

**Responses to Comments Received
Regarding the Statement of Reasons for Permitting Use
that Would Threaten the Potential to Extract Minerals in an Area of
Identified Mineral Resource Significance (MRZ-2), dated June 26, 2008.**

**Comment Letter A: Pala Band of Mission Indians
Dated: June 27, 2008**

- A-1 There are no plans to extend the proposed limits of the San Luis Rey River Park boundaries. The County will notify the Pala Band of Mission Indians if changes are proposed in the future.

- A-2 The County intends to utilize Approved Cultural Resource Monitors during all survey and ground disturbing activities. Mitigation Measure M-CR-2c requires that a Native American monitor be present during site surveys. In addition Mitigation Measure M-CR-2d requires that a qualified archaeologist and Native American be present for all ground disturbing activities for the development of Park facilities.

Comment Letter B: Jerry Winter
Date: June 25, 2008

- B-1 The County of San Diego Department of Parks and Recreation website has information regarding the San Luis Rey River Park including the Draft Master Plan Map. The following is the internet address for all of the San Luis Rey River Park Master Plan documents:

<http://www.co.san-diego.ca.us/parks/projects.html#slrdraft>

- B-2 The proposed San Luis Rey River Park encompasses an 8.5 miles stretch of the River from just east of the City of Oceanside border to just east of Interstate 15. Within this area the County plans to establish a 1600 acre preserve to include the most sensitive resources in the area. While the County does not own all the land in this area, it has identified the areas and resources that would most benefit from long term preservation. The entire area of the San Luis Rey River is designated as MRZ-2 which means resources are present.

As stated in the Statement of Reason, The San Luis Rey River valley supports a combination of riparian and upland habitats and diverse soils that contribute to good growing conditions for a large number of species. In addition, the vegetation communities provide habitat to support a diversity of wildlife species including those listed by the US Fish and Wildlife Service and/or California Department of Fish and Game as threatened or endangered. One of main objectives of the proposed San Luis Rey River Park is to enhance and preserve the San Luis Rey River valley's biological and ecological resources. This will be met by incorporating a Preserve to protect sensitive resources. Mineral extraction would not be compatible with the protection of biological resources due to the disturbance of habitat and the generation of noise by operation of heavy equipment.

While the long-term impacts of mining along the river could be mitigated through revegetation and habitat management, the short-term impacts could not be mitigated. Mineral extraction would have a negative effect on threatened and endangered species, water quality, aesthetics, and recreation.

The County will only purchase property as it becomes available from willing sellers. The County has no intentions of condemning private property to establish this San Luis Rey River Park.

- B-3 Please see response to comment B-1.

Comment Letter C: Elizabeth Gibbons
Dated: July 3, 2008

- C-1 The notice, titled Statement of Reasons for Permitting Use that Would Threaten the Potential to Extract Minerals in an Area of Identified Mineral Resource Significance (MRZ-2), is dated June 26, 2008.
- C-2 The minerals are sand and gravel (aggregate) found within the 8.5-mile stretch of the proposed San Luis Rey River Corridor that is the subject of the San Luis Rey River Park Master Plan. No opals, gold, or petroleum related minerals are known to exist within the project area in commercially-viable quantities.
- C-3 One of the main objectives of the proposed project is to provide active recreational opportunities to nearby communities. There currently is a shortage of active recreational opportunities for communities such as Bonsall, Fallbrook, and the community near Interstate 15 (I-15). In planning for the Park, the County found that the shortage was so great that many sports teams do not have access to fields to host games and many existing fields overused and degraded and very crowded. Using the National Recreation and Park Association (NRPA) standard for playing fields, the Master Plan process determined that for the communities in the Park service area, especially Bonsall, Fallbrook, and the area near I-15, approximately eight additional fields for soccer and football (these sports can be played on the same field) were needed. There is also a deficit of baseball and softball fields according to NRPA standards, with the population served requiring approximately 21 such fields, and only 5.5 are present in the service area. Park programming took into account community needs, access points, traffic circulation, and population densities for the development of active recreational facilities. It should be noted that the proposed park boundary and the exact locations of Tier A sites are unknown at this time and are contingent on factors such as the presence of willing sellers. If a property owner wished to maintain any particular property for sand and gravel mining, he or she could do so by refusing to sell the property for Park use thereby keeping the resource accessible.
- C-4 As stated in response to comment 3-3, there currently is a shortage of active recreational opportunities for communities such as Bonsall, Fallbrook, and the community near Interstate 15 (I-15). In planning for the Park, the County found that the shortage was so great that many sports teams do not have access to fields to host games and many existing fields overused and degraded and very crowded. Therefore the existing facilities in these communities do not provide adequate playing fields. The

San Luis Rey River Park also was designed to enhance the open space value of the river valley and to enhance and preserve the valley's biological and ecological resources. The San Luis Rey River Park Master Plan proposes the development of approximately 40 acres of active recreation and a 1,600 acre Preserve dedicated to the protecting in perpetuity the most sensitive habitats and species in the valley. The Draft Program Environmental Impact Report evaluated the impacts from the proposed park and identified that the project would result in less than significant impacts to light, noise, traffic and litter with the incorporation of mitigation measures. Information on the Draft EIR can be obtained from the County Department of Parks and Recreation.

- C-5 Opportunity to provide written input on the Master Plan was provided to the community throughout the planning process. The Department of Parks and Recreation held numerous planning and sponsor group meetings during the development of the Master Plan. The draft Master Plan was made available for public review during the Notice of Preparation period for the Draft Environmental Impact Report on May 26, 2006. Written comments were solicited during this time. In addition, the Draft PEIR was circulated for public review from February 1, 2008 to April 15, 2008. An advertisement was run in the Union Tribune on February 1st. Copies of the document were also sent to the Bonsall Sponsor Group and Fallbrook Planning Group. A public meeting was held on May 4, 2008 to answer any questions on the Draft PEIR. The public was asked to submit comments during the public review period.

Comment Letter D: Harold Stanley
Dated: July 8, 2008

- D-1 The description of the eastern park boundary being just east of I-15 is correct. While you are correct that the majority of the proposed San Luis Rey River Park is west of I-15, the proposed eastern boundary of the park is located just east of I-15.
- D-2 Park access at the eastern edge has not been determined. The San Luis Rey River Park Master Plan is a planning document that, if approved, will guide the acquisition, development, maintenance, and management of the park. Locations for access, parking, and recreation facilities and staging areas are contingent on factors such as the availability of willing sellers for property acquisition. In addition, the specific uses at each site would be determined by the site characteristics (for instance, relatively level topography for sports fields) and the recreational needs of nearby communities (for instance, soccer fields in one location, equestrian facilities in another). The exact location of future recreation facilities, parking areas, access roads, and trails will be determined at a future date and will be subject to additional environmental review for all issues, including traffic and transportation.

At a program level it is evident that most visitors to the park will utilize SR-76 and that, at the eastern end of the park, Old Highway 395 would provide a logical access point. However, the use of Old Highway 395 and the proximity of an access point to Dulin Road have not yet been determined.

- D-3 The County appreciates the information provided regarding the Monserate Mobile Home Park and the location of your property.
- D-4 As you note, Caltrans has a project to widen, improve, and realign SR 76 in the vicinity of the proposed Park. The SR 76 improvement project is part of the high-priority Early Action Program of the TransNet transportation improvements funding program. SR 76 from west of East Vista Way to I-15 is to be widened to a four-lane roadway by 2012. The County Department of Parks and Recreation (DPR) has been working with Caltrans on developing a cooperative agreement related to the expansion of SR-76 and development of the of the San Luis Rey River Park project. The cooperative agreement includes information on site access from SR-76, transfer of land ownership for inclusion into the Preserve, and trail easements. In addition, the County plans to avoid purchasing park lands within the anticipated right of way of the road projects. Caltrans and the County have continued coordination in regards to the Park and road projects.

D-5 Your comment about the Pankey/Pardee developments is noted. However, as stated in response to comment D-2, the San Luis Rey River Park Master Plan is a general planning document that, if approved, will guide future implementation of the park development.

Comment Letter E: Art Nelson
Dated: July 11, 2008

- E-1 The County intends to only purchase property for the park from willing sellers. If a property owner wished to maintain any particular property for sand and gravel mining, he or she could do so by refusing to sell the property for Park use thereby keeping the resource accessible.
- E-2 Mineral extraction has been determined to be incompatible with the preservation of approximately 1,600 acres along approximately 8.5 miles of river. The development of recreational facilities would be limited to approximately 40 acres. While sand is an important building material in high demand in San Diego County, the potential impacts from mining to threatened and endangered species located in the San Luis Rey River valley, along with potential water quality, river hydrology, air quality, noise, aesthetics, and traffic impacts make mining of the sand incompatible with the preservation related goals of the park.
- E-3 There is no evidence that there is oil beneath the San Luis Rey River for drilling by oil companies. Sand and gravel are the minerals of interest in this area.
- E-4 Gold was first discovered in San Diego County in 1828 and mining was once popular in Julian. While it is true that gold was once mined in San Diego County and that there may be traces of gold in the alluvium of the San Luis Rey River, it is very unlikely to be of sufficient quantities to make recovery economically desirable or even feasible.
- E-5 The Old Bonsall Bridge is a historical structure located within the San Luis Rey River Park Master Plan area and is included as an important component of a multi-use trail. Active uses of the bridge deck for other than a trail crossing are not addressed in the master plan. Your recommendations will be taken into consideration.
- E-6 The County is not able to promote such a use within the San Luis Rey River Park due to potential environmental impacts and liability issues.
- E-7 The Department of Parks and Recreation hosts many group events in its parks throughout San Diego County. The proposed development areas within the 1,600-acre San Luis Rey River Park are limited to approximately 40 acres. None of the proposed parking areas would be of sufficient size to host formal gatherings.
- E-8 The Department of Parks and Recreation has staff committed to the planning of the San Luis Rey River Park. They are not attempting to

create another Disneyland, but hope to provide recreational needs to surrounding communities while enhancing and protecting the valuable biological and cultural resources in the area.

- E-9 The Department of Parks and Recreation intends to protect valuable natural resources while increasing and improving opportunities for passive and active recreation for County residents and guests. The County agrees that it will be a great place.

Comment Letter F: State Department of Mining and Geology Board
Dated: July 30, 2008

- F-1 It is acknowledged that designation is the process by which the SMGB formally recognizes the statewide or regional significance of a classified mineral resource. "If, after receiving a classification report from the State Geologist and the SMGB accepts it, the SMGB may take an additional step to protect those areas classified as MRZ-2. This step is accomplished by "designating" some or all of those mineral resources as "regionally significant" in meeting the future demands of the region."

The San Luis Rey River Park Master Plan covers approximately 1,600 acres of land along the San Luis Rey River that is part of a much larger 14,607-acre area classified by the California Geological Survey (CGS) and a 13,882-acre area designated as mineral lands. In total, the 1,600-acre San Luis Rey River Park Master Plan study area represents only approximately 11 percent of the total area classified by CGS as mineral lands in the San Luis Rey River area. A draft Program Environmental Impact Report (PEIR) was released for public review on February 15, 2008, that recognized the significance of the resource to the region as a whole. The impacts were determined to be significant and unmitigable. In addition, the County has issued a notice dated June 26, 2008 titled Statement of Reasons for Permitting Use that Would Threaten the Potential to Extract Minerals in an Area of Identified Mineral Resource Significance (MRZ-2) (Statement of Reasons). The Statement of Reasons was prepared in conformance with PRC section 2762(d) and was forwarded to the State Geologist and the State Mining and Geology Board for review.

In accordance with SMARA Section 2763(a), the County of San Diego decision-makers will consider the importance of minerals to the region in balancing mineral values against alternative land uses when making their land use decision. They will consider the information in the Statement of Reasons, comments and responses as well as information regarding loss of mineral resources included in the project PEIR prior to taking action on the project. The Statement of Reasons presents the potential reasons that the County decision-makers will consider in a public hearing. Should they decide to approve the project, the decision-makers may either adopt these reasons or modify the reasons based upon the public testimony. If the reasons are modified, then a revised Statement of Reasons will be circulated for the required 60-day review.

- F-2 In both the Statement of Reasons and the PEIR prepared for the project, the County recognizes the regional importance of the mineral resources located in the project area given the current demand for sand, gravel, and

stone in construction and infrastructure maintenance projects. The PEIR concludes that the impacts to mineral resources would be significant and unmitigable. The County also recognizes the findings of the CGS that only about 17 percent of the projected construction aggregate demand over the next 50 years for the area will be met by currently permitted resources, and that the resource availability is declining from 25 percent availability in 2002. However, as also extensively discussed in the Statement of Reasons and the PEIR, the San Luis Rey River supports some of the most extensive riparian habitat in southern California. Largely un-channelized and relatively undisturbed by the massive flood-control alterations suffered by other streams in the region, the San Luis Rey River is considered by the U.S. Fish and Wildlife Service, California Department of Fish and Game, local environmental groups, and some residents to be of major importance to riparian bird species in the region. Any future operation of mines within the Preserve could have direct and indirect impacts on the biological functioning of the Preserve by generating noise, human activity, operation of heavy equipment, access for trucks, and other factors that could affect biological resources.

The mining of sand in the San Luis Rey River is also a concern to local, state, and federal resource agencies. Scouring during floods, which was directly related to sand mining operations, was found to be the major cause of every bridge on the river requiring replacement or closure for extended periods of time for extensive refitting in the 1990's. The only exception to this was the Interstate Route 15 Bridge. In 1992 the Army Corps of Engineers, in conjunction with the U.S. Environmental Protection Agency (EPA), conducted a sweep of the river and closed all but one of the sand mines that was not on Native American land.

The County's Conservation Element of the General Plan includes policies on Mineral Resources. The Conservation Element acknowledges that mining activities are commonly considered non-compatible land uses in residential or recreational areas. Consistent with these policies, the County will regulate extraction activities to minimize hazards and conflicts with other land uses as well as to preserve and enhance the appearance of the area and to minimize environmental impacts. Approval of new mining facilities in the San Luis Rey River valley is unlikely to conform to these Conservation Element policies due to potential land use conflicts and expected environmental impacts from such facilities. In addition, despite the high demand and corresponding higher prices for construction aggregate, approval of new mines is also unlikely due to the inability to comply with environmental regulations, including regulations on impacts to critical habitat for the least Bell's vireo, southern willow flycatcher and the arroyo toad. Therefore, in light of these factors, the County does not believe that adoption of the San Luis Rey River Park Master Plan will result in a loss of readily available regional mineral resources.

In addition, the County disagrees with the statement that “the justification for the regional loss of these mineral resources is important since the potential loss of available, permitted PCC aggregate resources from the designated site may have a strong deleterious effect on the northern San Diego County and southern Riverside County areas.” While the subject area has been designated as an Area of Identified Mineral Resource Significance (MRZ-2), this is much different than being a “permitted PCC resource.” There are no active or permitted mining sites within the project area.

The County will inform the SMGB of future notices and public hearings concerning the San Luis Rey River Park Master Plan.