

| <i>Issues (and Supporting Information Sources):</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant Unless Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|-------------------------------------|
| X. MINERAL RESOURCES – Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SETTING

CONTRA COSTA COUNTY

Within unincorporated Contra Costa County, the only existing mineral resource near the Pipeline is located near Port Costa, approximately one mile west of the pipeline. This area has a long history of mining, which began at the turn of the century and included mining to support a brick manufacturing operation. Mining and brick production have been continuous from 1905 to the present, under several ownerships. A lightweight shale aggregate facility was also constructed in 1966. This operation is unique to the county and is one of only a few in the state. The mining area is still in use and is now surrounded by the Carquinez Strait Regional Shoreline Park (Contra Costa County, 1996).

CITY OF RICHMOND

Three unidentified parcels in west Richmond have been recognized in the Richmond General Plan as having mineral resources of statewide or regional significance. The mineral deposits on these parcels consist of sandstone and shale. Materials from this type of deposit can be used as construction material, such as Portland cement concrete, asphaltic concrete (blacktop), railroad ballast, stucco, and fill. The Pipeline is not located on any of these resources (City of Richmond, 1994).

CITIES OF PINOLE AND MARTINEZ

No mineral resources have been identified in the Pinole and Martinez areas, including the area surrounding the 4,000-foot replacement section (City of Martinez. 1995 and City of Pinole. 1995).

CITY OF HERCULES

No significant mineral deposits have been identified by the California Department of Conservation, Division of Mines and Geology for the Hercules area or in the vicinity of the Hercules Pump Station. However, Hercules does have areas that have been identified as

containing mineral deposits with a significance that cannot be evaluated from available data (these types of deposits are labeled “MRZ-3 zones”). According to the *Hercules General Plan*, the guidelines provided by the Surface Mining and Reclamation Act of 1975 state that for MRZ-3 zones:

Prior to permitting a use which would threaten the potential to extract minerals classified by the State Geologist as MRZ-3, the lead agency may cause to be prepared an evaluation of the area in order to ascertain the statewide or regional significance of the mineral deposits known or inferred to be located therein. The results of such an evaluation shall be transmitted to the State Geologist and to the State Mining and Geology Board for review and comment (City of Hercules. 1998).

MRZ-3 zones have been mapped for the hills to the north and south of Highway 4, east of Interstate 80 (I-80) (approximately two to three miles east of the pipeline), and the hilly area north of John Muir Parkway to the west of I-80 (on the north side of the Hercules Pump Station). However, according to the *Hercules General Plan*, “there is no information to suggest that these areas have extractable minerals of commercial value such that existing and planned land uses would be of less benefit to the community and region.” (City of Hercules. 1998)

CITY OF PITTSBURG

According to the Pittsburg General Plan, the Division of Mines and Geology maintains data regarding current mineral resources in the San Francisco Bay Area. In Pittsburg, the pipeline is located in an area where adequate information has determined that no significant mineral deposits are present, or the resources have been judged unlikely to contain significant deposits (City of Pittsburg. 1988).

REGULATORY SETTING

State Regulatory Oversight

The primary State law concerning conservation and development of mineral resources is the California Surface Mining and Reclamation Act (SMARA) of 1975, as amended to date. SMARA is found in the California Public Resources Code (PRC), Division 2, Chapter 9, Sections 2710, *et seq.*

Depending on the region, natural resources can include geologic deposits of valuable minerals used in manufacturing processes and the production of construction materials. The Surface Mining and Reclamation Act (SMARA) was enacted in 1975 to limit new development in areas with significant mineral deposits. SMARA calls for the state geologist to classify the lands within California based on mineral resource availability. In addition, the California Health and Safety Code requires the covering, filling, or fencing of abandoned shafts, pits and excavations (Cal. Health & Safety Code §§ 24400-03.). Furthermore, mining may also be regulated by local government, which has the authority to prohibit mining pursuant to its general plan and local zoning laws.

SMARA states that the extraction of minerals is essential to the continued economic well-being of the State and to the needs of society, and the reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety. The reclamation of mined lands will permit the continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land. Surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different, and reclamation operations and the specifications therefore may vary accordingly. *PRC § 2711.*

Oil operations in California are regulated by the Division of Oil and Gas in the Department of Conservation (Cal. Pub. Res. Code § 3000 *et seq.*).

Local Regulatory Oversight

Contra Costa County

Contra Costa County has established mineral resource policies to ensure the continued viability of mineral extraction operations while minimizing impacts on surrounding land uses and the environment. The applicable policies are as follows:

- 8-56. Incompatible land uses shall not be permitted within the mineral resource impact areas identified as containing significant sand and gravel deposits. Incompatible uses are defined as land uses inherently incompatible with mining and/or uses that require a high public or private investment in structures, land improvements, and landscaping that prevent mining because of higher economic value of the land and its improvements (Contra Costa County, 1996).
- 8-57. Future development in the vicinity of valuable mineral resource zones shall be planned and designed to minimize disturbance to residential areas or other sensitive land uses, and to permit the safe passage of quarry trucks (Contra Costa County, 1996).

City of Richmond

The City of Richmond's General Plan contains the following policy that relevant to the extraction of locally important mineral resource:

- Policy OSC-D4. Protect the mineral resources, which have been classified and/or designated mineral resources from urban encroachment and development incompatible with mining (City of Richmond, 1994).

City of Pittsburg

The City of Pittsburg, through its General Plan and Zoning Ordinance permits mining and mineral processing in Open Space districts. The city requires that a use permit be acquired prior to any mineral resource extraction and processing (City of Pittsburg, 1988).

MINERAL RESOURCES IMPACT DISCUSSION

- a,b) According to available Division of Mines and Geology and Contra Costa General Plan Maps three areas located in Port Costa, the City of Richmond, and Hercules (near the existing Hercules Pump Station) have been identified as occupying significant or potentially significant mineral resources that are of value for both the state and the region. Each of these areas lies outside of the existing pipeline alignment and access to them would not be impaired as a result of the sale of the Pipeline. Additionally, no mineral resources are mapped in the vicinity of the 4,000-foot replacement section. Therefore, the sale of the Pipeline would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local General Plan Maps. Furthermore, the sale of the Pipeline would not result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist. As a result, no impact to existing mineral resources is expected through the sale of the Pipeline.

REFERENCES

- City of Hercules, 1998. City of Hercules General Plan.
- City of Martinez, 1995. Martinez General Plan.
- City of Pinole, 1995. City of Pinole General Plan.
- City of Pittsburg, 1988. Pittsburg General Plan.
- City of Richmond, 1994. Richmond General Plan, Volume One – Goals, Policies, Guidelines, Standards, and Implementation Programs and Volume Two – Technical Appendix.
- Contra Costa County, 1996. Contra Costa County General Plan 1995-2010.
- California Surface Mining and Reclamation Act (SMARA) of 1975, California Public Resources Code (PRC), Division 2, Chapter 9, Sections 2710, *et seq.*
- Cal. Pub. Res. Code § 3000 *et seq.* California Public Resources code Section 3000.