Section 4.13 WATER QUALITY
Comments

Background

• The original application included the intent to mine high quality aggregate to be washed and sorted for use in the manufacturing of portland cement concrete (PCC), a concrete and asphalt recycling facility, and hot-mix asphalt concrete manufacturing.
• Hot-mix asphalt manufacturing was removed from the current application for CUP/ Reclamation Plan after a Land Use Ordinance (LUO) Interpretation Hearing determined that asphalt manufacturing was not an allowable use within the Rural Lands land use category unless the raw materials originated on-site.
• The revised project description outlined in the DEIR reflects those original project objectives:

2.2 PROJECT OBJECTIVES
Section 1.3 of this EIR presents a more detailed discussion of the project objectives along with an introductory background discussion of the aggregate industry and how the project relates to the identified objectives. As a brief summary of that discussion, the objectives are presented in the following points:
A. Develop significant mineral deposits in a manner that protects sensitive natural resources and existing adjacent uses, and is consistent with other County general plan goals and policies.
B. Protect significant mineral resources from land uses that threaten their availability for future mining.
C. ***Develop known concrete-grade aggregate*** *reserves in the local production-consumption region in accordance with previous planning and coordination with the California Department of Water Resources, state policy, the County EX1 Combining Designation, and applicable regulations.*
D. Provide an additional source of aggregate material in the local production-consumption region, with a permitted production of up to 500,000 tons/year for approximately 30 years, consistent with state policy, the County EX1 Combining Designation and applicable regulations, and in a manner that supports independent contractor and other local use groups.
E. Contribute towards increased recycling of construction and demolition debris to help achieve an overall goal of 75 percent recycling for this type of waste material.
F. Locate a ***concrete-grade aggregate quarry*** *as near as practicable to use areas in the San Luis Obispo-Santa Barbara Production-Consumption region, and with minimal reliance on local streets to gain highway and freeway access.*

Deposits that meet the specifications for concrete aggregate (also known as Portland Cement Concrete, or PCC aggregate) are among the scarcest and most valuable construction aggregate resources. Construction aggregate includes materials that meet specifications for concrete aggregate, but also includes lower grade materials that are used in products such as base, sub-base, and fill. (Source: Ca. Dept. of Conservation Special Report 215)

Section 2.0 *Project Description* ***2.3.5 Water Consumption and Wastewater***

Due to the type of rock product proposed, and the nature of the granitic material to be mined, the applicant is not proposing to wash any of the material that is processed. The primary use of water by the project will be for dust control.

Comments

• Not washing any of the material being processed is not aligned with the project objectives and conflicts with the intent to produce product suitable for use in PCC (Portland Cement Concrete) grade aggregate.
• More information is required regarding the types of products and specifications of what is being processed from the asphalt and concrete debris being imported onto the site. Superpave and other specialty products require washing the ingredients.
• A consumption value for these additional operations has not been established.
• The concern is that water consumption will have no limits upon issuance of a use permit. We support additional mitigation measures that meter water usage at proposed quarry and monitor neighboring wells.

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pg. 2-9 Exposed granitic surfaces in the quarry would not generate much dust, but stockpiled soils and the action of mining equipment on quarry roads will require periodic watering to control dust. On a regular basis during dry weather, the water use for dust control will amount to about 4,000 gallons per day. The need for dust control will be minimized through paving the entire access road length within the property, up to and around the scale house.

Comments

• No source or data to support *exposed granitic surfaces in the quarry would not generate much dust* has been identified or provided.
• Where does the 4000 gallon per day estimate originate?
• How have assumptions for amount of dust generated from quarry operations been arrived at?
• Has data gathered from other operative quarries been incorporated into these assumptions?
• Refer to comments in Sections 4.3 Air Quality

Pg. 2-10 The use of dust control additives approved by the County Air Pollution Control District will help to minimize the volume of water necessary for this purpose in other areas. An existing well on the property near the Salinas River will supply water for dust control.

Comments

• No description or specifications for dust control additives has been provided.
• Surface runoff carrying suppressants is not adequately addressed.

• Potential for contamination of water supply through introduction of suppressants has not been adequately addressed.

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pg. 4.13-3 *Agriculture has been the dominant land use in the upper Salinas watershed. For the most part, the agricultural uses include grazing and pasture land on relatively flat areas such as the southern portion of the Oster property.*

Comments

• No verifiable evidence for this description has been provided.
• The grazing and pasture area referenced does not consist of more than a few acres and is the only potential irrigated ag use on the Oster parcel. It is in full public view along Hwy. 58 and nearby neighbors surrounding this area are not able to recall any time in the past when any substantial irrigated use took place.
• What is the origin of the information contained in this description?
• The project proposal is for a quarry on parcels within the Rural Lands land use category. Mining and quarrying would not be considered an ag use.
• Is their a purpose for outlining "beneficial uses" that mining and quarrying are not included among? Is there purpose for outlining an ag use that never appears to have existed?

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pg. 4.13-3 *Table 4.13-2 Summary of CCamp Data for Site*
Since the proposed quarry site near the Salinas River is located several more miles upstream from the sampled point, and in an area that is more rural and less developed, it is reasonable to assume that the surface water quality in the river near the project site is better than that shown above.

Comments

• No data has been provided to support this assumption.
• Monitoring must occur at the specific location where conclusions are drawn to be useful.

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pg. 4.13-4 Current Water Use and Supply
Project Site. The existing water uses on the property support two residences and some agricultural use – typically watering for up to 30-40 cattle, and a small orchard and garden and landscaping at the main house. Estimated water consumption for recent years (when there has been no extensive irrigation of corn or other field crops) is between 1.5 and 1.7 acre feet per year (afy), so a figure of two afy is assumed in this discussion.

Comments

• As stated above, there is not local knowledge of field crops ever occurring on this parcel nor has any data that supports that claim been provided.
• If we accept 1.7 afy as an accurate estimate of current domestic use, the extremely low consumption value (compared to other quarries) being put forth in 4.13.6 of 5 afy still represents a nearly 294% increase in water consumption.

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pg. 4.13-6 ***4.13.3 Regulatory Setting***

The Federal Clean Water Act of 1972, and subsequent amendments, forms the overall structure for maintaining surface water quality in the country. The act prohibits point source discharges to surface waters unless a permit under the National Pollutant Discharge Elimination System (NPDES) is obtained from the U.S. EPA. ***For waters affected by broader pollutant issues, the CWA requires the identification of impaired water bodies, in which pollutant concentrations will adversely affect beneficial uses of the water.*** *For these water bodies, Total Maximum Daily Loads (TMDL) for pollutants from natural and man-made sources must be specified and implemented through management practices and permit procedures.*

Comments

• Overlooked has been the WAIVER for the hauling in and crushing of Concrete and Asphalt debris, being referred to as "recycling".

1. Applicant is asking for a waiver to LUO 22.30.380 in order to allow concrete and asphalt recycling within the Rural Lands category on a site which does not meet the current ordinance requirements for such activity. Aside from not conforming to the LUO, this component of the project introduces significant adverse impacts on the riparian flow of the Salinas River.
    a) The millings and residue from concrete and asphalt recycling should be considered hazardous waste and disposed of in an approved disposal site.
    b) Recycling may not best describe the process, but in the way the term is being used, the process consists of crushing and resizing of the product. The residual material from the asphalt and concrete crushing operation will result in dust and small particulate matter.
    c) Asphalt millings in particular, as well as exhaust particles, tire wear residue, and motor oil (contaminates associated with recycled concrete and asphalt), contain increased concentrations of polycyclic aromatic hydrocarbons (PHAs) which are targeted as pollutants by the EPA.
    d) These residual materials have the potential to migrate through the actions of wind, water, and physical displacement to contaminate surrounding soils and surface water sediments.
    e) Any handling or processing of concrete and/or asphalt demolition debris on this property should be prohibited.
2. The amount of broken concrete and asphalt material being permitted for intake has not been adequately defined in the application.

3. The amount of material from the "recycling" processing facility to be shipped out is described as some portion of the total 500,000 ton annual output. No breakdown of projected percentages for mined aggregate vs. imported concrete and asphalt for re-processing has been provided in the DEIR. Project Objective (E) suggests that the input side for imported material may be far greater than is currently being disclosed.
4. It is reasonably foreseeable that the specifications for some of the products that the "recycled" offerings of Las Pilitas Resources, LLC, would find a market for would require washing. Superpave as specified by Caltrans is one such product among other possible options.
5. No assumption values for water use associated with the "recycling" facility being proposed through a waiver to the Land Use Ordinance have been included in this DEIR. This represents a significant oversight.

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pg. 4.13-11 ***Increased Use of Surface Water***

This issue relates to criteria "d" and "e" above dealing with changing the quality or movement of surface or groundwater, and affecting other water suppliers. As presented in the Water Supply Assessment for the project (see Appendix F) the proposed quarry will use about 4,000 gallons of water per day for dust control, about 500 gallons per day for domestic purposes, and up to 1,000 gallons per day for irrigating revegetation as part of the mine reclamation, for a total of 5,500 gallons per day. This total is about 5 afy. Water for the quarry use would be drawn from a shallow well about 80 feet from the Salinas River in the ranch compound of the property owner, identified as "Well A." A pumping test on Well A demonstrated its ability to provide a minimum of 25 gallons per minute, which is more than sufficient for the proposed use. The water drawn from the well is part of the subsurface flow in the Salinas River and is part of the riparian rights water that has been used on the property for many years. Combined with the existing recent uses by the two residences and ranch activities on the property (approximately 2 afy), the estimated total water use on the property would be approximately 7 afy. Thus, the quarry project would more than triple the current water use on the property. This amount is lower than the water used in previous agricultural activities on the property, and much lower than the potential use indicated in the Statements of Diversion and Use (over 94 afy). The total projected water use with the quarry project and current uses (7 afy) is very much lower than the lowest base flows maintained in the Salinas River near the project vicinity (about 800 afy).

Comments

• The water supply assessment is inadequate and fails to adequately address the following pertinent information:

1. Well depth
2. Date of pump test (time of year)
3. Pump volumes
4. Pump rates

• The reported four hour pump test is not adequate to demonstrate reliable production.

Water Consumption values

• When water use was scrutinized at the scoping and other early public meetings, applicant claimed consumption amounts stated were just a worst case scenario and could easily be reduced by using chemical dust suppressants, conservation, and by eliminating any washing of aggregate.
• These claims have now been incorporated into 4.13.6, the Water Supply Assessment, and the revised project description in the DEIR.
• We have concerns that reducing water consumption estimates to unrealistically low levels undermines meaningful environmental review.
• Our early research indicated that the initial estimate of 20,000 gallons a day (for dust control)1 was low when compared to similar quarry operations already occurring or being proposed.
• Currently, the initially very low "worst case" projection has been further reduced to 4,000 gallons daily for dust control and the applicant is not proposing to wash any of the material that is being processed. What is the origin of this assumption value?
• Any washing of aggregate and the additional needs of a concrete and asphalt crushing facility being sought through a waiver to LUO 22.30.380 would significantly add to assumption values.

Washing of aggregate

• Other quarries do not produce PCC grade aggregate without washing the product and it is doubtful that an economically viable high grade aggregate could be produced without inclusion of such a process.
• Upon review of Hydrology within several attached Environmental Impact Reports for similar aggregate quarry proposals, it becomes clear that aggregate washing is typical (therefore, reasonably foreseeable), uses water, and needs to be quantified before meaningful input on associated impacts can be developed.
• At a minimum, a requirement of the Conditional Use Permit for this project should be metering and monitoring of water consumption to prevent foreseeable impacts on the riparian flow of the Salinas River in the future.
• Additionally, if product is to be washed off-site, the location and details of those activities will need to be disclosed as part of the environmental review process in order to avoid "piece-mealing"under CEQA guidelines.

• The following EIRs were examined for comparison:
  a) The Hanson Quarry Expansion Hydrological Report (DRC2011-00098) is of considerable interest because it is based on actual water use by an operative aggregate quarry located nearby to the Oster/Las Pilitas proposal on Santa Margarita Ranch and that the Oster/Las Pilitas applicants have publicly stated they will compete against. The Santa Margarita Quarry (SMQ owned by Hanson) produces 700,000 annual tons and diversion of 300 acre feet of water per year.

b) The Liberty Quarry proposal was ten times the size of this proposal. While it's possible that actual usage may have been underestimated in the attached EIR, the Water Usage and Demand Study in that document estimated water use at 360 acre feet per year.
c) Jesse Morrow Mountain in Fresno county proposes to extract 1.5 million tons/yr, 3 times that of the Oster/Las Pilitas proposal. The anticipated water use identified in the attached EIR for aggregate washing alone is 145 acre/feet/year.
d)The Roblar Road Quarry in Sonoma county proposes to extract 500,000 tons/yr, an amount equal to the Oster/Las Pilitas proposal. In the attached EIR, total estimated annual demand is 8,881,965 gallons (divide by 325,851 gallons per acre foot = 27.26 acre/feet/yr)

* While each project obviously has specific circumstances that determine actual water usage, it becomes evident that hard rock quarry operations all use significantly greater amounts than this proposal is estimating.
* The applicants have stated providing competition to the Santa Margarita Quarry provides ample confirmation that producing products that meet similar specifications (washed) is indeed reasonably foreseeable, and in fact should be assumed in the criteria for determining the worst case scenario for water consumption assumption values.

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pg. 4.13-12 ***Cumulative Effects***

The base flows in the Salinas River result from rainfall and runoff in its watershed upstream from the project site and from periodic releases that are mandated by the SWRCB permit for the Santa Margarita Reservoir. These releases are designed to ensure the protection of all downstream surface and shallow subsurface water uses that existed prior to construction of the dam and reservoir in the 1940s. The project will not significantly affect flows in the river, and will not contribute a substantial fraction towards cumulative use of water from the Salinas River. The Hanson Santa Margarita Quarry also uses water from surface and underflow in the Salinas River.

Comments

• DEIR fails to adequately document daily, weekly and monthly river flows .
  - This is pertinent information if the project water source is the Salinas River
• DEIR fails to provide Salinas River Dam release documentation.
  - This is pertinent information if the project water source is the Salinas River
• DEIR fails to consider performance of similar wells on neighboring parcels.
• The DEIR fails to provide adequate documentation that the potential cumulative impacts related to Water Quality and Supply are less than significant.
• There is no documentation that the water source for the identified well for the project is provided by the Salinas River.
• There is no documentation to support that the water supply is reliable.

Appendix F – Water Supply Assessment
pg. F-6 *With respect to water quantity, no shortages are known for the project vicinity and areas downstream, until those noted for the Paso Robles groundwater basin. Upstream from the Project Site, in the Moreno Creek drainage along Parkhill Road, the County has noted that the water supply is limited and represents a constraint to future development in that area (SLO County 2003:3-1).*

Comments
• This statement is incorrect.
• Similar wells along the Salinas River on adjoining parcels experience water shortage issues, especially during low rainfall years.
• No attempt was made to contact the neighboring parcel owner with the well in closest proximity to the proposed project well.
• It appears that the project well is a shallow well similar to others in the vicinity.
  - No documentation of depth or supply source is provided in the DEIR
• Shallow wells are the first to have problems in dry years.
• The project will require the most water during the times that well performance is in decline.

Additional Comments Section 4.13

• The project objectives to produce "concrete grade" aggregate do not align with stated water consumption. This raises concerns that a good faith effort has not been made by the project applicant to provide full disclosure of intended operational details.
• It is extremely important to review the project objectives in order to gain perspective on reasonably foreseeable events.
• Early in the environmental review process provides the best opportunity to question the origin and accuracy of assumption values provided for study.
• No MM WQ-3 for Impact WQ-3 exists. The impact being mitigated for, increased use of surface water, must be accurately described and appropriately mitigated for.
• No assumption values for water use associated with the "recycling" facility being proposed through a waiver to the Land Use Ordinance have been included in this DEIR. This represents a significant oversight.