

**Attachment L –
STATEMENT OF REASONS**

STATEMENT OF REASONS TO PERMIT THE PROPOSED USE AND ELIMINATE ACCESS TO MINERAL RESOURCES OF REGIONAL SIGNIFICANCE (MRZ-2)

Project Name: Newland Sierra; PDS2015-GPA-15-001, PDS2015-SP-15-001, PDS2015-REZ-15-001, PDS2015-TM-5597; PDS2015-ER-15-08-001

Project Location: East of Interstate 15 (I-15) and north of Deer Springs Road in the North County Metro Subregional and Bonsall Community Plan areas, within unincorporated San Diego County

Date: June 15, 2017

Purpose of Notice

Section 2763 of the Public Resources Code requires the County as Lead Agency to prepare, in conjunction with the preparation of an Environmental Impact Report (EIR), and prior to approving a project, a statement specifying the County's reasons for permitting a proposed use in an area that contains mineral resource deposits of regional significance. The County of San Diego is considering the approval of the proposed Newland Sierra project, which would allow a planned community in a location that currently contains lands classified by the Mineral Resource Zone (MRZ) System. The County's statement is as follows:

BACKGROUND INFORMATION

Mineral Resource Zone

As mandated by the Surface Mining and Reclamation Act of 1975 (SMARA), the California State Geologist classifies California mineral resources with the MRZ system. The four MRZ zones are defined as follows:

- MRZ-1 – Areas where adequate information indicates that no significant mineral deposits are present or likely to be present.
- 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. In contrast to MRZ-2 areas where it has been judged that there is a high likelihood of minable, marketable mineral deposits (notably Portland cement and asphaltic concrete aggregate), MRZ-3 areas are areas where the data is not sufficient to evaluate the significance of any potential aggregate deposit.

- MRZ-4 - Areas where available information is inadequate for assignment to any other MRZ zone.

These zones have been established based on the presence or absence of significant sand and gravel deposits and crushed rock source area, e.g., mineral products used in the production of cement. The classification system emphasizes Portland Cement Concrete (PCC) aggregate, which is subject to a series of specifications to ensure the manufacture of strong durable concrete.

Project Description

The Newland Sierra project consists of 2,135 residential units (1,140 single-family and 995 multi-family), 81,000 square feet of commercial use, parks, multi-use trails, bike lanes, a 6-acre school site, and 1,209 acres of dedicated biological open space.

Potentially available mineral resources on MRZ-2 lands within the Project Site:

According to the *Mineral Resource Technical Report Newland Sierra Merriam Mountains Area San Diego County, California* dated June 30, 2015 completed by Leighton and Associates, Inc. for the County of San Diego, the amount of onsite land of MRZ-2 quality within the Newland Sierra project site is estimated at 650 acres.

Potential project impacts on the MRZ-2 Area (Project Site and Adjacent Lands):

The area proposed to be included in the development footprint would preclude future access to the underlying minerals. Thus, the project would effectively eliminate access for mineral extraction to approximately 37.8 acres of significant mineral resources (MRZ-2). This equates to an estimated 3,150,000 tons of MRZ-2 mineral resources with an estimated value of \$63,000,000.

It is additionally believed that once the Newland Sierra project is developed, it will effectively eliminate access for future mineral extraction on 119 acres of adjacent offsite land also of MRZ-2 quality due to that adjacent land being within a 1,300 foot buffer of the residences proposed by the project. This buffer would be utilized to achieve adequate separation of the proposed residences from the noise and dust of a hypothetical mining operation on the adjacent lands.

REASONS WHY COUNTY MAY PERMIT THE LOSS OF POTENTIAL MINERAL RESOURCES, BY IMPLEMENTATION OF THE PROPOSED PROJECT

The County of San Diego has the following reasons why it may permit the loss of potential mineral resources at the Newland Sierra project site:

Biological Open Space

The 1,209-acre area proposed for Biological Open Space in the northern portion of the site has been identified by the County as an important biological core area. This core area is under consideration for preservation in the Draft North County Multiple Species Conservation Program (MSCP). The function of the property as a biological core resource area cannot be duplicated or moved to another location. Mineral extraction would not be compatible with the protection of biological resources.

County-wide Use of Crushed Stone as an alternative to Alluvial Sand and Gravel

Map Sheet 52 Aggregate Sustainability in California provided by the California Geological Survey and updated in 2012 specifically states “Although more care is required in pouring and placing a wet mix containing crushed stone, PCC made with this aggregate is as satisfactory as that made with alluvial sand and gravel of comparable rock quality. Owing to environmental concerns and regulatory constraints in many areas of the state, it is likely that extraction of sand and gravel resources from instream and floodplain areas will become less common in the future. If this trend continues, crushed stone may become increasingly important to the California market.” The *County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements Mineral Resources* state, “Within the County, crushed rock is the primary source of locally mined PCC aggregate.” These guidelines additionally state, “Within the unincorporated portion of the County, potential deposits for crushed rock are extensive (hundreds of square miles)... PCC made with crushed rock aggregate can generally be satisfactory and can supplement the local supply of alluvial sand and gravel.”

Crushed stone is already the predominate supply of aggregate in San Diego County, where there are extensive potential recoverable deposits. These deposits are currently utilized and can be utilized in the future to supply not only the unincorporated portion of San Diego County that the County has land use jurisdiction over, but can also be utilized by all of the incorporated communities that may not have alluvial or crushed stone deposits, or may be unwilling to permit the extraction of their deposits.

County of San Diego General Plan Housing Element

Although several Conservation and Open Space Policies have been referenced in this statement, the County must also consider its commitment to the General Plan Housing Element. As stated in the Policy Framework “the County is allocated a share of the region’s housing needs that is equivalent to 22,412 units. The County must, through appropriate zoning and development standards, accommodate these units through a variety of housing types and various income groups.” Just as the County is expected to consider the importance of the MRZ-2 minerals to their market region as a whole and not just on the unincorporated portion of San Diego County, the County must consider

its commitment to providing its regional fair share of housing opportunities for all San Diego County residents, and not just those that currently live in the unincorporated portions of San Diego County that the County has land use jurisdiction over. The Newland Sierra project would provide 2,135 residential units which would help the County achieve its share of the region's housing needs.

Road Improvements

The proposed project would contribute several million dollars toward public road improvements, including the improvement of Deer Springs Road.

Employment

The proposed project would provide interim employment opportunities during construction and permanent employment opportunities to support the commercial component of the project.

Fire Safety

The proposed project would improve fire safety on the subject property and in surrounding areas.
