

Section 2.0 Project Description Comments

pg. 2-1, The proposed Las Pilitas Quarry surface mine and related disturbance areas would occupy approximately 41 acres of a 234-acre property located approximately three miles northeast of Santa Margarita on the north side of State Route 58 just east of the Salinas River. Access to the property is directly from SR 58, which is a two-lane state highway extending from US Highway 101 (four miles to the west) to the easterly county line. Figures 2-1 and 2-2 show the project location and vicinity.

Comments

- The precise location of the entrance into the access road is important as the logistics and workability of project details and operations are being discussed throughout all sections of this DEIR document.
- **The proposed quarry entrance is located at Post Mile (PM) 5.08 on Hwy. 58.**
- There are mile markers along the entirety of 58. Mile zero is at the 101 interchange. Mile marker 5.0 is located on east side of Structure 49 0237 (Salinas River Bridge). The entrance as proposed is 430' (.08/10 of a mile) east of mile marker 5.0.
- State Route 58 is a two lane rural arterial route.
- Reference to US Highway 101 being 4 miles to the west is unclear. Four miles from where? Mile markers indicate 101 is approximately 5.08 miles from the entrance to the proposed project site.

pg. 2-2, More information regarding the project vicinity and surrounding lands is in Section 3.0, Environmental Setting; and a specific discussion of Land Use is in Section 4.16 of this EIR.

Comments

- Refer to our detailed comments in Section 4.14 regarding Land Use.

pg. 2-2 2.2 Project Objectives

Section 1.3 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.

2.2 Comments

- The project objectives will be important for future discussions within a number of impact areas.
- Whether or not the project objectives are changed will be an important consideration in evaluating project alternatives. The DEIR should provide a clear and comprehensive description of all possible project objectives in order to objectively assess each potential impact areas. This should include any potential uses that could be added to the project in the future. Post hoc addition of activities to the proposed project, or “piece-mealing”, is inconsistent with CEQA procedures.
- Much effort is spent in this document to communicate the existence of an EX1 Combining Designation. While the combining designation exists in the Las Pilitas Area Plan, it’s importance to this site is not entirely applicable due to the many existing residential uses adjacent to the proposed site. The DEIR fails to identify that the proposed project site meets criteria that would **exclude** this location as a suitable Aggregate Resource Area (ARA) under California State Geological Survey definitions.
- Simply put, a mining application proposal at this specific site location comes too late. Refer to our detailed comments in Section 4.14 Land Use, including parcel inventories and permitting history.
- This will be an important consideration as the process moves forward. Clearly, the presence of an EX1 Combining Designation provides no special protection from the Conditional Use Permit process specifically designed to evaluate compatibility on a project by project basis. As such, reference to the EX1 Combining Designation should be removed from any and all further discussions, descriptions and related EIR materials.

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)

- The DEIR does not adequately define the quality and type of mineral resources at this specific site location and how those relate to the project objectives.

pg. 2-2 2.3 PROJECT CHARACTERISTICS

2.3.1 Overall Description

The applicant is requesting a 25- to 58-year timeframe for the mining operation and phased reclamation of the mined site, with a maximum annual production of 500,000 tons, a portion of which will be recycled asphalt and Portland cement concrete. The project will result in the disturbance of approximately 41 acres on two parcels that total approximately 234 acres in size.

Comments

- “Recycled” asphalt and concrete is being sought through a waiver to LUO 22.30.380.
- The waiver process is found within LUO 22.30.020(D).
- The letter requesting a waiver (filed on September 20, 2010) by project applicant is not included in the DEIR.
- The request for the waiver and the impacts associated with the additional processing and shipping must be included in the DEIR.
- The portion of material to be processed and sold as “recycled” asphalt and concrete aggregate products has not been defined.
- More importantly, the input threshold (amount of “recycled” material being taken in) is not adequately defined. This information is needed in order to determine a reliable assumption for trip counts. The reliability of the truck trip count affects all impact areas, and will also be a part of the CalRecycle permitting requirements at the state level.

pg. 2-5 Operational Details

A portion of the high quality material will be sorted for use in the manufacturing of building materials and sold for specialty applications, including aggregate for AC pavement.

Comments

- This intent would seem to align with the project objectives.

pg. 2-6 Recycling

Asphalt and concrete debris from construction sites would be brought to the site for recycling.

Comments

- Recycling has not been defined.
- Processing associated with recycling has not been defined.
- A waiver to the Land Use Ordinance Waiver is being sought to permit a use not currently an allowable use within the Rural Lands land use category (see previous comment at 2.3).
- Details necessary for accurate categorization within Regulations: Title 14, Natural Resources Division 7, CIWMB, Article 5.9 Construction and Demolition and Inert Debris Transfer/ Processing Regulatory Requirements (Section 17381.2 Regulatory Tiers Placement for CDI Debris and Inert Debris Processing Operations and Facilities) need to be further defined:
 - (a) Clearly, the EA Notification Tier is the minimum permitting requirement given the language within 1.4.2 of the DEIR and the intent to process incoming material.
 - (b) While this operation would be subject to Article 5.9 and additionally not considered eligible for the Excluded Operations Tier (Section 17382), a more objective definition on proposed debris volumes is needed to determine whether a Registration Tier or Full Solid Waste Facility Permit would be required. The amount of “Type A Inert Debris” to be processed in a day remains undefined, and will determine whether this would be a processing facility or a processing operation as defined in 14 CCR 17381 (m)(o).
 - (c) Material Production Facility as defined in 14 CCR 17381 (r) is another possible category potentially defining this operation, but a more detailed description of operational objectives and procedures is necessary in order to make such a determination.
- Volume of debris from construction proposed for importation and processing has over-reaching considerations across the entire spectrum of impacts. Air quality, noise, transportation, land-use compatibility, and other impact areas are directly affected by how accurately this is defined.
- The sequencing of materials processing has not been defined. Will material be stockpiled and stored on-site prior to or after being processed for re-sale?
- The millings and residue from concrete and asphalt crushing likely should be considered hazardous waste, as well as associated construction debris.
- Appropriate and legal disposal of residue into an approved disposal site and the associated impacts does not appear to have been considered adequately in the DEIR. EPA has clear guidelines for the processing of hazardous asphalt.
- Asphalt millings in particular, as well as exhaust particles, tire wear residue, and motor oil (contaminates associated with concrete and asphalt resulting from demolition), contain increased concentrations of polycyclic aromatic hydrocarbons (PHAs) which are targeted as pollutants by the EPA. These hazardous materials, and their cumulative impacts have not been adequately disclosed or discussed in the DEIR
- At what point do millings and contaminants accumulated on an in-place roadway render the removed material no longer appropriate to categorize as “Type A Inert Debris”?

- Residual materials migration through the actions of wind, water, and physical displacement to contaminate surrounding soils and surface water sediments has not been adequately addressed in the DEIR.
- This component of the project has not been given the separate and thorough consideration warranted.
- This is a highly industrial processing activity and has not been adequately evaluated in the DEIR for compatibility with the surrounding Residential Rural land use category.



pg. 2-7 2.3.2 Equipment Inventory

Comments

- The Equipment Inventory provided does not appear sufficient to serve an operation as large as the proposal.
- What is the origin of the equipment inventory?
- Was it created and verified against inventories of similar quarries of the same output scale?
- Refer to our comments in Section 4.3 Air Quality

pg. 2-8 & 9 2.3.3 Trip Generation and Truck TrafficComments

- Truck trips associated with the delivery of explosives and fuels have not been quantified or included.
- There is no maintenance facility on site. Will this be achieved through mobile services?
- There is no objective evidence presented to support the assertion that “backhauling would result in no net increase of truck traffic.” Data from existing, comparable operations should be presented to support, or refute these claims.
- Likewise, no concrete verification to support the assertion that a 50 percent backhauling assumption would constitute a “conservative or reasonable worst case assumption” has been provided.
- Accurate quantification of the amount of material being hauled into the facility for crushing is critical to generating reliable trip counts.
- Were the operations of other pavement recycling facilities in the region researched in an effort to gain the perspective ultimately adopted in the DEIR? If so, that data should be cited, including locations and duration of data sampled, and included in the DEIR.
- The application for waiver to LUO 22.30.380 has not been addressed
- What is the permitted amount of input being sought through the waiver to LUO 22.30.380?
- The proposed volume for importation of construction debris is not cited within the applicant’s letter of request for waiver to LUO 22.30.380. Where does this number originate?
- Any number of variables can affect the trip count calculation.
- The delivery (importation) of up to 1500 tons of recycled material per day appears as a value in 2.3.3. We have been unable to locate this number in other locations within the DEIR or the project application. Refer to Section 4.14 Land Use for more comments on waiver application.
- 250 days per year and 20.2 tons per truck load and operating hours from 6:00 a.m. to 5:00 p.m. Monday through Friday are provided as the underlying assumption values.
- Assuming, for now, that we accept 75 additional truck trips per day as a “conservative” estimate, there are still many ways the trip count could increase.

1. Applicant has stated that winters will have long periods of inactivity due to market cycles associated with inclement weather. This would likely create a higher level of activity during favorable weather.
2. Any combination of adjustments to the tonnage amount of broken concrete and asphalt hauled in, increasing the backhaul assumption, etc. would also increase the trip counts.
3. The truck trip count could substantially increase if the amount of concrete and asphalt being hauled in is increased.
4. 500,000 annual tons is the permitted amount of material that can be shipped out.
5. No percentage values have been assigned to output of mined material vs. output of imported and processed material.

6. No absolute amount is cited in the project description for the daily acceptance amount.
 7. We recommend the addition of an absolute amount as part of any conditions of approval.
 8. This makes it not possible to determine an accurate THROUGHPUT amount.
 9. An accurate truck trip count cannot be determined without the total overview that knowing the volume of what is going to come in and what is going to go out provides.
 10. Adjustment of assumption values would create more significant impacts than the 273 truck trips currently being used.
 11. Additional transportation impacts created by reaching storage amount and time limits for processed and non-processed (recycled) material at peak demand times for mined material have not been addressed.
 12. Every impact area within the entire EIR is affected by an increased trip count.
 13. Refer to Section 4.11 Transportation and Circulation for additional comments regarding Mitigation Measures.
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***pg. 2-9** It is also possible that for specific projects, these average numbers of trips per day may be exceeded for short periods. Up to 800 truck trips per day may be anticipated for a large project.*

Comments

- "For short periods" is a subjective description and should be clearly defined to adequately identify and evaluate related impacts.
 - "A large project" is a subjective description and should be clearly defined to adequately identify and evaluate related impacts.
 - If 800 truck trips is being presented as a reasonable worst case scenario, why is an average of 273 being used for the purpose of evaluating impacts?
 - Refer to Section 4.11 Transportation and Circulation for additional comments regarding Mitigation Measures.
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pg. 2-9 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

- The absence of washing processed aggregate 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 operations has not been established.
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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 objective data or peer reviewed source has been cited to support “*exposed granitic surfaces in the quarry would not generate much dust*”.
 - “*Much*” is a subjective description and should be clearly defined to adequately identify and evaluate related impacts.
 - 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?
 - Where does the 4000 gallon per day estimate originate?
 - Has data gathered from other similar quarrying operations been incorporated into this estimate?
 - Refer to our comments in Sections 4.3 Air Quality, and 4.13 Water Quality and Supply.
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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.
 - Refer to Section 4.13 Water Quality and Supply for additional comments regarding Mitigation Measures.
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2.4 USES OF THE EIR

We understand that the County of San Luis Obispo Department of Planning and Building has prepared this EIR as the Lead Agency under the California Environmental Quality Act (CEQA). The EIR is an informational document to provide descriptions of the environmental effects of the proposed quarry. It may be used by the County decision makers, other agencies, and members of the public in reviewing and considering the project.

We trust that the work of Margarita Proud's sub-committee to review and comment on this document will be duly considered at this time in the process. We appreciate the Department of Planning and Building's efforts, as the lead agency, towards understanding the community's deep concerns regarding this project proposal and the information within this DEIR document. It is only through such a project by project cooperative process that the community's input can truly help staff achieve the agency's greater mission of "Helping Build Great Communities" and "Promoting Wise Use of Land".