guidelines for Determining Significance are identified and analyzed. Where the questions in Appendix G have been significantly altered or additional questions have been posed, the Project's impacts are analyzed as against the questions in Appendix G and, to the extent they remain consistent with Appendix G, the County's Guidelines for Determining Significance.

### Guidelines for the Determination of Significance

For the purposes of this section, the County's Guidelines for Determining Significance and Report Format and Content Requirements – Mineral Resources (County of San Diego 2008) guide the evaluation of whether a significant impact to mineral resources will occur as a result of project implementation. A project will generally be considered to have a significant effect if it proposes any of the following, absent specific evidence to the contrary. Conversely, if a project does not propose any of the following, it will generally not be considered to have a significant effect on mineral resources, absent specific evidence of such an effect.

1. The project site is:
  - On or within the vicinity (generally up to 1,300 feet from the site) of an area classified as MRZ-2; or
  - On land classified as MRZ-3; or
  - Underlain by Quaternary alluvium; or
  - On a known sand and gravel mine, quarry, or gemstone deposit;

AND

The project will result in the permanent loss of availability of a known mineral resource that would be of value to the region and the residents of the state;

AND

The deposit is minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years and meets or exceeds one or more of the following minimum values (in 1998 equivalent dollars):

- Construction materials (sand and gravel, crushed rock): \$12,500,000
- Industrial and chemical mineral materials (limestone, dolomite, and marble [except where used as construction aggregate]; specialty sands, clays, phosphate, borates; and gypsum, feldspar, talc, building stone and dimension stone): \$2,500,000
- Metallic and rare minerals (precious metals [gold, silver, platinum], iron and other ferroalloy metals, copper, lead, zinc, uranium, rare earths, gemstones and semi-precious materials, and optical-grade calcite): \$1,250,000



2. The project would 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.

### Analysis

#### Guideline 1

With respect to Guideline 1, the Proposed Project site is not zoned MRZ-3. In addition, the Proposed Project site is not located on or within 1,300 feet of land classified as MRZ-2 and is not on a known gemstone deposit. However, it is acknowledged that the Proposed Project site is partially underlain by Quaternary alluvium and an existing abandoned rock quarry.

The Proposed Project site is underlain by quaternary alluvium and volcanic rock. The Project's solar facilities would be constructed on top of 330.7 acres of this alluvium and volcanic rock. Figure 2.8-1, Potential Mitigation Land Map, shows the boundary of the alluvium with the Proposed Project site.

The proposed solar facility (with the exception of the switchyard) would be decommissioned at the end of its term (conservatively estimated to be 35 years). Therefore, the proposed solar facility would not result in the permanent loss of availability of a known mineral resource within the development footprint because mineral resources underlying the development footprint would be available for extraction after the solar facilities is decommissioned. Thus, the development of the solar facilities, with the exception of the switchyard, would not result in a permanent loss of availability of a mineral resource.

The switchyard, which would be transferred and operated by SDG&E, would be permanent use. Therefore, the switchyard would result in a permanent loss of the availability of known mineral resources underneath the switchyard (3.2 acres).

In addition, the Proposed Project's impacts to biological resources require habitat preservation as mitigation (Refer to **M-BI-3** in Section 2.3, Biological Resources). In total, through **M-BI-3**, Habitat Preservation, the Project applicant will place up to 435 acres into biological open space easements within the Proposed Project site. This open space easement would preserve sensitive vegetation communities, special-status plant species, and habitat for special-status species, and facilitating wildlife movement. These open space easements overlie up to 188 acres of potential mineral resources and will not be removed after the life of the Project (Refer to Figure 2.8-1). Therefore, the mitigation for the Proposed Project's impacts would result in the permanent loss of availability of 188 acres of potential mineral resources.

It should also be noted that surrounding incompatible land uses include the residential development southwest of the Proposed Project site and the commercial development to the northeast, which

typically requires a separation of 1,300 feet. The railroad tracks, electrical transmission lines, commercial airport, and County and State roadways, are shown with a setback of 100 feet or more for purposes of this report. Refer to Figure 2.8-1 for setbacks. Therefore, portions of the Proposed Project site are effectively already a lost mineral resource because the resources are located within buffer zones of existing adjacent residential, commercial and public facility developments.

Available site specific data indicates much of the mapped alluvium and volcanic rock underlying the Proposed Project site is not considered a processable, minable and marketable resource since the alluvium predominantly consists of clays and clayey sands, with a lack of significant gravels, and the volcanic rock is highly fractured and generally weak and is therefore not suitable for aggregate due to poor strength quality. As discussed in Appendix L, the resources are estimated to have a high waste value of 40%, meaning much of the resource underlying the site is unusable and the generally high quantity of silt and clay within the alluvial deposit would need to be removed using physical methods in order to market the product. Given these conditions and the estimated 40% waste factor for these resources (most commercial mining operations use a 20% waste factor as an economic feasibility threshold), outside of the 3.2 acre switchyard, the mineral resources under the proposed solar facility, outside of the 3.2 acre switchyard, are not considered processable, mineable and marketable, and would be uneconomic to develop.

However, site specific studies have shown that the alluvium underlying the 3.2 acre switchyard may be of better quality with a lower percentage of fines, and therefore, it is conservatively assumed that the resources underlying the switchyard are minable, processable, and marketable. Assuming the permanent loss of availability of mineral resources underlying the switchyard, it is conservatively assumed that such resources would be minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years. As discussed in Appendix L, the potential sand and aggregate underlying the 3.2 acre switchyard is estimated to amount to a value of approximately \$3,679,949. Assuming a price of \$20.00 per ton, a density of 0.055 tons per cubic foot and a waste factor of approximately 40 percent, the value of material would be roughly \$3,679,949, which would not exceed the County's minimum value threshold of \$12,500,000 for the County's definition of a significant impact.

In regard to the 188 acres of biological open space easement, boring logs are unavailable for the potential mineral resources. Accordingly, it is conservatively assumed that this area contains mineral resources of a similar quality as the resources underlying the switchyard. The 188 acres of potential mineral resources underlying the Proposed Project's open space easements would result in the permanent loss of availability of resources. It is assumed these resources would be minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years. The 188 acres of potential mineral resources underlying the open space easements roughly amounts to 18,006,833 tons of potential sand and aggregate. Assuming a price of \$20.00 per ton, a density of 0.055 tons per cubic foot and a waste

factor of approximately 40 percent, the value of material would be roughly \$216,081,994, which would exceed the threshold (\$12,500,000) for the County's definition of a significant impact.

In conclusion, it is conservatively assumed that there would be a permanent loss of availability of mineral resources underlying the 3.2 acre switchyard and 188 acres of biological open space easement, which is required as mitigation for the Proposed Project's impact to biological resources. Despite boring logs and sieve analysis that suggest much of the resources within the Proposed Project site would have high waste factors and poor quality, the resources underlying the open space easements and switchyard are located in drainages and are conservatively assumed to be marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years. Therefore, it is conservatively assumed that 188 acres of open space easement and the 3.2 acre switchyard could create a significant impact with respect to the permanent loss of minable, processable, and marketable mineral resources underlying those portions of the Proposed Project site, which in combination exceed the County's minimum value threshold. Accordingly, the Proposed Project would result in a **potential significant impact** under Guideline 1 (**Impact MR-1**).

### *Switchyard*

As discussed above, the switchyard by itself would not result in a significant impact under Guideline 2 because the estimated value of the mineral resources within the 3.2-acre switchyard site would not exceed the County's minimum value threshold. Thus, the switchyard alone would result in a **less than significant impact**.

### Guideline 2

With regard to County Guideline 2, the Proposed Project site is not within a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The County's Guidelines state that Guideline 2 "addresses projects which would result in the loss of availability of mineral resources on lands zoned as S82 by the Extractive Land Use Overlay, or General Plan Extractive Land Use Designation (25) and Impact-Sensitive Land Use Designation (24)." The Proposed Project site is not zoned S82 by the Extractive Land use Overlay or designated General Plan Extractive Land Use or Impact-Sensitive Land Use. Therefore, the Proposed Project would have **no impact** on a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use.

### *Switchyard*

The switchyard is not located on any locally important mineral resource recovery sites delineated on any local general plan, specific plan or other land use plan. The switchyard site is not zoned S82 by the Extractive Land use Overlay or designated General Plan Extractive Land Use or Impact-Sensitive

Land Use. Therefore, the switchyard would have **no impact** on a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use.

Further when quantified relative to the entire extent of similar geologic exposures found across eastern San Diego County, the Proposed Project is considered a negligible relative loss of mineral resources, which would not cause a significant impact under either County Significance Guideline 1 or 2.

#### 2.8.4 Cumulative Impact Analysis

As discussed above, much of the mineral resources underlying the Proposed Project site are not considered marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years primarily due to the high waste factors and poor strength quality associated with on-site resources. Further, the Proposed Project, with the exception of the 3.2 acre-switchyard, would be decommissioned at the end of its life (conservatively estimated to be 35 years). As an interim use, the resources would be available after the Proposed Project's decommissioning and there would not be a permanent loss in the availability of mineral resources.

However, the 3.2 acre switchyard would not be removed from the Proposed Project site at the end of the Project's life and would result in a permanent loss of availability of mineral resources. Additionally, the 188 acres of biological open space easements implemented through mitigation measure **M-BI-3**, Habitat Preservation, would cause a potentially significant impact with respect to the permanent loss of availability of the mineral resources, which are conservatively assumed to be minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years and are valued at more than \$12,500,000.

As growth in the region continues, mining and extraction activities are likely to be directly and indirectly impacted by new development. However, none of the cumulative projects listed in Table 1-4 identify impacts to mineral resources. Accordingly, despite the Proposed Project's mitigation measure causing a potential significant impact to mineral resources, the Proposed Project impact would not result in a cumulative impact because it would not combine with other projects causing similar impacts. Thus, the Proposed Project **would not result in a cumulative impact** with regard to mineral resources.

#### 2.8.5 Significance of Impacts Prior to Mitigation

The Proposed Project components, with the exception of the switchyard, would be decommissioned at the end of the Project life. Therefore, the Proposed Project is considered to be an interim use and would not result in a permanent loss of mineral resources. In regard to the 3.2-acre switchyard, there would be a permanent loss in the availability of mineral resources, however, the estimated value of resources within the switchyard site does exceed the County's minimum threshold.

However, mitigation for the Proposed Project's impacts to biological resources would require habitat preservation. Biological open space easements would be placed over a portion of the Proposed Project site and would not be removed after the life of the Project. These open space easements overlie up to 188 acres of potential mineral resources. The value of material is estimated to be \$216,081,994, which would exceed the threshold (\$12,500,000) for the County's definition of a significant impact.

Therefore, the biological open space easements, required as mitigation for biological resource impacts, and the switchyard together would result in a **potentially significant impact (Impact MR-1)** under Guideline 1.

With regard to Guideline 2, the Proposed Project would have **no impact** on a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use.

The Proposed Project would **not result in a cumulative impact**.

### 2.8.6 Mitigation Measures

No feasible mitigation measures have been identified.

### 2.8.7 Conclusion

Under Guideline 1, a portion of the biological open space easements (188 acres), required as mitigation for biological resource impacts, and the switchyard would result in the permanent loss of availability of a known mineral resource that is minable, processable, and marketable under the technologic and economic conditions that exist at present or which can be estimated to exist in the next 50 years and is valued at more than \$12,500,000. The switchyard, in and of itself, would not exceed the minimum threshold.

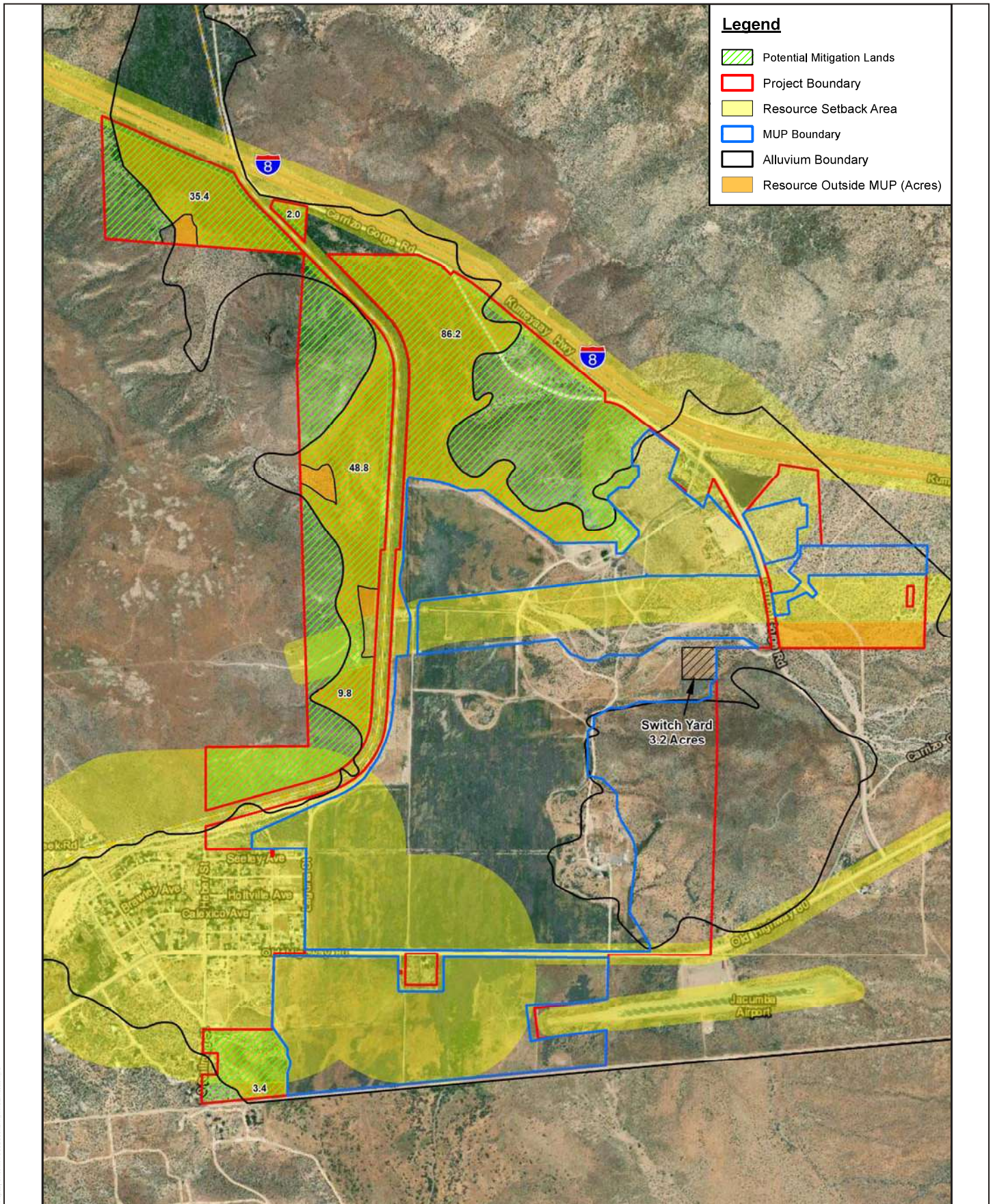
The County's Guidelines state that "the only mitigation and design factors appropriate would be to extract the resource and reclaim the site before project approval; to avoid the site, which would only be possible if the project site is large enough to accommodate avoidance and to also not be impacted by future mining of the resource; or to approve only land-uses that can be considered minor or temporary nature." Because the impact to the mineral resources on the Proposed Project site is caused by a portion of the Proposed Project's biological open space easements, these mitigation measures are considered infeasible. The biological open space easements are intended to preserve the biological integrity of the area in perpetuity as mitigation for the Proposed Project's biological impacts, as discussed further in Section 2.3, Biological Resources. The 188-acre portion of the easement contains high biological value with sensitive vegetation types and provides for wildlife habitat and movement. Extracting the resources underlying the open space easements prior to project approval would negate the primary purpose of the biological open space easements.

Other potential measures to mitigate the identified impact relate to policy decisions not under the control of the Proposed Project applicant. The most effective mitigation would be for the County to identify feasible mineral resource extraction areas to implement policies that would avoid resource sterilization (encroachment by development).

Since no feasible mitigation exists to reduce impacts to below a level of significance, impacts to mineral resources (**Impact MR-1**) would remain **significant and unavoidable**.

There would be **no impacts** under Guideline 2. The Proposed Project would **not result in a cumulative impact**.





SOURCE: Appendix L

FIGURE 2.8-1

Potential Mitigation Land Map

JVR Energy Park Project

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