



# **STATE MINING AND GEOLOGY BOARD**

## **EXECUTIVE OFFICER'S REPORT**

For Meeting Date: December 8, 2011

### **Agenda Item No. 10: Acceptance of State Mining and Geology Board's Report on Designation of Regionally Significant Aggregate Resources in the Bakersfield Production-Consumption Region.**

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**INTRODUCTION:** Designation is the formal recognition by the SMGB of lands containing mineral resources of regional or statewide economic significance that are needed to meet the demands of the future. On August 30, 2011, regulations set forth by the State Mining and Geology Board (SMGB) for the designation of regionally significant aggregate resources in the Bakersfield Production-Consumption (P-C) Region in Kern County were enacted. This action followed the SMGB acceptance at its October 8, 2009, regular business meeting of California Geological Survey (CGS) Special Report 210 (SR 210) for Update of Mineral Land Classification, Aggregate Materials in the Bakersfield P-C Region.

CGS Special Report 210 titled "*Mineral Land Classification: Aggregate Materials in the Bakersfield Production-Consumption Region, Riverside County, California*", (Busch, 2009) updated information on portland cement concrete (PCC) aggregate in the original classification study of the Bakersfield P-C Region published in 1988 by CGS as Special Report 147 titled "*Mineral Land Classification: Aggregate Materials in the Bakersfield Production-Consumption Region, Riverside County, California*" (Cole, 1988). Special Report 147 identified 19,491 acres of land containing approximately 5.3 billion tons of PCC-grade aggregate resources. The reevaluation and update in Special Report 210 identified 20,193 acres of land containing an estimated 4.4 billion tons of PCC-grade aggregate resources. This included an additional 2,456 acres of newly identified land containing an estimated 442 million tons of PCC-grade resources in areas adjacent to the Bakersfield P-C Region (Sectors I, J and K). The areas are identified as Sectors A through K (including 62 individual sectors and sub-sectors). Four sectors, Sectors I, J-1, J-2 and K, are located outside the P-C Region boundary.

The SMGB accepted the State Geologist's recommendations to designate these areas at its regular business meeting held on November 12, 2009. Following acceptance, the 60-day public comment period commenced on July 1, 2010, and ended on August 30, 2010. In addition, a public hearing was held in Bakersfield on July 29, 2010. No comments were received during this comment period.

The SMGB subsequently adopted the regulatory language for the designation of mineral lands of regional or statewide significance in the Bakersfield P-C Region at its regular



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business meeting held on September 9, 2010, and directed the Executive Officer to proceed with the 45-day notice to adopt proposed regulations which would add Section 3550.16 to Title 14, Article 2, of the California Code of Regulations, and provide a description of the locations of mineral resources areas designated to be of statewide significance. The new regulations were enacted and became effective on August 30, 2011. Upon such regulations becoming effective, the SMGB's Report No. 11 titled "*The Designation of Regionally Significant Aggregate Resources in the Bakersfield Production-Consumption Region*" was prepared for the SMGB's acceptance consideration.

**STATUTORY AUTHORITY:** The SMGB's statutory authority to consider areas for designation is provided pursuant to Division 2, Chapter 9, Article 6, Areas of Statewide or Regional Significance, PRC Section 2790, which states:

*"After receipt of mineral information from the State Geologist pursuant to subdivision (c) of Section 2761, the board may by regulation adopted after a public hearing designate specific geographical areas of state as areas of statewide or regional significance and specify the boundaries thereof. Such designation shall be included as a part of the state policy and shall indicate the reason for which the particular area designated is of significance to the state or region, the adverse effects that might result from premature development of incompatible land uses, the advantages that might be achieved from extraction of the minerals of the area, and the specific goals and policies to protect against the premature incompatible development of the area."*

The statutory authority which allows the SMGB to terminate, in whole or in part, an area previously designated is provided pursuant to PRC Section 2793 which states:

*"The board may, by regulation adopted after a public hearing, terminate, partially or wholly, the designation of any area of statewide or regional significance on a finding that the direct involvement of the board is no longer required."*

**EXECUTIVE OFFICER'S RECOMMENDATION:** The draft SMGB's Designation Report No. 11 titled "*The Designation of Regionally Significant Aggregate Resources in the Bakersfield Production-Consumption Region*" is provided for the SMGB's acceptance consideration. The Executive Officer recommends that the subject report be accepted, and that the SMGB directs the Executive Officer to work with CGS to finalize the report, and include pagination and final formatting. Upon finalization, such report will be finalized, and copies forwarded to the lead agency, CGS library and other pertinent stakeholders, and made available on the SMGB's website.



**RECOMMENDED MOTION:**

To accept SMGB Designation Report No. 11:

*Mr. Chairman, in light of the information before the State Mining and Geology Board today, I move that the Board accept the Board's Designation Report No. 11 titled "The Designation of Regionally Significant Aggregate Resources in the Bakersfield Production-Consumption Region" and direct the Executive Officer in concert with the California Geological Survey finalize the report.*

Respectfully submitted:



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Stephen M. Testa  
Executive Officer