



April 14, 2013

Ms. Sue Luft, Chairman
Water Resources Advisory Committee (WRAC)
c/o Public Works Department
County Government Center Room 207
San Luis Obispo, CA 93408

Subject: DEIR Water Resource Components for proposed Oster/Las Pilitas Quarry (DRC2009-00025)

Margarita Proud and many area residents have been monitoring this large scale industrial proposal closely since application in 2009. 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. The revised project description outlined in the Draft Environmental Impact Report (DEIR) reflects those original project objectives with the removal of hot-mix asphalt manufacturing from the current CUP/Reclamation Plan application.

Consumption

When water use was scrutinized at the scoping and other early public meetings, the 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 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 low projection has been further reduced to 4,000 gallons daily for dust control and the applicant is not proposing to wash any of

¹ 20,000 gallons was provided by applicant at a Sept. 16, 2010 public meeting. Attached MP3 audio file

the material that is being processed. Thus, any washing of aggregate and the additional needs of a concrete and asphalt crushing facility being sought through a waiver to the LUO would significantly add to assumption values. **We believe it is extremely important to review the project objectives in order to gain perspective on reasonably foreseeable events. Early in the review process provides the best opportunity to question whether the assumption values provided for study constitute a good faith effort by the project applicant to provide full disclosure of intended operational details.**

Aggregate washing

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 Hanson Quarry Expansion Hydrological Report http://www.slocounty.ca.gov/Assets/PL/referrals/north+county/DRC2011-00098_DRC2011-00099-CUP_ReclamationPlan_HANSON/DRC2011-00098_DRC2011-00099-HANSON-HYDROREP.pdf 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 reports the use of 300 acre feet of water per year.
- 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.
- 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.
- 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)

Each project obviously has specific circumstances that determine actual water usage, but hard rock quarry operations all use significantly greater amounts than this proposal is estimating. Moreover, the much stated objective of providing competition to the Santa Margarita Quarry provides ample confirmation that producing products that meet similar specifications (washed) is indeed a reasonably foreseeable event.

Waiver for Concrete and Asphalt “Recycling”

This 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 ordinance requirements for such activity. We believe that this component of the project introduces significant adverse impacts of on the riparian flow of the Salinas River:

- The millings and residue from concrete and asphalt recycling should be considered hazardous waste and disposed of in an approved disposal site.
- Recycling concrete and asphalt 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.
- 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.
- 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.
- Any handling or processing of recycled concrete or asphalt on this property should be prohibited.

Hot-mix Asphalt Manufacturing

- The applicant for the Oster/Las Pilitas Quarry proposal was required to remove hot-mix asphalt manufacturing from their project application after a Land Use Ordinance (LUO) Interpretation determined it was not currently an allowable use within the Rural Lands land use category.
- The unanimous decision by both the Planning Commission (Feb. 11, 2010) and the Board of Supervisors (March 9, 2010) include a qualifier that the current ordinance could be changed by amending the LUO.
- The highly profitable and unfair (to entities operating in proper Industrial zoning) component of asphalt manufacturing on Rural Lands, and the associated impacts (hydrological and otherwise), will re-surface if this aggregate quarry proposal is approved.

Consideration of contaminants

Another concern is the collection and retention of water for reuse. Although the recycling of water is certainly a good idea in principle, it actually creates a toxin solution comprised of not only all the contaminants found naturally in the mountain, but the additional contaminants created from the use of explosives and chemical dust suppression (calcium chloride, and citrus oils being added to reduce water consumption estimates).

- This toxic solution continues to become more concentrated each time it is reused.

- These increasingly concentrated contaminants not only leach into the ground, but also potentially find their way into the Salinas River as surface run-off.

Land Use

- Land Use compatibility needs to be considered as part of any discussion about water quantity and quality.
- Impacts to surrounding users cannot be analyzed without a complete understanding of the relative location of those users.
- Project mapping is selective in that the populated Residential Rural areas within the Las Pilitas Planning Area are never clearly delineated in relationship to the exact project location. Thus, the depiction that the proposed project is surrounded by only large parcels is a misrepresentation. Refer to attachment entitled “Parcel Overlay Map”² for a more accurate representation of the layout to the southeast and southwest of the proposed project.
- Residents in the vicinity of the proposed project have very real concerns about the future of their water resources. According to the DEIR; “One of the constraints to extensive future development is the limited groundwater supply for most areas, particularly along Parkhill Rd.”.

Thank you for distributing this correspondence and the attachments to the WRAC subcommittee your council has formed for review of project DRC2009-00025. Your thorough review and subsequent comments are appreciated.

Sincerely,



Roy Reeves
President

² blue line = Salinas River yellow dots = partial representation of nearby residences