



## 4.12 MINERAL RESOURCES

This section describes mineral resources on and near the Development Site and evaluates the potential impacts on those resources. This section also discusses the existing setting of mineral resources within and near the City of Banning (City) and sets forth the relevant regulatory requirements that apply to the Development Site's impact on mineral resources. This section is based on information provided in the Energy and Mineral Resources Element of the City's General Plan,<sup>1</sup> California Geological Survey (CGS) data,<sup>2</sup> the Multipurpose Open Space Element of the Riverside County General Plan,<sup>3</sup> and applicable provisions of the City's Municipal Code.<sup>4</sup>

While development of the Mt. San Jacinto College (MSJC) Site is not anticipated at this time, a programmatic discussion of potential impacts to mineral resources that may result from future development is provided in **Chapter 5.0** of this EIR.

### 4.12.1 Scoping

The City received nine comment letters during the public review period of the Notice of Preparation (NOP) (see **Appendix A-2.**) No comment letters were received that addressed mineral resources, and no formal comments pertaining to mineral resources were received during the Scoping Meeting that occurred on Thursday, February 18, 2021.

### 4.12.2 Methodology

Impacts to mineral resources were assessed based on the potential for the buildout of the Specific Plan on the Development Site to generate increased demand for such mineral resources in a manner that would contribute to a depletion of the resource or have an adverse physical effect on the environment. Information on mineral resources was compiled from published literature, maps, and aerial photographs. Geologic units and structural features were obtained from maps published by the CGS. Mineral resource impacts that could result from project-related activities were evaluated qualitatively based on Development Site conditions; expected construction practices; and materials, locations, and duration of construction and operational activities.

Based on guidelines adopted by the CGS, areas known as Mineral Resource Zones (MRZs) are classified according to the presence or absence of significant deposits, as defined below. The following MRZ categories are used by the California State Geologist in classifying the State's lands:

- **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. This zone is applied

<sup>1</sup> City of Banning, City of Banning General Plan, Chapter IV Environmental Resources, Energy and Mineral Resource Element. Website: <http://banning.ca.us/DocumentCenter/View/664/GP-Ch-IV-Environmental-Resources?bidId=> (accessed April 1, 2022).

<sup>2</sup> California Department of Conservation, California Geological Survey, Minerals. Website: [California's Minerals](http://www.california.gov/minerals) (accessed April 1, 2022).

<sup>3</sup> Riverside County, Riverside County General Plan Multipurpose Open Space Element, pages OS-37 through OS-39. Website: [Ch05\\_MOSE\\_120815.pdf \(rctlma.org\)](http://www.rctlma.org/Ch05_MOSE_120815.pdf) (accessed April 1, 2022).

<sup>4</sup> City of Banning Municipal Code, Section 5.60.170 Mineral Resource Protection.



where well developed lines of reasoning, based on economic-geologic principles and adequate data, indicate that the likelihood for occurrence of significant mineral deposits is nil or slight.

- **MRZ-2a:** Areas underlain by mineral deposits where geologic data show that significant measured or indicated resources are present. Areas classified MRZ-2a contain discovered mineral deposits that are either measured or indicated reserves as determined by such evidence as drilling records, sample analysis, surface exposure, and mine information. Land included in the MRZ-2a category is of prime importance because it contains known economic mineral deposits.
- **MRZ-2b:** Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present. Areas classified MRZ-2b contain discovered deposits that are either inferred reserves or deposits that are presently sub-economic as determined by limited sample analysis, exposure, and past mining history.
- **MRZ-3a:** Areas containing known mineral deposits that may qualify as mineral resources. MRZ-3a areas are considered to have a moderate potential for the discovery of economic mineral deposits. An example of an MRZ-3a area would be where there is direct evidence of a surface exposure of a geologic unit, such as a limestone body, known to be or to contain a mineral resource elsewhere but has not been sampled or tested at the current location.
- **MRZ-3b:** Areas containing inferred mineral deposits that may qualify as mineral resources. Land classified MRZ-3b represents areas in geologic settings which appear to be favorable environments for the occurrence of specific mineral deposits. An example of an MRZ-3b area would be where there is indirect evidence such as a geophysical or geochemical anomaly along a permissible structure which indicates the possible presence of a mineral deposit or that an ore-forming process was operative.
- **MRZ-4:** Areas where geologic information does not rule out either the presence or absence of mineral resources. The MRZ-4 classification does not imply that there is little likelihood for the presence of mineral resources, but rather there is a lack of knowledge regarding mineral occurrence.

After an area has been classified into an MRZ, the California State Mining and Geology Board (SMGB) determines if the classified MRZ deposit warrants designation as being of either “regional” (multi-community) or “statewide economic significance.” In contrast to classification, which inventories mineral deposits without regard to existing land use, the purpose of designation is to identify those areas that are of prime importance in meeting the future needs of the study region and that remain available from a land use perspective. Once completed, the SMGB transmits the information to the affected counties and cities for mandated incorporation into their land use planning processes.<sup>5</sup>

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<sup>5</sup> Riverside County, County of Riverside Environmental Impact Report No. 521, Section 4.14 Mineral Resources, February 2015, page 4.14-3.



### 4.12.3 Existing Environmental Setting

#### 4.12.3.1 Riverside County

Mineral extraction is an important component of Riverside County's economy and consists of areas where clay, limestone, iron, sand, and aggregates are collected. Riverside County designates land within its jurisdiction as Open Space – Mineral Resources, which are areas that allow mineral extraction and processing facilities to be developed and areas held in reserve for future mineral extraction and processing. No land is identified for Open Space – Mineral Resources land use in Riverside County's Pass Area Plan.<sup>6</sup>

As of February 2015, Riverside County was classified with 83,267 acres of MRZ-1, 71,270 acres of MRZ 2 (including 22,114 acres of MRZ-2a and 7,428 acres of MRZ-2b), 1,336,723 acres of MRZ-3, and 1,751,892 acres of MRZ-4.<sup>7</sup> Approximately 11,853 acres of MRZ-2 have been designated as regionally significant by the SMGB, and approximately 6,731 acres within the Palm Springs region have been approved by the SMGB for designation as being of regional significance and as of 2015 are awaiting rulemaking to codify the decision. There is no land within Riverside County that the SMGB designates as locally important mineral recovery sites.<sup>8</sup>

#### 4.12.3.2 City of Banning

As identified in the Energy and Mineral Resource Element of the General Plan, MRZ-3 is the predominant designation throughout most of the City and its Sphere of Influence (SOI). An area of MRZ-2 occurs in the eastern portion of the City. This designation applies to approximately 6.5 miles of land along the alluvial fan of the San Geronio River that lies southeast of the Banning Bench, north and south of Interstate 10. The balance of the City is designated as Unstudied, with no portion of the City or its SOI designated as MRZ-1 or MRZ-4.

Currently (2021), the Banning Quarry, operated by Robertson's Ready Mix, is the only aggregate producer in the City of Banning. The Banning Quarry is mined for rock, sand, and base materials used for concrete and construction. The quarry is located in the MRZ-2 zone in the eastern portion of the City approximately 3.28 miles northeast of the Development Site.

#### 4.12.3.3 Development Site

A historical review of the Development Site indicates the land has remained undeveloped since at least the early 1900s. Aerial and topographic maps show three intermittent streams and a narrow wash located on the Development Site. Prior to the 1950s, the surrounding areas were primarily undeveloped or developed for agricultural use. Agricultural activities around the Development Site were no longer present by the 1960s. There are no records that indicate the Development Site was

<sup>6</sup> Riverside County, Riverside County General Plan The Pass Area Plan, Table 2 Statistical Summary of Pass Area Plan, page 21. Website: <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-GPA-2022-Compiled-PAP-4-2022-rev-20220523.pdf> (accessed August 16, 2023).

<sup>7</sup> County of Riverside, Draft Program EIR No. 521, Section 4.14 Mineral Resources. Website: [https://planning.rctlma.org/Portals/14/genplan/general\\_plan\\_2015/DEIR%20521/DEIR%20No.%20521.pdf](https://planning.rctlma.org/Portals/14/genplan/general_plan_2015/DEIR%20521/DEIR%20No.%20521.pdf) (accessed April 14, 2022).

<sup>8</sup> Riverside County, County of Riverside Environmental Impact Report No. 521, Section 4.14 Mineral Resources, February 2015, page 4.14-3.



previously used as a mineral resource recovery site nor a site occupied by mines.<sup>9</sup> The United States Geologic Survey (USGS) indicates that a non-functional gold prospect mine (Paymaster Mine) is located 0.15 mile southwest (coordinates 33.90893, -116.92646) of the Development Site.<sup>10</sup> The Development Site is mapped as MRZ-3, indicating that the area contains known or inferred mineral occurrences of unknown significance.<sup>11</sup> None of the Development Site is mapped by the CGS as containing known Portland-cement concrete (PCC) grade aggregate resources.<sup>12</sup>

#### 4.12.4 Regulatory Setting

##### 4.12.4.1 Federal Regulations

No federal mineral resource-related regulations would apply because the Development Site would not traverse any federal lands or require federal approvals related to mining.

##### 4.12.4.2 State Regulations

**Surface Mining and Reclamation Act of 1975.** The State of California has recognized that mineral resources are essential to the needs of society and the economic well-being of the State. In 1975, the State Legislature passed the Surface Mining and Reclamation Act (SMARA), Public Resources Code (PRC) Section 2710, et seq. The intent of SMARA is to promote production and conservation of mineral resources, minimize the environmental effects of mining, and ensure mined lands are reclaimed to conditions suitable for alternative uses. Reclaiming land for other uses once mining operations are completed is important for the general health, safety, and welfare of the community. Under SMARA, permits are required for all mining activities commencing operation on or after January 1, 1976. In addition, all new and existing mining operations are required to file a reclamation plan with the appropriate jurisdiction (such as the County of Riverside) to address how the land would be brought back to a productive status once mining operations cease. The County has been given the authority to permit or restrict mining operations within the County, adhering to the SMARA legislation. Under this authority, the County has set forth regulations for mineral extraction and reclamation within unincorporated areas of Riverside County via Ordinance No. 555 (Implementing SMARA in Riverside County).

SMARA also requires every lead agency, such as the City, within which a mineral resource's economic value has been classified by the State Geologist or has been designated as having regional economic significance by the SMGB, to establish Mineral Resource Management Policies (MRMPs) for the mineral resources in its General Plan.

Under current SMARA statutes (PRC Section 2763), prior to permitting a use that would threaten the potential to extract minerals in an area designated by the SMGB as having mineral resources of regional or statewide significance, the City must prepare a statement specifying its reasons for

<sup>9</sup> Leighton and Associates, Inc. 2020. Geologic and Geotechnical Review Sunset Crossroads Project, December 14.

<sup>10</sup> United States Geological Survey, Mineral Resources Online Spatial Data Mineral Resource Data System (MRDS). Website: [https://mrdata.usgs.gov/mrds/show-mrds.php?dep\\_id=10213327](https://mrdata.usgs.gov/mrds/show-mrds.php?dep_id=10213327) (accessed April 15, 2022).

<sup>11</sup> California Division of Mines and Geology, Russell V. Miller, Special Report 143, Mineral Land Classification of the Greater Los Angeles Area, Part VII, Classification of Sand and Gravel Resource Areas, Plate 7.16.

<sup>12</sup> California Geological Survey (CGS). 2008 Special Report 206, Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California. Website: [https://filerequest.conservation.ca.gov/?q=SR\\_206](https://filerequest.conservation.ca.gov/?q=SR_206) (accessed August 16, 2023).



permitting the proposed use. In it, the City must consider its MRMPs, balance the mineral values against alternative land uses, and consider the importance of the minerals to their market region as a whole and not just their importance to the City area. This process is designed to ensure that decision-makers weigh the economic and environmental value of non-renewable mineral resources when determining whether or not to protect existing mineral resources.

#### 4.12.4.3 Regional Regulations

The following regional regulations would be applicable to the Development Project.

**County of Riverside Ordinance No. 555.** Ordinance No. 555 implements SMARA and addresses the importance of mineral extraction to the economic well-being of Riverside County. It regulates all surface mining operations in the unincorporated portions of Riverside County, as authorized by SMARA, to ensure that:

- The production and conservation of mineral is encouraged while considering and balancing values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment and, at the same time, eliminating or minimizing the residual hazards to public health and safety.
- The adverse effects of surface mining operations are prevented or minimized and that mined lands are reclaimed to a useable condition readily adaptable for alternative land use.
- The reclamation of mined lands is carried out in a way that permits the continued mining of minerals.

This ordinance is intended to ensure the conservation of mineral resources within the City of Banning's SOI that are currently under the jurisdiction of Riverside County.

**Riverside County General Plan.** The following policies from the Riverside County General Plan Land Use Element and Multipurpose Open Space Element would apply to the Southern Portion of the Development Site as this area is located in unincorporated Riverside County (but within the SOI of the City of Banning).

**Policy LU 9.6:** If any area is classified by the State Geologist as an area that contains mineral deposits and is of regional or statewide significance, and the County either has designated that area in its general plan as having important minerals to be protected pursuant to subdivision (a) of section 2761 of the Surface Mining and Reclamation Act, or has otherwise not yet acted pursuant to subdivision (a), then prior to permitting a use which would threaten the potential to extract minerals in that area, the County shall prepare, in conjunction with its project California Environmental Quality Act (CEQA) documentation, a statement specifying its reason for permitting the proposed use, and shall forward a copy to the State Geologist and the State Mining and Geology Board for review.

**Policy LU 9.7:** Protect lands designated by the State Mining and Geology Board as being of regional or statewide significance from encroachment of incompatible land uses, such as high-density residential, low-density residential with high values, sensitive public facilities, institutions (e.g., schools, hospitals), etc., by requiring incorporation of buffer zones or visual screening into the incompatible land use.



**Policy LU 27.1:** Require that surface mining activities and lands containing mineral deposits of statewide or of regional significance comply with Riverside County ordinances and SMARA.

**Policy LU 27.2:** Protect lands designated as Open Space-Mineral Resource from encroachment of incompatible land uses through buffer zones or visual screening.

**Policy LU 27.3:** Protect road access to mining activities and prevent or mitigate traffic conflicts with surrounding properties.

**Policy LU 27.4:** Require the recycling of mineral extraction sites to open space, recreational or other uses that are compatible with the surrounding land uses.

**Policy LU 27.5:** Require an approved reuse plan prior to the issuing of a permit to operate an extraction operation.

**Policy OS 14.1:** Require that the operation and reclamation of surface mines be consistent with the State Surface Mining and Reclamation Act (SMARA) and County Development Code provisions.

**Policy OS 14.2:** Restrict incompatible land uses within the impact area of existing or potential surface mining areas.

**Policy OS 14.3:** Prohibit land uses incompatible with mineral resource recovery within area designated Open Space – Mineral Resources and within areas designated by the State Mining and Geology Board as being of regional or statewide significance.

**Policy OS 14.4:** The County Geologist shall impose conditions as necessary on proposed mining operation projects to minimize or eliminate the potential adverse impact of mining operations on surrounding properties and environmental resources.

**Policy OS 14.5:** Require that new non-mining land uses adjacent to existing mining operations be designed to provide a buffer between the new development and the mining operations. The buffer distance shall be based on an evaluation of noise, aesthetics, drainage, operating conditions, biological resources, topography, lighting, traffic, operating hours and air quality. The same standards shall apply to non-mining land uses within or adjacent to areas classified by the State Geologist as MRZ-2a.

**Policy OS 14.6:** Accept California Land Conservation (Williamson Act) contracts on land identified by the State as containing significant mineral deposits subject to the use and acreage limitations established by the County.

The County of Riverside General Plan, Multipurpose Open Space Element, Figure OS-6, shows mineral resource zones in the County. As shown, the Southern Portion of the Development Site is within MRZ-3, where the available geologic information indicates that mineral deposits are likely to exist; however, the significance of the deposit is undetermined.<sup>13</sup>

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<sup>13</sup> Riverside County General Plan.





#### 4.12.4.4 Local Regulations

**City of Banning General Plan.** The Energy and Mineral Resources Element of the City's General Plan Chapter IV Environmental Resources describes existing energy facilities and mineral resources within the City. Policies and programs serve as tools that the City can use to help ensure the availability, conservation, and management of these resources.

The following policy in the Energy and Mineral Resources Element applies to the Development Site:

**Policy 5:** Assure a balance between the availability of mineral resources and the compatibility of land uses in areas where mineral resources are mined.

The Banning General Plan, Energy and Mineral Resources Element, Exhibit IV-8, shows mineral resource zones in the City of Banning. As shown, the Northern Portion of the Development Site is within MRZ-3, where the available geologic information indicates that mineral deposits are likely to exist; however, the significance of the deposit is undetermined.<sup>14</sup>

**City of Banning Municipal Code.** Chapter 5.60 Surface Mining and Reclamation of the Banning Municipal Code has been codified to ensure the continued availability of important mineral resources, while regulating surface mining operations as required by California's Surface Mining and Reclamation Act of 1975<sup>15</sup> and State Mining and Geology Board regulations for surface mining and reclamation practice.<sup>16</sup> This chapter of the municipal code ensures the following: (1) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses; (2) The production and conservation of mineral are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and (3) Residual hazards to the public health and safety are eliminated. In accordance with PRC Section 2762, the City's general plan and resource maps will be updated to reflect mineral information (classification and/or designation reports) within 12 months of receipt from the State Mining and Geology Board of such information. Land use decisions within the City will be guided by information provided on the location of identified mineral resources of regional significance. Conservation and potential development of identified mineral resource areas will be considered and encouraged. Recordation on property titles of the presence of important mineral resources within the identified mineral resource areas may be encouraged as a condition of approval of any development project in the impacted area.

Title 17 Zoning, Chapter 17.12 Commercial and Industrial Districts of the Banning Municipal Code identifies Industrial – Mineral Resources (I/MR) as a land use/zoning designation that is applicable to land within the City. The I/MR allows surface mining operations on lands designated by the City or the State as having significance potential for mineral resources while applying all requirements of the State Department of Mining and Geology to the land under this designation. The Development Site is not designated as an I/MR land use or zone.

<sup>14</sup> City of Banning General Plan, Energy and Mineral Resources Element, Exhibit IV-8, page IV-84.

<sup>15</sup> California Public Resources Code Sections 2710 et seq.

<sup>16</sup> California Code of Regulations, Title 14, Division 2, Chapter 8, Subchapter 1, Sections 3500 et seq.



#### 4.12.5 Thresholds of Significance

The City has not established local CEQA significance thresholds as described in Section 15064.7 of the CEQA Guidelines. Therefore, significance determinations utilized in this section are from Appendix G of the CEQA Guidelines. According to Section II of Appendix G to the CEQA Guidelines, the Development Project would result in a significant impact to mineral resources if the Development Project or any Development Project-related component would:

**Threshold 4.12.1: Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State.**

**Threshold 4.12.2: 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.**

#### 4.12.6 Impact Analysis

##### 4.12.6.1 Loss of Availability of Mineral Resource Site of Regional or State Value

***Threshold 4.12.1: Would the Development Project result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the State?***

The City of Banning is in Riverside County, and as described above the Riverside County General Plan EIR identifies 11,853 acres of MRZ-2 land that have been designated as regionally significant by the SMGB and approximately 6,731 acres within the Palm Springs region having been approved by the SMGB for designation as being of regional significance. There is no land within Riverside County that the SMGB designates as locally important mineral recovery sites.

While the Development Site is mapped as MRZ-3 (an area of undetermined mineral resource significance),<sup>17</sup> it is not identified as an area containing known PCC-grade aggregate resources. Furthermore, over the past 120 years, there has been no evidence that significant mineral resources<sup>18</sup> are located on the Development Site nor has the State, County, or City conducted mineral recovery on the Development Site. The General Plans of the City and Riverside County have not designated the Development Site with a land use designation that allows for mineral extraction nor does either the City or County designate the Development Site as an area held in reserve for future mining activities. In the absence of any evidence that mineral resources of a regional or Statewide significance are located on the Development Site, impacts would be ***less than significant***.

**Level of Significance Prior to Mitigation:** Less Than Significant Impact.

**Regulatory Compliance Measures and Mitigation Measures:** No Regulatory Compliance Measures or Mitigation Measures are required.

**Level of Significance After Mitigation:** Less Than Significant Impact.

<sup>17</sup> California Department of Conservation, California Geologic Survey. Special Report 206, *Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption (P-C) Region, San Bernardino and Riverside Counties, California*, 2008.

<sup>18</sup> To be considered significant for the purpose of mineral land classification, a mineral deposit, or a group of mineral deposits that can be mined as a unit, must meet marketability and threshold value criteria adopted by the State Mining and Geology Board.





#### 4.12.6.2 Loss of Availability of Mineral Resource Site Delineated on a Local Plan

**Threshold 4.12.2: Would the Development 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?**

Neither the City of Banning General Plan nor the Riverside County General Plan delineates the Development Site as a locally important mineral resource recovery site.<sup>19,20</sup> The nearest mine to the Development Site mapped on the Division of Mine Reclamation’s “Mines Online” map is the Banning Quarry, an active sand and gravel mine approximately 3.28 miles northeast of the Development Site.<sup>21</sup> Implementation of the Development Project would not 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. As such, **no impact** would occur.

**Level of Significance Prior to Mitigation:** No Impact.

**Regulatory Compliance Measures and Mitigation Measures:** No Regulatory Compliance Measures or Mitigation Measures are required.

**Level of Significance After Mitigation:** No Impact.

<sup>19</sup> City of Banning, City of Banning General Plan, Chapter IV. Environmental Resources, Energy and Mineral Resources Element, Exhibit IV-8, April 19/2006.

<sup>20</sup> Riverside County Planning Department, Riverside County General Plan, Chapter 5 Multipurpose Open Space Element, Figure OS-6 Mineral Resource Zones, December 8, 2015.

<sup>21</sup> California Department of Conservation, Division of Mine Reclamation (*Mines Online*. <https://maps.conservation.ca.gov/mol/index.html>) (accessed August 16, 2023).



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