

## **3. Environmental Setting**

### **3.1 Background Environmental Baseline**

#### **3.1.1 CEQA and Case Law**

The impacts of mining subject to an existing vested mining right (see EIR Section 2.4.2, Existing Entitlements and Approved Reclamation Plan) are not typically an issue in a CEQA document. Under this scenario, only the impacts of a proposed mine expansion, its associated Reclamation Plan, and any accompanying processing permit applications are subject to an impact evaluation, as determined under the *City of Ukiah v. County of Mendocino* [196 Cal.App.3d 47, 1987], where the Court found that CEQA did not apply to a vested mining right, only to a reclamation plan. At this point, the vested acreage of the existing Santa Margarita Quarry that is associated with APNs 070-141-006 and 070-131-021, where mining activities commenced prior to the enactment of the SMARA, have essentially been mined to completion, and all that remains for those acres is to reclaim the land in accordance with the Proposed RPA.

Based upon the above, this EIR assumes that the quarry's on-going operations are part of the Proposed Project's existing, or "baseline," conditions. As a consequence, the impacts of the quarry's existing operations are not evaluated in this EIR. Only those impacts associated with the quarry's extended lifetime within the proposed expansion area and final reclamation per the proposed RPA are evaluated. Figure 2.4-1 provides a map of the quarry's existing entitlements, Figure 2.5-1 provides a map of the boundaries of the existing quarry and its associated 1981 Reclamation Plan, and Figure 2.5-4 provides a map and the boundaries of the each phase of the Project's proposed expansion area. For the purposes of this EIR, the quarry's existing operations and equipment are assumed to be carried forward for implementation of the Proposed Project, with the exception of the proposed conveyor to be installed during Phase II (see EIR Section 2.5.2, Proposed Quarry Phasing), and average and maximum production are evaluated.

#### **3.1.2 Existing Production**

The quarry is currently permitted for a maximum annual production, or extraction, of 700,000 tons of aggregate. Historically, however, the quarry has had an annual production rate of less than 700,000 tons. As stated in the Proposed Project's CUP application, the quarry's 10-year average production rate between 2002 and 2011 was 565,539 tons. As updated to reflect the ten year average between 2003 and 2012, its annual production rate was 544,877 tons.

As discussed in EIR Section 2.4.2 (Existing Entitlements and Reclamation Plan), the production rate of an aggregate quarry can vary substantially both on a daily and annual basis, contingent on market demand. A 10-year average is commonly regarded as encompassing a full business cycle in the building and construction industry. Although the updated 10-year average production rate reflects the housing and building surge between 2002 through 2008, the national economic recession between 2009 and 2011, as well as the partial economic recovery of 2012, the Applicant has verified that an average annual production rate of 544,877 is reasonably representative of the quarry's future annual production rate under the proposed expansion. The quarry would be expected to operate at the maximum annual permitted extraction rate (700,000 tons) on occasion, as it has in the past; however, the average 10-year production rate would not be expected to change and no modifications to existing operations are proposed, as summarized in EIR Section 2.5.1 (Existing Quarry Operations).

## 3.2 Land Use Designations

The Proposed Project area is located on nine parcels, as identified in EIR Table 2.5-1 (Summary of APNs Associated with the Proposed Project). As shown in Table 2.5-1, eight of the parcels are designated RL (Rural Lands) and one is designated AG (Agriculture); five of the parcels have a combining designation of EX-1 (Extractive Resource Area) and four have a combining designation of FH (Flood Hazard). The RL designation encourages and maintains low-density development and non-agricultural uses on larger parcels. The AG designation allows for many different types of commercial agriculture development, including croplands and grazing lands that are important to the County's economic base; it additionally includes all lands covered by Williamson Act agricultural preserve contracts.

Per Chapter 22.36 of the County's Land Use Ordinance (Title 22 of the County Code), mining is an allowable use within lands designated AG and RL subject to conformance with the standards set forth in Sections 22.36.010 through 22.36.110 and issuance of a land use permit. The EX-1 combining designation denotes those areas of the County which the State Department of Conservation, Division of Mines and Geology, has classified as containing or being highly likely to contain significant mineral deposits, and allows for mining with a land use permit and conformance with the standards of Land Use Ordinance Section 22.14.050. Operation of the existing mine within the quarry parcels with this combining designation (APNs 070-121-021, 070-091-037, 070-154-033 and 070-131-018) is an allowable use per Subsection 22.14.060(B)(3) of the Land Use Ordinance and proposed reclamation is an allowable use with a land use permit and conformance with the standards prescribed in Sections 22.14.060(C) and (D).

## 3.3 Geography

The Proposed RPA area occupies approximately 193.1 acres of land, generally located within the eastern half of Section 9 and the western half of Section 10, Range 13 East, Township 29 South of the Mount Diablo Base and Meridian. The Proposed RPA area lies within the Central Coast Mountain Range, approximately 16 miles east of the Pacific Ocean and three miles northeast of the community of Santa Margarita. Figure 2.1-1 provides a regional map of the Proposed Project area and its surroundings.

Land uses within the existing quarry property are dedicated to operation of the quarry, as well as two Hot Mix Asphalt (HMA) plants and a concrete and asphalt recycling facility, as detailed in EIR Section 2.5 (Proposed Project). Although the existing quarry site has not been used for agricultural uses for several decades, a relatively large portion of the Lower Area and a small portion of the Upper Area are designated Farmland of Statewide Importance. No lands within the proposed expansion area carry this designation.

The topography surrounding the existing quarry consists of rolling hills, shallow valleys, and flat plains. The hills surrounding it are predominately covered by scattered oaks and chaparral. The Salinas River flows through the Proposed RPA area on the east and north sides of the existing quarry's Upper Area and Lower Areas, flowing generally south to north. The river typically flows year round except during the summers of notably dry years. Within the Proposed RPA area the river flows parallel to and approximately 130 feet east of the existing quarry's east main haul road, and then turns west and runs parallel to and north of the quarry's northern boundary. Its elevation immediately east of the existing excavation pit is an estimated 940 feet amsl.

The climate in the vicinity of the Proposed Project area is described as dry sub-humid with hot dry summers and cool moist winters. Temperatures can generally range from about 35 degrees Fahrenheit (°F) to nearly 70°F from November through March, and from roughly 45°F to upwards of 90°F from April

through October; temperatures can reach in excess of 100°F during the summer months. Precipitation in the vicinity of the Proposed Project area is typically about 22 inches per year and, allowing for annual fluctuations, the rainy season in the region is November through April with average rainfalls between 3 and 4 inches per month.

The existing quarry is located in Cretaceous granitic rocks at the southeast end of a ridge bordering the east side of the Santa Margarita Valley. Across the valley to the west is the Santa Lucia Range, which consists of Tertiary sedimentary rocks. The granitic rocks of the Proposed RPA area and the sedimentary rocks in the Santa Lucia Range are separated by the Rinconada Fault, a regional northwest-southeast trending, right-lateral fault, located approximately one mile west of the quarry.

Within the Proposed RPA area itself there are seven separate soil classifications that have been identified and their specific locations vary with topography. The Proposed RPA area lies outside of region's major groundwater basins, which are associated with the more permeable alluvial deposits overlying basement rock rather than the granitic bedrock exposed at the existing quarry. Locally, groundwater flow is to the east and north toward the Salinas River.

Please refer to EIR Sections 4.2 (Aesthetics and Visual Resources) through 4.15 (Water Quality and Supply) for detailed descriptions of the Proposed Project area's existing environmental conditions by each subject area addressed in this EIR.

### **3.4 Surrounding Land Uses**

Surrounding land uses to the north, east, and west of the Proposed RPA area are primarily made up of cattle grazing and open space. Surrounding land uses south of the Proposed Project area include rural residential dwellings, State Route 58, annual crop production, cattle grazing and a petroleum storage facility.

