

LAS PILITAS RESOURCES LLC has applied for a **LARGE scale quarry operation** and Asphalt and Concrete Crushing Facility @ 6660 Hwy. 58 just 3 miles outside of Santa Margarita, California.

The proposal to extract 500,000 tons of decomposed granite (DG) and granite annually for 35-50 years would **CREATE SIGNIFICANT IMPACTS including:**

- 200 truck trips through Santa Margarita daily as a direct result of this quarry's activity.
- Even more truck trips would be produced by an Asphalt and Concrete Recycling Facility being processed through a WAIVER seeking exemption from existing ordinances.
- Over 20,000 gallons of water are estimated to be used daily for dust control alone.
- Much, much more water will be used to wash aggregate of a high enough quality to produce Portland cement concrete, the type of material that is actually needed. If the applicant intends to waste their mineral resource on low quality road base, no need exists.
- Explosives- Blasting creates respirable fractured crystalline silica that is not visible in the atmosphere. This is a well known cause of Silicosis.
- Removing large areas of vegetation increases the risk of valley fever to surrounding area residents.

What can I do to make a difference?

- Participate in what is intended to be a democratic public process.
- Round-up your friends and neighbors to join you.
- Optimistically envision the future community you hope to live in, and present positive ideas to implement that vision.
- Utilize all available avenues for public comment.
- Donate by volunteering your time or by helping fund ongoing financial needs.

CRITICAL ACTION ITEM:
MAKE WRITTEN COMMENT
ON THE UPCOMING
DRAFT EIR

Hwy 58 Quarry Awareness Series

Land Use and Property Rights EXPLORED



GOOD NEIGHBORS
WORKING TO PRESERVE THE
LIVABILITY and RURAL CHARACTER
of Santa Margarita

Is the Las Pilitas Quarry Allowed?

A quarry is an “allowable use” (a use that can be considered) on a parcel within the Rural Lands (RL) category. It is also an allowable use within the Residential Rural (RR) category. Clearly, discretion is required to ensure compatibility between uses is maintained.

A **DISCRETIONARY** Conditional Use Permit (CUP) is required for either situation. A **discretionary** Surface Mining/Reclamation Plan is also required.

The review process then determines if a specific site warrants a recommendation for approving or denying **discretionary** land use permits.

Application for an open-pit mine triggers the need for an Environmental Impact Report (EIR). This is mandated by the California Environmental Quality Act (CEQA).

Site location, surrounding land uses and the potential direct and indirect impacts to those surrounding uses, the public need for the use, as well as public health and safety are some of the things considered during this process.

Q: Does a Landowner have the right to do whatever they want with their land?

When a property owner wants to build, improve, or develop their property, a land use permit is required. Land use permits can be **ministerial** or **discretionary**. Specific uses trigger **discretionary** permits. In general, these are uses that have potential to significantly impact their surroundings.

A **ministerial** permit is any type of permit for which the staff needs to determine only conformity with applicable ordinances before approving a project.

This is the opposite of a **discretionary** permit.

Most small remodel, patio, pool, spa, electrical, roofing, retaining wall, plumbing and right-of-way permits, as well as many new home permits require only a **ministerial** permit.

A **discretionary** permit is any permit requiring a decision-making body to exercise judgement prior to it's approval. Depending on the specifics of a given application and it's accompanying circumstances, discretionary permits determine if certain construction permits or certain proposed development activities will be allowed to take place based on the evidence presented by all stakeholders in the process.

Hog ranches, Recycling-Scrap and Dismantling, Chemical Manufacturing, Electricity Generation, Waste Disposal sites, Health Resorts and Bathing, and Mines and Quarries are some of the uses that require **discretionary** permits.

A gravel mine/quarry (open pit mine) application in the Rural Lands (RL) category requires a **discretionary** Conditional Use Permit (CUP) and a **discretionary** Surface Mining/Reclamation Plan. **Discretionary** permits warrant a higher level of review than **ministerial** permits and are held to higher scrutiny from the permitting agency (lead agency), other public agencies, and from members of the public (considered stakeholders in the process).

A: When discretionary land use permits are required, the right a landowner has is to make application and enter into the subsequent review process.

“The discretionary permit review process is used to help determine whether or not the operation of the proposed use is detrimental to the health, safety, or welfare of the general public or persons residing or working in the neighborhood of the use.” (SLO County Land Use Ordinance (LUO) 22.62.060 4. Required Findings)