SECTION 9.0
COMMENTS AND RESPONSES

This Section has been prepared in accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines.

9.1 INTRODUCTION

As the CEQA lead agency, the County of San Luis Obispo has reviewed each of the comments received on the Draft Environmental Impact Report (Draft EIR) for the Las Pilitas Quarry Project and has prepared responses to the written comments received. The Draft EIR was circulated for a public review period that began April 17, 2013 and concluded on June 5, 2013. The comment letters (see Section 9.5) were submitted by federal, state, regional, and local public agencies, as well as private individuals and organizations.

The focus of the Lead Agency's responses to comments (see Section 9.4) is the disposition of environmental issues that are raised in the comments, as specified by Section 15088(b) of the State CEQA Guidelines. Detailed responses are not necessarily provided to comments on the merits of the proposed project, unless the comment suggests deficiencies in the EIR's analysis. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR (Section 15204(a)).

The Draft EIR, as revised, and this Comments and Responses section collectively comprise the Final EIR for the Las Pilitas Quarry Project. Any changes made to the text of the Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, as a result of comments received are noted in Section 9.3. These changes have also been incorporated within the Final EIR body.

9.2 COMMENTERS ON THE DRAFT EIR

Commenters on the Draft EIR include state agencies, county agencies, regional agencies, local agencies, private individuals and organizations. These various commenters are listed in Table 9.2-1; the actual letters are presented in Section 9.5.

TABLE 9.2-1
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
Federal Agencies			
F.01	Dick Butler	National Marine Fisheries Service	June 5, 2013
State Agencies			
S.01	Scott Morgan, Director	State Clearinghouse, OPR	June 11, 2013
S.02	Adam Fukushima, PTP	Caltrans, District 5	May 24, 2013
S.03	David M. Samson, Chief	Department of Water Resources	June 6, 2013
S.04	Phil Hammer	Central Coast RWQCB	June 5, 2013
S.05	Patrick Snider	CalRecycle	June 3, 2013
S.06	Felix Ko	Public Utilities Commission	June 27, 2013
Regional Agencies			
R.01	Geiska Velasquez	SLOCOG	June 3, 2013
R.02	Gary Arcemont	SLOAPCD	June 4, 2013
County Agencies			
C.01	Unnamed	SLO County Parks	No date
Local Agencies			
NONE RECEIVED			
Organizations			
O.01	Fred Collins	N. Chumash Tribal Council	June 5, 2013
O.02	Gordon Hensley	SLO Coastkeeper	June 5, 2013
O.03	Stephnie Wald	Central Coast Salmon Enhancement	June 4, 2013
O.04	Dreaming the Salinas	Ecologistics, Inc.	June 4, 2013
O.05	Andrew Christie	Sierra Club	June 5, 2013
O.06	Linda Seeley	Terra Foundation	June 4, 2013
O.07	David Chipping	CA Native Plant Society	May 18, 2013
O.08	Josh Olejczak	SLO County Bicycle Advisory Com.	June 5, 2013
O.09	Susan Harvey	North County Watch1	June 5, 2013
O.10	Susan Harvey	North County Watch2	June 5, 2013
O.11	Kathy Longacre	SLO County Trails Committee	June 4, 2013
O.12	Unnamed	Santa Margarita Area Adv. Council	No date
O.13	Sharon Marini	SM CSA No.23 Advisory Group	June 3, 2013
O.14	Sue Luft	Water Resources Advisory Com.	May 2, 2013
O.15	Babak Naficy	Margarita Proud	June 5, 2013
O.16	Board of Directors	Margarita Proud	June 5, 2013
O.17	Frederick J. Bartz	Clean Air Temecula	June 4, 2013

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
O.18	Robert Davis	SLO Bicycle Club	May 1, 2013
O.19	Terry Marshall	Hanson Aggregates	June 5, 2013
O.20	John Beccia	SMART	June 4, 2013
O.21	Dennis M. Pascua	Arch Beach Consulting/Marg. Proud	June 5, 2013
O.22	Steve Souza/Mike Cole	Las Pilitas Resources, LLC	June 7, 2013
O.23	Sophie Treder	Attorney for Las Pilitas Resources, LLC	No date
O.24	Ken Johnston	Las Pilitas Resources, LLC	May 1, 2013
Individuals			
I.01	Lori Treder	None	June 5, 2013
I.02	Tim and Shari Bone	None	June 5, 2013
I.03	Stephen Gonzalez	None	June 5, 2013
I.04	John Eddie Cosko	None	June 5, 2013
I.05	Jeannie MacDougal	None	June 5, 2013
I.06	Greg MacDougal	None	June 5, 2013
I.07	David and Tina Ballantyne	None	June 5, 2013
I.08	Polly Cooper	None	June 3, 2013
I.09	Jon P. Treder	None	June 5, 2013
I.10	Brenda McAdams1	None	June 5, 2013
I.11	Kenneth Lloyd Haggard	None	June 5, 2013
I.12	David and Rochelle Wagner	None	June 5, 2013
I.13	Brenda McAdams2	None	June 5, 2013
I.14	Thomas Becker	None	June 4, 2013
I.15	Nancy and James Vengel	None	June 4, 2013
I.16	Karen Becker	None	June 4, 2013
I.17	Jim and Eileen Robinson	None	June 4, 2013
I.18	Janet Carnegie	None	June 4, 2013
I.19	Barbara Ahern	None	June 4, 2013
I.20	Dale and Janice Carr	None	June 5, 2013
I.21	Unnamed	None	Undated
I.22	Robert Meek	None	June 5, 2013
I.23	Peter Kinkade	None	June 3, 2013
I.24	Peggy Lipe	None	June 3, 2013
I.25	Marla Lipshin	None	June 3, 2013
I.26	Joe A. Lipe	None	June 3, 2013

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
I.27	James Millenaar	None	June 3, 2013
I.28	James L. Dick	None	June 3, 2013
I.29	James Ahern	None	June 3, 2013
I.30	David E. Martini	None	June 3, 2013
I.31	Roy Cinowalt	None	June 2, 2013
I.32	Richard B. Walsworth	None	June 2, 2013
I.33	Paul V. Boe	None	June 2, 2013
I.34	Kevin Christian1	None	June 2, 2013
I.35	Eric Booker	None	June 2, 2013
I.36	Carol Whitaker1	None	June 2, 2013
I.37	Liliane Ganster	None	May 30, 2013
I.38	Alfred Sanchez	None	May 30, 2013
I.39	Bonnie J. Reeves1	None	May 30, 2013
I.40	Sally Speers	None	June 1, 2013
I.41	Ted Mathiesen	None	June 3, 2013
I.42	William York	None	May 27, 2013
I.43	Fritz Carroll	None	May 25, 2013
I.44	Todd Beights	None	May 20, 2013
I.45	Pat Zimmerman	None	May 2, 2013
I.46	Janet Bettencourt	None	May 18, 2013
I.47	Richard Bettencourt1	None	May 18, 2013
I.48	Richard Bettencourt2	None	May 18, 2013
I.49	Peter Canvel1	None	May 10, 2013
I.50	Michael C. Blank	None	April 28, 2013
I.51	Ron McDonald	None	April 25, 2013
I.52	Kelley Sutherland	None	April 25, 2013
I.53	Jeannette Watson	None	April 25, 2013
I.54	Gail Vanderlinde	None	April 25, 2013
I.55	Bill Kengel	None	April 25, 2013
I.56	Steve and Gena Sager	None	April 30, 2013
I.57	Unnamed	None	No date
I.58	Margaret Graves	None	May 28, 2013
I.59	Marie F. Tomasini	None	May 20, 2013
I.60	Celeste Wilson	None	May 30, 2013

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
I.61	Kelso Vidal	None	June 4, 2013
I.62	Simone Smith	None	June 4, 2013
I.63	J. Olejczak, MITS	None	June 5, 2013
I.64	Kevin Gotchal	None	April 26, 2013
I.65	Dan Rich	None	April 18, 2013
I.66	Craig Kincaid	None	April 17, 2013
I.67	Kristin Nibbe	None	June 4, 2013
I.68	Charles Kleemann	None	June 5, 2013
I.69	Scott Dubrul	None	June 5, 2013
I.70	Guy Rathbun	None	June 5, 2013
I.71	David Edwards	None	June 5, 2013
I.72	Bonnie Reeves2	None	June 5, 2013
I.73	Annette Rathbun	None	June 5, 2013
I.74	Julie Dubrul	None	June 5, 2013
I.75	Tor Swanson	None	June 5, 2013
I.76	Thaddeus Chapman	None	June 5, 2013
I.77	Leslie Donahue	None	June 5, 2013
I.78	Baxter Trautman	None	June 2, 2013
I.79	Sharon Drake	None	June 1, 2013
I.80	Don Lampson	None	June 5, 2013
I.81	Hal Wilson	None	June 5, 2013
I.82	W. Patrick Edwards	None	June 5, 2013
I.83	Gregg and Candice Rolfsmeyer	None	June 5, 2013
I.84	Karen Lisi	None	June 5, 2013
I.85	Mark Elliott	None	June 5, 2013
I.86	Teresa Harback	None	June 1, 2013
I.87	Hal and Cindy Wilson	None	June 5, 2013
I.88	Mary and Harry Harlow	None	June 5, 2013
I.89	Mary Burkhardt, R.N.	None	June 5, 2013
I.90	George Sullivan	None	June 5, 2013
I.91	Louis Vetter	None	June 5, 2013
I.92	Michelle Edwards	None	June 5, 2013
I.93	Larry and Mary Dubrul	None	June 4, 2013
I.94	Brent R. Sheffler	None	June 1, 2013

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
I.95	Maritza Almquist	None	June 4, 2013
I.96	Nancy Greene	None	June 4, 2013
I.97	John Capela	None	June 4, 2013
I.98	Ralph Argano	None	June 4, 2013
I.99	Rebekah Ray (Hathorn)	None	June 4, 2013
I.100	Kathleen Douglas	None	June 4, 2013
I.101	Rob Zeszotarski	None	June 4, 2013
I.102	Anne and Don Wheeler	None	May 1, 2013
I.103	Al Martinez	None	June 4, 2013
I.104	Barbara Cully	None	June 4, 2013
I.105	Steve Williams	None	June 4, 2013
I.106	Brian Wilkinson	None	June 3, 2013
I.107	Breezy Martin	None	June 4, 2013
I.108	Peg Grady	None	June 3, 2013
I.109	Kevin Dowling	None	June 3, 2013
I.110	Paul and Shelley Boe	None	June 2, 2013
I.111	Jon Minnick	None	June 1, 2013
I.112	Greg and Michelle Jenkins	None	June 1, 2013
I.113	Tamra Harvey	None	June 1, 2013
I.114	Gustavo Prieto	None	May 5, 2013
I.115	Deborah Serra	None	May 31, 2013
I.116	Natalie Birkhahn	None	May 30, 2013
I.117	Jeffrey Goldenhersh	None	No date
I.118	Vance L. Ray	None	May 28, 2013
I.119	Carolyn Le-Fort	None	May 27, 2013
I.120	Gary Havas	None	May 2, 2013
I.121	Sally Speers	None	May 14, 2013
I.122	Sharon Sutliff	None	May 1, 2013
I.123	Kirk and P.J. Robertson	None	May 1, 2013
I.124	Lisa Langers	None	May 13, 2013
I.125	Peter Canvel2	None	May 31, 2013
I.126	James Patterson	None	June 5, 2013
I.127	Dee Carroll	None	May 18, 2013
I.128	Chris Neary	None	No date

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
I.129	Robert and Janita Baker	None	May 29, 2013
I.130	Carol Whitaker2	None	No date
I.131	Andrew Mutziger1	None	June 2, 2013
I.132	Andrew Mutziger2	None	June 3, 2013
I.133	Chip Greene	None	June 5, 2013
I.134	Jill Gallagher	None	June 5, 2013
I.135	William Arkfield	None	May 5, 2013
I.136	Miranda Joseph	None	June 4, 2013
I.137	Ryan Alaniz	None	June 5, 2013
I.138	Thomas Smith	None	June 5, 2013
I.139	Ed Goshorn	None	June 5, 2013
I.140	Jean Boenish	None	June 5, 2013
I.141	Ryan and Alison Devereaux	None	June 5, 2013
I.142	Tamara Kleemann	None	June 5, 2013
I.143	Blair Shurtleff	None	June 4, 2013
I.144	Malcolm Roe	None	June 4, 2013
I.145	David Schwartzbart	None	June 4, 2013
I.146	Jim Gunter	None	June 4, 2013
I.147	Henry A. J. Ramos	None	June 3, 2013
I.148	Rayleen Wight	None	June 2, 2013
I.149	Cheri L. Roe	None	May 31, 2013
I.150	E. M. Serra	None	May 28, 2013
I.151	Scottie and Karen Lewis	None	June 2, 2013
I.152	Sherry Martinez	None	June 4, 2013
I.153	Lawrence E. Goldenhersh	None	June 3, 2013
I.154	Anna Serra Goldenhersh	None	May 31, 2013
I.155	Pat Witman	None	June 5, 2013
I.156	Roy Reeves	None	June 1, 2013
I.157	Eileen Serra	None	May 28, 2013
I.158	Gerald F. Serra	None	May 29, 2013
I.159	Mark S. Edwards	None	June 5, 2013
I.160	Catherine Burkhardt	None	June 5, 2013
I.161	Kevin Christian2	None	June 5, 2013
I.162	Paul Dilger	None	June 5, 2013

TABLE 9.2-1 (CONTINUED)
COMMENTERS ON THE DRAFT EIR

Letter #	Commenter	Agency/Organization	Date
I.163	Holly Naylor	None	No date
I.164	Brenda McAdams3	None	June 5, 2013

9.3 REVISIONS TO THE DRAFT EIR

This section presents clarification and modifications to information contained in the Draft EIR, based on the comments submitted to the County. Indicated additions to the EIR are underlined (underlined) where text is added and deletions are strike-through (~~strike-through~~) type. The numbers in brackets refer to the applicable comment number from the Comment letters presented in Section 9.5.

1. Text Revision #1 [Response to Comment #S.04-5]:

The following language has been added to Mitigation Measure MM HAZ-2:

A Contingency and Spill Response Plan shall be prepared and implemented. The response plan will include a requirement that spill kits be kept on-site at all times. The spill kits should be easily accessible and properly maintained to control and contain the amount and type of spill that potentially may occur based on an inventory of hazardous materials that will be stored on-site.

2. Text Revision #2 [Response to Comments #S.04-2 and #S.04-7]:

There are several revisions related to updates in permitting procedures applicable to the management of stormwater runoff. These are as follows:

Section 4.13.3 Regulatory Setting [starting at the fourth paragraph of the section on page 4.13.6]:

A similar Statewide General Permit applies to industrial uses. In part, the applicability of this permit is defined by the Standard Industrial Code (SIC) describing the use. For this project, the SIC is 1423 – Mining, crushed and broken granite, and this is one of the uses to which the General Industrial Permit applies. This permit is issued under SWRCB Order No. 97-03-DWQ, NPDES No. CAS000001. Dischargers are required to file a Notice of Intent to be covered under the General Permit, and to prepare and implement a SWPPP. This permit was updated on April 1, 2014 with the adoption of Order NPDES CAS000001 by the WRCB. The updated General Permit for Storm Water Discharges Associated

with Industrial Activities establishes new procedures, but retains the monitoring and enforcement provisions of the previous Order No. 97-03-DWQ.

Finally, SWRCB Order No. 2003-0005-DWQ, NPDES No. CAS000004, addresses stormwater discharges from small municipal separate storm sewer systems (i.e., drainage systems) and applies to San Luis Obispo County. This permit requires that local governments develop Stormwater Management Plans incorporating various actions to help reduce water pollution from runoff including: public education and participation, detection and elimination of illicit discharges, regulation of runoff from construction sites, and management of stormwater from developed areas. San Luis Obispo County implements these requirements through its NPDES Phase II Stormwater Management Program and through requirements set forth in Section 22.10.155 of the Land Use Ordinance addressing Stormwater Management. Provisions of this section include the requirement for a Stormwater Quality Plan incorporating Best Management Practices in compliance with the Low Impact Development Handbook, and planning to control drainage, erosion and sedimentation and to maintain the provisions for the life of the project. The proposed surface mine is not ~~explicitly~~ among the categories of projects to which this section applies (see Section 22.10.155 B.).~~ In the event the County determines that this section does apply to the project, then its application would take the place of the Statewide General Permit for industrial uses described above. In either case, non-stormwater discharges would be prohibited and stormwater discharges would be managed through the required plans and regulatory process.~~

Mitigation Measure MM WQ-1b has been clarified, as follows:

MM WQ-1b: Alteration of Runoff Water/Mining Activities. *The applicant/quarry operator shall submit Permit Registration Documents ~~a Notice of Intent (NOI)~~ and a related Stormwater Pollution Prevention Plan (SWPPP) to the SWRCB to provide coverage of the surface mine as an industrial use under the General Permit for Storm Water Discharges Associated with Industrial Activities ~~Statewide General Permit for Industrial Uses~~ (SWRCB Order No. 97-03-DWQ, and NPDES No. CAS000001. ~~or more current permit).~~ Evidence of such coverage shall be provided to the County prior to the start of Phase 1A. Measures to control stormwater runoff and minimize discharges identified in the documentation related to this permit shall be implemented, and be subject to monitoring and verification as provided in the permit. In the event the project comes under the County stormwater provisions and general Nationwide Pollutant Discharge Elimination System Permit, ~~Alternatively,~~ this condition may be met through compliance with the County Stormwater Management provisions of Section 20.10.155 of the Land Use Ordinance.*

3. Text Revision #3 [Response to Comment #S.06-1]:

The following changes have been made to the text of the EIR (page 4.11-8 of the Draft EIR):

Table 4.11-4 below presents the results of the ATE Signal Warrant evaluation, and indicates that under the existing conditions, based on traffic volumes and roadway operational criteria, a signal at this location is not warranted. Based on Signal Warrant 9, however, which deals with peak hour traffic volume and the proximity of railroad crossings, under the existing conditions a signal may be warranted at this location. This is because under the Signal Warrant 9 criteria, given the existing peak hour volumes, the minimum distance between the center of the nearest railroad track and the stop line should be 140 feet. On Estrada Avenue, this distance is about 78 feet: more than enough to accommodate a large truck, but still not meeting the Signal Warrant criteria. It should also be noted that the decision to install a traffic signal should consider other engineering factors, and must be made in consultation with Caltrans, for state routes. The specific language from this standard states: "The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal" (Caltrans 2012:Section 4C.01). In addition, the State Public Utilities Commission has advised, relative to railroad crossings: "the new traffic signals must be interconnected with the existing railroad automatic warning devices for the system as a whole to operate effectively. Adding preemption (traffic signal prioritization) to the new signalized intersection will clear any vehicles queued at the crossing prior to train arrival."

4. Text Revision #4 [Response to Comment #S.06-7]:

The following paragraph has been added to the end of the "California Regulations" narrative on page 4.11-14 of the Draft EIR:

State Public Utilities Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. Completion and submittal of a General Order (GO) 88-B Request for Authorization will be required for any proposed work to the crossing along with appropriate project environmental documents per CEQA. The proposed mitigation measure of installing traffic signals at the El Camino Real/Estrada Avenue intersection falls under the criteria requiring a GO 88-B Authorization. Information on filing a GO 88-B Request for Authorization can be found on the Commission's website: http://www.cpuc.ca.gov /PUC/safety/Rail/crossings/go88b.htm.

5. Text Revision #5 [Response to Comment #C.01-1]:

The following change has been made to the second paragraph under the section entitled "Effect on Access to Trails, Parks or Other Recreation Opportunities," found on page 4.10-4 of the Draft EIR:

~~Acceptance~~ Development of a trail corridor by the County must meet required findings including sufficient funds for ongoing maintenance and liability.

6. Text Revision #6 [Response to Comment #C.01-2]:

The following change has been made to Mitigation Measure MM REC-2:

Prior to issuance of a Notice to Proceed, the property owner shall offer a ~~future~~ trail easement for dedication to the County, along the Salinas River Trail corridor, subject to conditions and County policies to coordinate trail development and to protect public safety and property owner rights. The offer of dedication shall be a minimum of ~~10~~ 25 feet in width and be located adjacent to the Salinas River (outside of the creek corridor). The final location of the offer of dedication shall be determined in consultation with the Parks Department.

7. Text Revision #7 [Response to Comment #S.03- 1 through 8]:

The following change has been made to Mitigation Measure MM HAZ-1b:

MM HAZ-1b: Risk of Explosion or Release of Explosive Material – Use On-site. *The management, handling and storage of explosive materials shall be conducted in accordance with the Blast Plan (Gasch & Associates, December 2009) and with stringent adherence to the federal, state and local regulations. To avoid potential damage to the State Water Project Pipeline, part of the California Aqueduct, the specific requirements of the California Department of Water Resources shall be incorporated into the Blast Plan. These requirements are specified in a letter from the Department, dated June 6, 2013 and submitted to the County of San Luis Obispo as a response to the Draft EIR for the project. The blaster shall have a current, valid California "Blaster's License" issued by CalOSHA. No on-site storage of explosive materials is allowed.*

8. Text Revision #8 [Response to Comment #O.14-1 and numerous other Comments]:

a. The following change has been made to the second paragraph under the section entitled "Brief Summary of Proposed Project," found on page ES-2 of the Draft EIR:

The project will produce up to 500,000 tons per year of aggregate material ~~for use in Portland cement concrete (PCC) and asphaltic concrete (AC).~~. Aggregate products that will be sold include: rip rap, drain rock, landscape wall rock, decorative rock, decomposed granite for landscaping applications (trail pathways, etc.), road base, and non-expansive fill material. "Washing" (i.e., wet processing) is not required for any of these aggregate materials, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. The proposal does not include a hot plant for mixing asphaltic concrete, but it would include a storage area for recycled roadway ~~PCC and AC~~ pavement and concrete that will be crushed and sold as road base within the 500,000-ton-per-year permit limit. Depending on market conditions, the life of the quarry is estimated to range from 25 to 58 years. If the full production rate is achieved, then the average daily truck traffic associated with the project would range from 198 to 273 trips per day; this range is discussed further in Section 2.3.3.

b. The following change has been made to Project Objective C, found on pages 1-2, 2-2 and 6-1 of the Draft EIR:

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.

c. The following change has been made to Project Objective F," found on pages 1-3, 2-2 and 6-2 of the Draft EIR:

Locate an ~~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.

d. The following change has been made to the first paragraph under the section entitled "Overall Description," found on page 2-2 of the Draft EIR:

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. Aggregate products that will be produced and sold include: rip rap, drain rock, landscape wall rock, decorative rock, decomposed granite for landscaping applications (trail pathways, etc.), road base, and non-expansive fill material. "Washing" (i.e.,

wet processing) is not required for any of these aggregate materials, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. The project will result in the disturbance of approximately 41 acres on two parcels that total approximately 234 acres in size. The proposed project is located at 6660 Calf Canyon Way (north side of SR 58), east of the Salinas River Bridge and approximately 0.25 mile west of the Parkhill Road intersection, and approximately three miles east of the community of Santa Margarita. The site is in the Las Pilitas Planning Area, within the Rural Lands category and the Extractive Resource Area (EX1) Combining Designation Overlay.

e. The following change has been made to the third paragraph under the section entitled "Operational Details," found on page 2-5 of the Draft EIR:

After rock material is freed from the quarry face, it will be brought down from the mine for sizing, sorting and stockpiled for processing. This processing would use diesel-powered portable equipment brought on to the site as needed depending on market demand. Such equipment typically operates under the Portable Equipment Registration Program of the California Air Resources Board. It is anticipated that processing equipment would be brought to the site and used four times per year, with a maximum use of four weeks per quarterly event, up to 100 days per year. Products will include rip rap and crushed rock of various sizes. Aggregate products that will be produced and sold include: rip rap, drain rock, landscape wall rock, decorative rock, decomposed granite for landscaping applications (trail pathways, etc.), road base, and non-expansive fill material. Washing is not required for any of these aggregate materials, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. ~~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. The remainder of the material would be sold for commercial applications that do not require high quality specifications (e.g., road base).~~

f. The following change has been made to the first paragraph under the section entitled "Water Consumption and Wastewater," found on page 2-11 of the Draft EIR:

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. Aggregate products that will be produced and

sold include: rip rap, drain rock, landscape wall rock, decorative rock, decomposed granite for landscaping applications (trail pathways, etc.), road base, and non-expansive fill material. Washing is not required for any of these aggregate materials, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. The primary use of water by the project will be for dust control. 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 5,500 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. 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. When available, water would be pumped from the on-site detention ponds and used for this purpose.

g. The following change has been made to the first paragraph under the section entitled "Assessment Methodology," found on page 4.13-9 of the Draft EIR:

The assessment of project effects on water quality and supply is based on a review of information prepared for the mining plan and submitted as part of the CUP application. This information included the location and preliminary design for three detention basins in the project (Sheets 2, 4, and 6 of the submitted plans, and details provided in sheets 11, 12, and 13, and related material in Tartaglia 2009). Applicable County policies and procedures were reviewed, along with existing Statewide General Permits regulating stormwater runoff from construction and industrial uses. Original and Supplemental Statements of Diversion and Use filed for the Oster property, and several historic and current permits related to management of the Santa Margarita reservoir and Salinas Dam were also reviewed. Washing is not required for any of the aggregate materials planned to be produced by the project, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. The general effects of the project were compared to applicable regulations and other data in order to determine the likelihood of compliance by the project with all applicable requirements.

h. The following change has been made to the third from the last paragraph in Section 6.4 under the section entitled "Categories of Project Alternatives," found on page 6-4 of the Draft EIR:

> *These projects along the Salinas River have their own environmental issues and controversies and, in any event, could not supply the volume of angular granitic rock ~~best suited for use in asphaltic concrete pavement~~ desired by the project applicant.*

9. Text Revision #9 [Response to Comment #O.23-3]:

Appropriate changes have been made to the Executive Summary, to correspond to the analysis presented in Section 4 of the EIR.

10. Text Revision #10 [Response to Comment #R.02-4]:

The reference to 800 trips per day has been modified in Section 2.3.3 as follows:

> *In summary, the aggregate mine project is expected to generate, on average, 198 heavy truck trips per day for the purpose of delivering aggregate material from the property to regional job sites. Adding in the deliveries of concrete and asphalt material to the project site for recycling, will increase this number of truck trips per day by 75. This number is likely to be high since the amount of backhauling may be more than the 50 percent assumed above. Thus, the estimate of the average daily truck trips for the entire project is 273. Employee trips, assuming from three to five employees making an average of two trips per day, would amount to 10 passenger vehicle trips per day.*
>
> *It is also possible that for specific projects, these average numbers of trips per day may be exceeded for short periods, but only during an emergency situation necessitating aggregate materials and only with prior authorization from the Department of Planning and Building. Up to 800 truck trips per day may be anticipated during an emergency situation for a limited time and only until the specific emergency situation is resolved. ~~for a large project.~~*
>
> *It is also possible that for specific projects, these average numbers of trips per day may be exceeded for short periods, but only during an emergency situation necessitating aggregate materials and only with prior authorization from the Department of Planning and Building. Up to 800 truck trips per day may be anticipated during an emergency situation for a limited time and only until the specific emergency situation is resolved. In other words, this trip generation rate of 800 trips per day is not reasonably foreseeable.*

If an emergency project arises that would lead to a truck trip generation of up to 800 trips, it is likely that numerous CEQA regulations (e.g. Section 15269 of the CEQA Guidelines; Public Resources Code Sections 21080(b)(2), (3), or (4); and/or Section 21080.33 of the Public Resources Code) could exempt this "Emergency Project" from CEQA analysis. For the above reasons, the County of San Luis Obispo, as Lead Agency, does not consider this potential emergency project/situation, as defined by Section 21060.3 of the Public Resources Code, to have a significant impact.

11. Text Revision #11 [Response to Comment #O.09-3]:

The second paragraph in Section 4.7.6 has been revised to clarify:

Risk of Explosion or Release of Explosive Material

Mining procedures include drilling and blasting to develop a series of slopes and benches. It is ~~anticipated~~ estimated that blasting would occur up to two times a week (but generally no more than 20 times per year) and only during daylight hours…

12. Text Revision #12 [Response to Comment # S.02-1]:

a. The following clarification has been made to the text of the EIR (page 4.11-8 of the Draft EIR):

> *In response to concerns raised during the scoping period, ATE performed an analysis of the operations along the US Highway 101 mainline and the merge/diverge/weave movements at the US 101 and SR 58 ramps. The traffic counts at these locations are shown in Figure 4.11-2. Following procedures in the Highway Capacity Manual, ATE analyzed each of the locations at the interchange based on the density of traffic expressed as passenger car equivalents per lane per mile. The relationship between traffic density and LOS is different for the highway mainline and the ramps; more information is provided in the traffic appendix (specifically, in Fehr and Peers 2006:11-13). The results, along with the corresponding LOS for the existing conditions are shown in Table 4.11-5 below. During the peak hours, the northbound main segment of US Highway 101 and all of the ramps at this interchange, operate at LOS D. ~~All locations under the existing conditions are consistent with or better than the Caltrans route concept of peak hour LOS D for US Highway 101 operations.~~*

b. The following clarification has been made to the text of the EIR (page 4.11-19 of the Draft EIR):

US Highway 101/SR 58 Interchange. *The project traffic distribution discussed above assumes 80 percent of the quarry traffic will use US Highway 101. To assess the effect of this traffic on the ramp and highway operations, ATE first assumed that all of this traffic would move to and from the south. Table 4.11-10 below shows the results of this analysis, compared with the existing conditions. Examination of the table indicates that the project would cause small changes in the traffic density, but in no case would there be a change in the resulting peak hour LOS. In all cases, the peak hour LOS would be D or better~~, which is consistent with the target established by Caltrans for US Highway 101 operations~~. ATE performed a similar analysis, but assuming that all of the project traffic to US highway would travel to and from the north instead. The results of this analysis are similar to the all-southbound assumption, so they are not repeated here but they are included in Appendix C. The effects of the project on the SR 58 ramps mainline operations of US Highway 101 are less than a significant impact, because the LOS would not be altered by the project-generated traffic.*

c. The following clarification has been made to the text of the EIR (page 4.11-22 of the Draft EIR):

US Highway 101 and SR 58 Ramps. *The speed surveys by ATE indicated that heavy trucks entering US Highway 101 southbound from SR 58 had an average speed of 51.1 MPH, compared with a speed of 59.1 MPH for automobiles. The field observation and speeds survey found that large trucks merging onto the freeway do not significantly affect mainline operations. These results are consistent with the operational analysis performed using the Highway Capacity Manual, demonstrating that this southbound ramp junction operates at a peak hour LOS D~~, which is consistent with the Caltrans target LOS for US Highway 101~~.*

13. Text Revision #13 [Response to various Comments regarding the need for a left turn lane]:

a. The following clarification has been made in Section 4.11.6, in the discussion of Access, Parking, and Internal Traffic:

Access, Parking, and Internal Traffic

No operational impacts related to access and on-site parking and traffic are anticipated. The potential for off-site truck parking may represent a significant impact but this can be minimized through operational conditions on the quarry.

Under normal operations, no more than a few trucks are expected at the quarry site at any one time. Intersection analysis indicates that under both existing and future conditions, the proposed driveway access on SR 58 will function adequately ~~without additional highway widening, dedicated turn lanes, or other improvements~~ but Caltrans has indicated that a left turn lane on SR 58 is needed to ensure safe access to the proposed project site (in correspondence received on the Draft EIR dated May 24, 2013 as well as a follow up memo dated September 5, 2014). The specific ~~design~~ location of the driveway intersection with SR 58 is considered adequate, but final design has not yet been approved by Caltrans. Also, since the driveway will connect to the state highway and involve construction within the right-of-way, an Encroachment Permit will have to be approved by Caltrans. The review and approval of the Encroachment Permit by Caltrans will address appropriate traffic control and safety during construction, and ensure that the improvements are consistent with Caltrans standards.

b. The following changes are necessary in Mitigation Measure MM TRAFFIC 3a-: Access.

Prior to the issuance of any construction permit by the County for the project access road, the applicant/quarry operator shall obtain an Encroachment Permit from Caltrans, and shall incorporate any conditions from Caltrans related to traffic controls or construction of the access road into its design, including a left turn lane from SR58 at the project entrance. These conditions may include sight distance and other design features consistent with the Highway Design Manual, and compliance with subsequent Caltrans environmental review, if necessary, and other Encroachment Permit procedures.

14. Text Revision #14 [Response to Comment # S.02-8]:

The following clarification has been made to MM TRAFFIC-1a:

MM TRAFFIC-1a: Increase Traffic at El Camino Real/SR 58 and Estrada Avenue. *Prior to the issuance of a Notice to Proceed, the applicant/quarry operator shall provide payment or a suitable financial guarantee to fund a portion of the cost of signalization and related intersection improvements at Estrada Avenue (SR 58) and El Camino Real. The amount is to be determined by the County Department of Public Works based on the proportion of total peak hour traffic through the intersection that is assignable to this project, using methods consistent with Caltrans guidelines. The timing for this requirement may be extended by the County into a later phase of the quarry project in the event*

Caltrans and the Department of Public Works determine that postponement of signalization of this intersection is appropriate. Any signal or other improvements at this intersection must meet Caltrans signal warrants and design standards.

15. Text Revision #15 [Response to Comment # S.02-9]:

The following clarification has been made to MM TRAFFIC-2b:

MM TRAFFIC-2b: Pedestrian Crossing at Encina Avenue. *Prior to issuance of a Notice to Proceed with quarry operations, the applicant/quarry operator shall construct a pedestrian refuge island on SR 58 at the intersection of Encina Avenue, or related pedestrian safety improvement consistent with the Santa Margarita Design Plan, as approved by the County Department of Public Works and Caltrans. This improvement will require a Caltrans encroachment permit and compliance with applicable Caltrans design standards.*

16. Text Revision #16 [Response to Comment # O.23-1]:

The following clarification of acreage has been made to the first paragraph in Section ES.1 of the Executive Summary.

This Final Environmental Impact Report (EIR) assesses the environmental effects from the Las Pilitas Quarry proposed by Las Pilitas Resources LLC, on land owned by the Oster family. The project will require approval of a Conditional Use Permit (CUP) and Reclamation Plan by San Luis Obispo County. The County case number is: DRC2009-00025. The proposed quarry and related improvements would occupy 41~~48~~ acres within the 234-acre property which is located in the Las Pilitas Planning Area north of State Route 58 (SR 58) and east of the Salinas River, approximately three miles east of the community of Santa Margarita. The property is designated Rural Lands and is covered by the EX1 (Energy and Extractive Resources) Combining Designation which extends over a large portion of the Las Pilitas Planning Area in recognition of the aggregate resources present in the La Panza granitic rocks there.

17. Text Revision #17 [Response to Comments #F.01-1 and #O.06-1]:

Page 3-4 of the Draft EIR has been clarified to read as follows:

From the above descriptions, it appears unlikely that expansion of the Residential Rural designation or extensive residential subdivision will occur in the project vicinity. One of the constraints to extensive future development in the vicinity is the limited groundwater supply for most areas, particularly along Parkhill Road as described above. The Moreno Creek drainage basin along Parkhill Road

includes about 3,200 acres of steep granitic hillsides and shallow alluvial material along the creek itself and its local tributaries. The Calf Canyon tributary to the Salinas River northwest of the Oster property ~~Moreno Creek~~ is similar, but with a smaller drainage area of about 2,100 acres. The subject property is at the confluence of Moreno Creek ~~these smaller drainages~~ with the much larger drainage of the Salinas River from the south. This unique location has a much larger groundwater resource than the nearby Residential Rural developed areas along Parkhill Road.

18. Text Revision #18 [Response to Comments #R.02-16 and 17, and other public comments on the Draft EIR related to Air Quality]:

In Section 4.3 of the Draft EIR (Air Quality), the text for the identified issues and pages is amplified/clarified as follows:

a. In the discussion of Emissions of ROG+NOx, the following clarifications are provided:

Operations at the quarry (at the maximum production rate of 500,000 tons per year, and with assumptions for maximum daily emissions) would generate combined emissions of Reactive Organic Gases (ROG) and nitrogen oxides (NO_X) in excess of the daily SLOAPCD thresholds defining a significant impact for these ozone precursors. The emissions would also exceed the annual threshold, but only by a small amount. These emissions can be reduced through identified mitigation measures. ~~It is likely that the annual ROG+NO_x threshold can be achieved with identified mitigation measures, but it is not certain that daily threshold can be achieved.~~ This impact is, therefore, considered less than significant ~~and not mitigable~~.

…

~~*With the mitigation measures described above, ROG+NO_x emissions will be reduced, but not to levels below either the annual (25 tons/year) or daily (25 pounds/day) thresholds established by SLOAPCD.*~~

~~*If operational mitigation measures cannot reduce emissions of ROG+NO_x below the applicable thresholds, then additional mitigation is necessary.*~~ *The SLOAPCD CEQA Air Quality Handbook (SLOAPCD 2012: Table 3-5) provides a very extensive list of possible mitigation measures, addressing site design, energy efficiency, and transportation. Most of these measures are oriented towards residential land development projects. For projects that would generate in excess of 50 pounds/day of ROG+NO_X, all feasible mitigation measures from the SLOAPCD list should be implemented (SLOAPCD 2012:*

Section 3.8.1 c.). Site planning and other provisions intended to minimize energy consumption and to minimize the use of portable combustion engines in routine landscape and other maintenance procedures are applicable to this project. These measures may provide some benefit in reducing NO_X emissions~~, but they are not expected to reduce the impact of the project substantially~~.

Examples of additional ~~Additional~~ measures to reduce construction equipment emissions are described in the SLOAPCD CEQA Air Quality Handbook as Construction Activity Management Plan (CAMP) Guidelines (SLOAPCD 2012: Section 4.5). As appropriate, these types of measures will be incorporated into a comprehensive "Activities Management Plan" (AMP). ~~Even though the CAMP guidelines apply to construction related impacts, since the equipment and operations are similar to what is proposed it is reasonable to consider them for the operational phase of this project.~~ The selection and combination of these available mitigation measures must be made in consultation with the SLOAPCD.

Based on a review of the sources within the project, the most effective mitigation measure to reduce NO_X production, beyond those described above, would involve electrification of heavy equipment. While not practical for the mobile equipment on-site, the portable aggregate processing equipment could be operated by grid-supplied electrical power rather than by diesel engines or generators. This measure would require the provision of electrical service at the site beyond what is normally available in rural lands areas. If installed, this power source would only be used several times per year, which would reduce its cost effectiveness. Since its feasibility is unknown, this measure is not included within this EIR but it may be considered later in consultation with SLOAPCD.

Other possibilities for on-site mitigation include a severe restriction on the number of heavy equipment pieces that could operate simultaneously. Depending on the production rate at the quarry, this type of limitation may be feasible at least in the early stages of its operation. At the anticipated production of 500,000 tons per year, however, the full inventory of project equipment presented in Section 2.3.2 of this EIR is expected to be in use. The use of alternative fuel, such as compressed natural gas, or other measures may also be possible, but these would have to be developed by the applicant and accepted by the SLOAPCD.

For operational impacts, off-site mitigation measures to reduce regional $ROG+NO_X$ emissions are required if the annual emissions exceed 25 tons/year, which is the case for this project (SLOAPCD 2012: Section 3.8.3). The same section of the SLOAPCD Handbook also states:

> *Whenever off-site mitigation measures are deemed necessary, it is important that the developer, lead agency and APCD work together to develop and implement the measures to ensure successful outcome. This work should begin at least six months prior to issuance of occupancy permits for the project.*

The applicant and the San Luis Obispo County Air Pollution Control District have agreed that the project will implement offsite mitigation measures as presented in Mitigation Measure AQ-1a.

~~*If they are deemed necessary, then the off-site mitigation measures should be developed and agreed upon by the applicant, SLOAPCD, other affected parties, and the County Planning and Building Department prior to the start of construction (SLOAPCD 2012:page 3-21). Such off-site mitigation measures may take the form of specific emissions reductions achieved through retrofit activities to improve energy efficiency, improvements or funding to increase the use of transit or alternative transportation, or similar measures reviewed and approved by the SLOAPCD. The Handbook also states (SLOAPCD 2012: pages 3-20 and 3-21) the following:*~~

> ~~*If off-site mitigation is required, potential off-site mitigation measures may be proposed and implemented by the project proponent following APCD approval of the appropriateness and effectiveness of the proposed measure(s). Alternatively, the project proponent can pay a mitigation fee based on the amount of emission reductions needed to bring the project impacts below the applicable significance threshold. The APCD shall use these funds to implement a mitigation program to achieve the required reductions.*~~

~~*A preliminary estimate of the approximate cost of achieving the 25 pounds/day threshold, using the procedures outlined by SLOAPCD (2012: Section 3.8.3) and assuming only the on-site mitigation measures applied to the project in this EIR, indicates that the approximate cost of achieving the threshold would range from 30 to 50 cents per ton of aggregate produced over the 25 year lifetime of the project. The range reflects the inclusion or exclusion of blasting emissions, and there are different justifications for each approach. The economic effect of this additional cost is not clear, and it may depend on whether or not similar air emissions charges are imposed either directly or indirectly on other aggregate sources. The details of this type of analysis and the determination of specific emission reduction measures and costs are matters for consultation between the applicant and the SLOAPCD. At this time, it is assumed that the additional mitigation measures beyond those typical measures associated with quarry*~~

~~projects (identified in the Sespe Consultants report contained in Appendix D of this EIR) would not be implemented. Prior to operations at the quarry site, the applicant and the SLOAPCD may come to an agreement on additional mitigation measures that have the potential to reduce air quality impacts.~~

In summary, the maximum daily emissions of ROG+NO_X from the project would occur during time when blasting and portable aggregate processing equipment would add to the pollutants generated by other on-site equipment and on-highway truck use. These emissions would exceed the SLOAPCD daily threshold for these ozone precursors by a substantial amount. The emissions can be reduced by the specified mitigation measures, and additional mitigation can be developed in consultation with the SLOAPCD. It is preferable that mitigation be achieved through actual on-site reductions of emissions or through off-site reductions achieved generally in the project vicinity or region. An acceptable and feasible option includes achieving part of the emissions reductions through funding current programs and efforts administered by the SLOAPCD. ~~Based on the analysis in this EIR, it appears that it may be possible to develop~~ According to Gary Arcemont, Air Quality Specialist for the SLOAPCD, the applicant has agreed to incorporate additional measures into the project ~~in consultation with SLOAPCD~~ that would be capable of mitigating air quality impacts related to ROG+NOx. ~~reducing annual emissions to below the 25 tons/year threshold. It is much more problematic, however, to identify measures that would be capable of reducing the peak daily emissions below the 25 pounds/day threshold.~~ For this reason, the ROG+NO_X emissions of the project are considered to be a less than significant ~~and not mitigable~~ impact.

b. For the statement of Impact and Mitigation Measures relative to Emissions of ROG+NOx, Mitigation Measure MM AQ-1a is amplified to read as follows:

Description of Impact	*Mitigation Measure*	*Residual Impact*
IMPACT AQ-1a: Emissions of ROG+NO_X. Operations at the quarry at the planned production rate of 500,000 tons per year would generate combined emissions of Reactive Organic Gases (ROG) and nitrogen oxides (NO_X) in excess of the daily and annual SLOAPCD thresholds defining a significant	*MM AQ-1a: Emissions of ROG+NO_X. Prior to issuance of a Notice to Proceed for the first phase of the quarry operation, the applicant or quarry operator shall provide evidence to the Department of Planning and Building that an acceptable set of measures to reduce ROG+NO_X emissions has been approved by the SLOAPCD. The Quarry operator shall comply with the following on-site requirements for this project to minimize ROG+NO_X emissions, or achieve equivalent reductions through measures approved by the SLOAPCD:* *1. Blasting shall not be conducted on days when portable aggregate processing equipment is in operation.* *2. On and off-road diesel equipment shall not idle for*	*~~Significant and not mitigable~~* *Less than significant*

Description of Impact	*Mitigation Measure*	*Residual Impact*
impact for these ozone precursors.	*more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5 minute idling limit.* *3. If not required by other regulations (CARB on-road or off-road diesel requirements), transport operations conducted by the quarry operator shall be restricted to trucks with 2007 model year engines or newer trucks.* *4. Use Best Available Control Technology (BACT) measures for construction activities as follows:* • *Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;* • *Repowering equipment with the cleanest engines available; and* • *Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm* ~~*5. If the combination of these requirements does not meet the standard of 25 pounds per day of ROG+NOx, then the applicant or quarry operator shall comply with a combination of certain off-site requirements presented in Section 3.8.3 of the "CEQA Air Quality Handbook (April 2012)" prepared by the SLOAPCD, and/or additional measures in a Construction Activities Management Plan (CAMP) described in Section 4.5 of the same Handbook, to achieve this standard to the satisfaction of the SLOAPCD. This requirement may include funding and implementation of off-site mitigation measures consistent with the existing SLOAPCD program described in Section 3.8.3 of the same Handbook.*~~ *5. Prior to issuance of a Notice to Proceed for the first phase of the quarry operation, the applicant or quarry operator shall prepurchase off-site ROG + NOx mitigation from the SLOCAPCD, as outlined in the approved Activity Management Plan (AMP) and based on the then-in-place pricing under the Carl Moyer Grant Program. Thereafter, the project operator shall report to the SLOCAPCD as stated in the approved AMP. If applicant determines on-road diesel truck engine model years are not available and/or cannot be verified, applicant agrees to use the San Luis Obispo County on-road diesel truck fleet average emission factor and a total count of truck trips. SLOCAPCD shall then utilize this information to invoice the project operator in accordance with its off-site mitigation*	

Description of Impact	*Mitigation Measure*	*Residual Impact*
	program any emissions deemed to exceed APCD thresholds during the reporting period. Copies of all reports, invoices, and payments under this program shall be provided to the Department of Planning and Building for verification and audit. *6. The Activity Management Plan (AMP) shall include, but not be limited to the following elements:* *a. General project phase schedule and a description of activities and all project generated emissions, including vehicle haul trips, blasting, recycling, off-road vehicle activity and diesel equipment.* *b. Description of mitigation measures, including all equipment emission reduction measures.* *c. A timeline for submittal of quarterly reports.* *d. A section describing contents of quarterly reports. Include a description of the tracking mechanism to ensure the truck engine model year is as stated in the AMP. Describe the use of the weigh scale software in tracking vehicle trips. Include the contact person(s) responsible for monitoring. Provide phone, email and mailing address of responsible contact person.* *7. The quarterly reports shall include, but not be limited to the following elements:* *a. Tabulation of on and off-road equipment used during the reporting period (age/model year, horsepower, engine tier, miles and/or hours of operation).* *b. Tabulation of on-road truck trips and hours of use for off-road equipment, blasting activity.*	

c. In the discussion of Emissions of PM10 Fugitive Dust, the following clarifications are provided:

Emissions of PM_{10} Fugitive Dust

Operations at the quarry at a production rate of 500,000 tons per year would generate emissions of PM_{10} fugitive dust in excess of the daily SLOAPCD thresholds defining a significant impact for this criteria pollutant. The fugitive dust emissions would not exceed the annual threshold, and daily emissions can be reduced through identified mitigation measures. ~~, but not to a less than significant level based on the analysis in this EIR. Additional mitigation~~

~~*measures must be selected and developed through consultation with SLOAPCD, and off-site mitigation measures consistent with existing SLOAPCD programs may be necessary. Even with additional mitigation measures, it is not certain that the daily threshold would be met during peak activity days at the project. This impact is, therefore, considered significant and unmitigable.*~~

This issue is the second of three that are grouped within the first criteria used in the Initial Study, dealing with the potential to contribute towards the exceedance of an AAQS or other adopted air quality threshold. As with ROG+NO_X, this issue is analyzed by comparing estimated project PM_{10} and fugitive dust emissions with thresholds used by the SLOAPCD. The thresholds defined by the SLOAPCD (2012: Table 3-2) for determining an impact from emissions PM_{10} and fugitive dust are:

- *Daily: 25 pounds/day*
- *Annual: 25 tons/year*

The project operational emissions of PM_{10} were estimated by Sespe Consultants (see Appendix B of the Sespe Consultants report in Appendix D of this EIR), and are summarized in Table 4.3-7 below.

Review of Table 4.3-7 shows that although the annual emissions of PM_{10} would remain well below the SLOAPCD threshold of 25 tons/year, the maximum daily emissions would be higher than the 25 pounds/day limit. PM_{10} emissions would originate primarily from loading activities, the portable aggregate plant during times when it is operating, truck traffic, and to a lesser extent from blasting and other quarry activities. Even without the aggregate plant operating, however, the estimated daily emissions of PM_{10} would still exceed the SLOAPCD threshold of 25 pounds per day.

Some of the mitigation measures described above in AQ-1a will also help to reduce dust and particulate emissions, and the SLOAPCD consultation process for those measures will also serve to help refine and apply the mitigation measures listed below for PM_{10} and fugitive dust. The SLOAPCD (2012: Section 2.4) describes a total of 19 mitigation measures designed to reduce fugitive dust emissions from construction activities~~~~*, most of which are also mentioned in the CAMP guidelines (SLOAPCD 2012: Section 4.5). Since the proposed quarry operations will have characteristics similar to construction activities, the mitigation measures identified for this project have been modified from these SLOAPCD lists, even if a formal CAMP is not required.~~* *The organization and monitoring procedures described in the mitigation measures below follow the pattern of ~~a CAMP with the involvement of~~ the SLOAPCD*

procedures to help ensure implementation consistent with ~~their authority under~~ Rules 401 and 402, related to control of visible emissions and nuisances, respectively.

d. For the statement of Impacts and Mitigation related to Emissions of PM10 Fugitive Dust, Mitigation Measure MM AQ-1b is amplified as follows:

Description of Impact	*Mitigation Measure*	*Residual Impact*
IMPACT AQ-1b: Emissions of PM_{10} Fugitive Dust. Operations at the quarry at a production rate of 500,000 tons per year would generate emissions of PM_{10} fugitive dust in excess of the daily SLOAPCD thresholds defining a significant impact for this criteria pollutant. The fugitive dust emissions would not exceed the annual threshold.	*MM AQ-1b: Emissions of PM_{10} Fugitive Dust. In addition to compliance with MM AQ-1a, the Quarry operator shall ~~The Quarry operator~~ comply with the following on-site requirements for this project to minimize PM_{10} fugitive dust emissions:* *1. Reduce the amount of disturbed area where possible, by retaining the natural vegetation and soil within each quarry phase until that phase is ready to start.* *2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.* *3. All soil or product stockpile areas should be sprayed daily as needed, or be covered or treated to minimize windblown dust.* *4. The project access drive should be completed and paved prior to the start of quarry operations and the operation of heavy trucks on the property for aggregate sales purposes.* *5. Locations for stockpiles and material storage areas, along with specifications for dust control measures, shall be shown on all applicable construction and mining plans.* *6. The quarry operator shall designate a person to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and phone number of such person shall be provided to the SLOAPCD prior to issuance of Notice to Proceed or other permit to initiate work on the project.* *7. Reclamation and revegetation of all disturbed areas shall occur as soon as practicable in a phased manner*	*~~Significant and not mitigated~~* *Less than significant*

Description of Impact	*Mitigation Measure*	*Residual Impact*
	consistent with the project plans. Watering or other treatments shall be used on replaced soil material to control windblown dust until vegetation is established. *8. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.* *9. Vehicle speed for all quarry vehicles and trucks on unpaved portions of the operations area shall not exceed 15 mph.* *10. All trucks hauling dirt, sand, soil, or other loose materials are to be covered, fitted with appropriate seals and splash guards, and must be operated in conformance with California Vehicle Code 23114 related to hauling materials.* *11. Sweep streets at the end of each day if visible soil material is carried onto the project access road. Water sweepers with reclaimed water should be used where feasible.* *12. Prior to commencement of any construction activities (e.g., site preparation, grading or construction activities) the applicant will notify the County Department of Planning and Building and the SLOAPCD, by letter, of the status of the air quality measures outlined above. The letter will state the following:* *a) The controls that will be implemented;* *b) The reasons why any unimplemented measures are considered infeasible and the measures incorporated to substitute for these measures; and* *c) When scheduled construction activities will be initiated to allow for SLOAPCD inspection of the mitigation measures.* *13. At all times during construction and operation of the quarry, the operator shall prevent visible emissions in excess of the limits prescribed in SLOAPCD Rule 401 and avoid causing any nuisance as prohibited in Rule 402.*	

e. Pages 4.3-27 and 28 (also in Emissions of PM10 Fugitive Dust):

In order to achieve the SLOAPCD threshold of 25 pounds/day, it would be necessary to control virtually all of the fugitive dust from both the loading operations and the aggregate processing operations when they occur, plus improve the control on other sources through the mitigation measures as listed.

The nature of the material in the proposed quarry (granitic rock with very little silt and sand) is such that it may be possible to achieve this degree of control. As with ROG+NO_X, additional mitigation measures have been ~~may be~~ required for the control of fugitive dust and PM_{10}, ~~and these can be developed~~ in consultation with the SLOAPCD. Since the applicant and the SLOAPCD have ~~not~~ reached a formal agreement regarding mitigation associated with fugitive dust and PM_{10}, impacts are considered less than significant ~~and not mitigable~~ for the daily threshold of fugitive dust and PM_{10} and less than significant for the annual threshold.

19. Text Revision #19 [Response to Comment #R.02-12]:

Table 4.4-3 has been clarified by breaking out each source as shown in the table below:

Source	CO2e Emissions (tons/yr)
Blasting	56.6
Non-road engines	744
Trucks running on-site	61.5
Trucks idling on-site	19.8
Subtotal on-site	882
Trucks running off-site	3,054
Passenger vehicles running off-site	24.8
Subtotal off-site	3,079
Total	3,961
SLOAPCD Significance Threshold	10,000
Project exceeds threshold?	No

20. Text Revision #20 [Response to Comment #R.02-18]:

Table 4.3-9 has been changed to be consistent with Appendix D Table 13.

21. Text Revision #21 [Response to Comment #S.06-2]:

In response to this comment, and subsequent PUC comments, the following clarification has been added to page 4.11-18 of the EIR:

El Camino Real/Estrada Avenue Intersection. *This stop sign-controlled intersection is complicated by its angular geometry, the superelevation of El Camino Real to handle higher speed traffic, and by the presence of the Union Pacific Railroad tracks. A sign on Estrada Avenue indicates that there is only 50*

feet between the tracks and the highway; but the actual distance between the tracks and the line at the stop sign is about 75 feet. This distance is sufficient for trucks to stop between the tracks and El Camino Real without extending into the latter. This distance is not sufficient, however, to avoid meeting traffic Signal Warrant 9 for intersections adjacent to railroad crossings. In any event, Mitigation Measure TRAFFIC-1a requires funding by the project towards improvements at the intersection of El Camino Real and Estrada Avenue, adjacent to the railroad crossing. It is anticipated that the design of this future intersection will meet the appropriate safety requirements specified by Caltrans District 5, County Public Works and the Public Utilities Commission (State agency responsible for rail safety). The addition of any additional traffic from the project, regardless of the LOS effects, will also meet the warrant. Meeting the Signal Warrant does not automatically mean that a traffic signal is necessary or desirable from a traffic operations viewpoint (that determination must be made by Caltrans). In their comment letter dated June 27, 2013, the California Public Utilities Commission also points out that the roadways and intersection at this location do not include lane striping through the intersection or raised medians, which would help to guide vehicle and bicycle traffic and reduce the potential for gate drive-around accidents. Because the quarry project will contribute traffic to this intersection, if and when Caltrans and the Department of Public Works determine that a signal is necessary based on LOS or other indicators this project should also contribute a proportional share towards the cost of the signalization. Intersection improvements would involve work in the railroad right-of-way, so they would also require review and approval by the California Public Utilities Commission.

22. Text Revision #22 [Response to Comment # O.23-6]:

On page 1-5 of the Draft EIR, the first bullet item is revised as follows:

- *The 50-year demand for aggregate resources in the region is approximately 263 million tons. Approximately 40% of this amount (126 million tons) will be for non-concrete grade material, such as rip-rap, drain rock, road base, and similar aggregate materials used in other construction activities.*

23. Text Revision #23 [Response to Comment #O.23-8]:

In Section 2.1 Location and Boundaries, the last paragraph on page 2-1 of the Draft EIR is revised as follows:

The property is within the County's Las Pilitas Planning Area and is designated as Rural Lands (San Luis Obispo County 2010). The quarry site is also covered by the EX1 Energy and Extractive Resource Combining Designation (San Luis

Obispo County 2009). The land in and around the property consists of vacant steep hillsides (slopes typically over 50 percent) supporting natural vegetation, and flatter areas along drainages (slopes typically less than 10 percent) containing rural residences with grazing and similar ranch uses. Two residences, a barn and storage sheds are located in the flat southern portion of the property, which is also used for limited cattle grazing. These uses will remain on the project site whether or not this project is approved. The Coastal Branch of the California Aqueduct was constructed across the southern portion of the property north of SR 58 in the late 1990s. This 54-inch buried water pipeline delivers water from the California State Water Project to communities in San Luis Obispo and Santa Barbara Counties. Planning and construction of the Coastal Branch included two reinforced crossings to support quarry truck traffic and setback specifications recognizing the intent to develop a quarry on the property. Further information about this pipeline is presented in various sections of this EIR, including Section 1.3.1 (page 1-2, related to Project Objectives) and Section 6.0 Alternatives. Rural residences are located south of the central and southwestern portions of the property and along Parkhill Road to the southeast of the property. The Santa Margarita Quarry of Hanson Aggregates (Heidelberg Cement Co.) is located to the west and northwest of the property.

24. Text Revision #24 [Response to Comment #O.23-29]:

In response to this comment, a new paragraph is added to the end of Section 4.6.1, and a new sentence is added to Section 4.6.2 (page 4.6-2 of the Draft EIR) as follows:

a. A new paragraph is added to the end of Section 4.6.1, as follows:

The California Department of Conservation has classified the La Panza granitics region containing the project site as Mineral Resource Zone 2 (MRZ-2), which means that the State Geologist has identified these areas as containing significant deposits of aggregate material (San Luis Obispo County Las Pilitas Area Plan 2003: page 6-1). Additional information regarding this classification and the importance of aggregate mineral resources is provided in Section 1.3.2 of this EIR.

b. A new sentence is added to Section 4.6.2 (page 4.6-2 of the Draft EIR) as follows:

4.6.2 San Luis Obispo County Plans and Policies

The County of San Luis Obispo General Plan recognizes a variety of geologic and seismic hazards. As outlined in the County's Safety Element, Goal S-5 (San Luis Obispo County 1999:17), the County's plans and policies are structured to minimize the potential for loss of life and property resulting from geologic and

seismic hazards. Applicable policy statements from the Safety Element are summarized in Table 4.6-1 below.

Part of the County implementation of the state MRZ-2 classification is accomplished through the EX-1 Combining Designation in the Las Pilitas Area Plan, as explained in Section 1.3.2 of this EIR.

25. Text Revision #25 [Response to Comment #O-23-50]:

a. In Section 4.14.1 Introduction and Existing Conditions, the second paragraph is revised as follows:

~~Work has also commenced on a new~~ The Santa Margarita Community Plan~~, a draft of~~ which was ~~released~~ reorganized and portions placed in the Land Use and Circulation Element in ~~January 2013~~ February 2014 contains community specific goals and design guidelines specific to the community of Santa Margarita. Community vision and the expectations of residents and businesses in the community are also factors that may influence the final determination of land use compatibility. That determination will be made by the Planning Commission and/or the Board of Supervisors.

b. In Section 4.14.6, Applicability of Significance Criteria, the initial paragraph relating to the Santa Margarita Community Plan is revised as follows:

Santa Margarita Community Plan and Santa Margarita Design Plan. *This additional truck traffic would be potentially inconsistent with community preferences, which are presented in the ~~Public Review Draft~~ Santa Margarita Community Plan (San Luis Obispo County, ~~January 2013~~February 2014). In addition, following are excerpts from the adopted Santa Margarita Design Plan that illustrate the existing and desired character of the Santa Margarita community:*

26. Text Revision #26 [Response to Comment #O.23-55]:

The following narrative is added to Section 6.3, as follows:

Impact Traffic-4: Cumulative Contribution to 2030 Traffic Volumes.

Mitigation for the cumulative traffic impact, mainly for addressing the peak hour volume at Estrada Avenue and El Camino Real, requires a combination of efforts from different agencies. Although the proposed mitigation would reduce impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, and uncertainty regarding right-of-way acquisition, it cannot be assured that all improvements would be feasibly

constructed prior to the time when they are needed. As a result, cumulative traffic impacts would remain significant and unavoidable.

27. Text Revision #27 [related to project impacts to roadway structural conditions]:

a. The following language was added to Section 4.11.5 Significance Criteria:

For the purpose of this EIR, the following criterion is used to determine the significance of project impacts to roadway structural conditions:

i. Would increase the Traffic Index (TI) necessary to support heavy vehicle trips associated with the proposed project by more than 1.5 (existing TI = 10) on Highway 58 between the project site and Highway 101 (result in a substantial degradation of the roadway structural condition).

b. The following narrative, with a new subheading, was added to Section 4.11.6 Project Impacts and Mitigation Measures:

Impacts to SR 58 resulting from increased heavy truck traffic (deterioration of roadway structural condition). *The project will increase traffic volumes associated with heavy truck traffic volumes along the proposed project's identified haul routes, including SR 58 between the project site and Highway 101. The Traffic Index (TI) is a logarithmic scale, which indicates the ability of the pavement structure to support repetitive wheel and axle-loads of large trucks. The total projected Equivalent Single Axle Load (ESAL) during the pavement design life is in turn converted into a Traffic Index (TI) that is used to determine minimum pavement thickness. TI calculations were prepared by URS, following Caltrans procedures outlined in the Highway Design Manual Chapter 610, Topic 613.3 to determine impacts resulting from project related trucks on SR 58. A 20-year pavement design life was used to calculate the TI associated with the proposed project's increase in heavy vehicles along with an existing TI for this entire stretch of SR 58 of 10.0 (based on Caltrans information contained in their November 21, 2013 letter).*

The County of San Luis Obispo has established significance criteria associated with potential public roadway damage along SR 58 between the project site and Highway 101. Impacts to the roadway of SR 58 would be considered a significant impact if the project related heavy vehicle traffic increases the calculated Traffic Index by 1.5 or more from the existing roadway design (existing TI = 10). A change in the Traffic Index of 1.5 or more would represent a substantial shortening of the design life of SR 58 (deterioration of roadway condition) as a result of implementing the

proposed project. To ensure that the structural integrity of the State highway system would not be adversely affected by the proposed project, this EIR provides County decision makers and other readers of this document with information about the effect of the increased volume of heavy trucks on SR 58 generated by the project.

Typically, TI ratings in the range of 7.0 +/- are calculated for roadways that are not expected to carry appreciable amounts of truck traffic. Higher TI values in the range of 9.0 to 10.0 are typical of major arterial roadways with heavy truck traffic, and values of 10.0 or more are common for freeways and freeway ramp systems. The effects on pavement life from passenger cars, pickups, and two-axle, four-wheel trucks are considered to be negligible. A summary of TI calculation for SR 58 are presented in Table 4.11-10. State highways, such as SR 58, generally are designed to handle a mix of vehicle types, including heavy trucks.

TABLE 4.11-10
SUMMARY OF TRAFFIC INDEX CALCULATIONS

Segment #	Current ADT	Current AADTT	Project AADTT	Total AADTT	Existing T.I. Per Caltrans	T.I.(with Quarry)	T.I. (No Quarry)	T.I. Difference (T.I. with Quarry – Existing T.I. Per Caltrans
1	7200	447	218	668	10	11	10	1
2	2900	180	246	426	10	10.5	9	0.5
3	1776	111	260	371	10	10.5	8.5	0.5

ADT – Average Daily Traffic
AADT – Average Annual Daily Truck Traffic (6.2& of ADT per Caltrans 2010 Data)

Based on the information contained in Table 4.11-10, the truck trips generated by the project would cause incremental damage and wear to roadway pavement surfaces along SR 58 because the calculated TI (with Quarry) would not exceed the existing design TI along any of the three segments of SR 58 by more than 1.5. The degree to which this wear and tear would occur depends on the roadway's design (pavement type and thickness) and its current condition. Information provided by Caltrans for SR 58 indicates that existing TI values are 10.0 for all three segments of SR 58 between the project site and Highway 101 (see Exhibit B to Appendix G). Table 4.11-10 indicates the project would increase the TI necessary to support heavy trucks associated with the proposed project for all three

segments of the haul route along SR 58, but by no more than 1.0 for any individual segment. Project generated heavy trucks (based on the maximum production quantities described in the EIR) will increase heavy truck traffic along SR 58 such that a TI design standard of 11.0 would be required to handle the higher volume of heavy truck traffic without deteriorating the pavement surface (decrease in the design life of the highway) for segment #1. Segment #2 and #3 would require a TI of 10.5 to ensure the maximum production quantities associated with the proposed quarry would not decrease the design life of the highway. Based on the significance criteria established for this EIR, the project would have a less than significant impact to the roadway condition of SR 58. While the project would not result in a significant impact, it will contribute to the degradation of SR 58 due to the increase in heavy truck traffic (refer to cumulative impact discussion below).

…

In summary, the direct effect of the project on the potential need for a traffic signal at SR 58/El Camino Real and Estrada Avenue is considered a potentially significant impact, which can be mitigated. The direct effects of the proposed quarry project increase in traffic as measured by intersection delays and traffic density on US Highway 101 and the SR 58 freeway ramps are less than significant. *The direct effect resulting from project generated heavy trucks operating along the haul route (SR 58) is a potentially significant impact that can be mitigated.*

c. The following narrative (consisting of two new paragraphs), was added to the "Cumulative Effects" discussion in Section 4.11-6 Project Impacts and Mitigation Measures:

Similarly, future heavy truck traffic in the area, as well as the project's increase in heavy trucks along SR 58, would result in more rapid deterioration of the roadway surface along the proposed haul route. The contribution of the project's heavy truck traffic to existing heavy truck traffic and future heavy trucks along this route is considered a potentially significant impact that can be mitigated through implementation of mitigation measure Traffic-4b below. The intent of this measure is to ensure on-going maintenance of SR 58 along the proposed haul route such that the highway does not experience major degradation beyond the existing condition of the highway without the project.

Implementation of this measure will include review of required project improvements / repairs along SR 58 under Caltrans "Complete Streets Program" (most recent version is presented in Appendix G; updates may occur from time to time) prior to construction. The California Complete Streets Act of 2008 (AB 1358) states: "In order to fulfill the commitment to reduce greenhouse gas emissions, make the most efficient use of urban land and transportation infrastructure, and improve public health by encouraging physical activity, transportation planners must find innovative ways to reduce vehicle miles traveled (VMT) and to shift from short trips in the automobile to biking, walking and use of public transit." Facilities may look different depending on the context and appropriate facilities in a rural community may be different from a dense urban area. This review will include an analysis to determine the appropriateness of providing shoulders, restriping and/or other improvements to ensure all travelers (including bicyclists) can be accommodated on the State highway system.

d. Impact Traffic-4b and Mitigation Measure MM Traffic-4b was added to the Cumulative Effects narrative in Section 4.11.6, as follows:

Impact Traffic-4b: Impacts to SR 58 (Deterioration of Roadway Structural Conditions). The project would cause incremental damage and wear to roadway pavement surfaces along SR 58.	MM TRAFFIC-4b: Impacts to SR 58 (Deterioration of Roadway Structural Conditions). The project applicant shall implement one of the following Options: Option 1: Prior to issuance of the Notice to Proceed, the Applicant shall prepare a pavement monitoring program for SR 58 between MM 0.00 and MM 5.44 for review and approval by the County in consultation with Caltrans. The program shall provide before and after video evidence of pavement conditions, require the posting of a pavement repair bond or other mechanism to fund the repair of roadway deterioration resulting from the project, and a mechanism that ensures the funds collected will only be used for improvements / repairs to SR 58 between MM 0.00 and MM 5.44. The Applicant shall coordinate with Caltrans regarding the details of the monitoring program and any requirements for road repair should they become necessary. The program shall include criteria for when maintenance is required and the type of repairs required for various pavement deterioration conditions that may result from heavy truck traffic. Any improvements / repairs resulting from the pavement monitoring program shall be made in accordance with the most current	*Less than significant*

	"Complete Streets Implementation Action Plan" prepared by Caltrans to implement Deputy Directive 64-R1. Option 2: Prior to issuance of the Notice to Proceed, the Applicant shall enter into an agreement in a form acceptable to the County of San Luis Obispo or Caltrans to pay for the project's fair share of impacts to SR 58 roadways (between MM 0.00 and MM 5.44). The agreement shall include a mechanism that ensures the funds collected will only be used for improvements/repairs to SR 58 between MM0.00 and MM5.44. The cost per load / cost per ton shall be established using project generated information and / or assumptions consistent with Caltrans standards including the cost associated with any improvements required by the most current "Complete Streets Implementation Action Plan" prepared by Caltrans to implement Deputy Directive 64-R1. The Applicant shall be responsible for costs associated with implementation of this measure as required by either the County of San Luis Obispo or Caltrans. The cost per load / cost per ton shall be subject to annual adjustment based on the Caltrans Construction Cost Index however, in no case shall a negative cost index be allowed to reduce the previous year's fee. The beginning index date shall be the date that the project receives approval by the hearing body.	

28. Text Revision #28 [Response to Comments O.16-24 and I.135-2]:

The following Mitigation Measures related to Aesthetics have been revised as indicated:

MM AES-1b: Scenic Vistas/Off-site Landscaping Agreement. Prior to the issuance of any construction permit for project construction activities, the applicant/quarry operator shall obtain agreement from the off-site property owner (APN 070-154-018 / 6795 Calf Canyon Highway) for installation and maintenance for the life of the project, of additional landscaping as described below in mitigation measure AES-1c. The off-site landscaping shall be shown in a preliminary landscaping plan included within the grading plans for construction of the project access road and other initial improvements *as described in MM AES-1c with the intent of screening views of the quarry from eastbound travelers on SR 58.*

MM AES-1d: Scenic Vistas/Screening of Water Tank. Prior to the issuance of any construction permit for project construction activities, the applicant/quarry operator shall show landscape screening in a preliminary landscape plan. Landscaping shall be installed and maintained for the life of the project to visually screen Tank "A" from public views along SR 58. *The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions and tank(s) shall be a neutral or dark, non-contrasting color.*

MM AES-3: Nighttime Glare/Lighting Plan. Prior to the issuance of a building permit for the project scale house, the applicant/quarry operator shall provide a plan or specifications for *all lighting (including* security lighting) that complies with the County Land Use Ordinance for approval by the County Planning and Building Department. *All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from SR 58.*

29. Text Revision #29 [related to biological resources/bats]:

The following addition has been made to MM BIO-5:

MM BIO-5: Effect on Bats. *Prior to issuance of a notice to proceed with each phase of the quarry, the quarry operator shall retain a qualified biologist to conduct a survey for bats that may be roosting in trees, rock crevices or other locations. If bat roosts are identified within the quarry during active operations, a qualified biologist will work to displace the bats using passive techniques. If quarry operations are stopped for greater than 30 days, a qualified biologist will survey the quarry for bat roosts prior to restarting quarry operations. After three nights of relocation efforts or after the qualified biologist has determined that the area is clear of bats, quarry operations may resume.*

30. Text Revision #30 [related to bicycle safety and bicycle level of service]:

a. The following three paragraphs were added under the subheading "Effect on Access to Trails, Parks or Other Recreation Opportunities" in Section 4.10.6 "Project Impacts and Mitigation Measures of the EIR":

Other recreational opportunities that could be impacted by project related heavy truck traffic are recreational bicyclists traveling along SR 58. To a lesser degree, commuter bicyclists may also be impacted by the increase in heavy truck traffic associated with the proposed project. Commuter bicyclists are not expected in large number along the haul route during operational hours of the proposed quarry (Mon – Fri: 6:00 a.m. to 5 p.m.) and are not typical in rural locations such as the project site. Recreational

bicyclists are more likely to use SR 58 on the weekends when the quarry is not operating.

Recognizing the above referenced use differences, when project related heavy vehicles and bicyclists interact along SR 58, the addition of project related heavy vehicles would likely result in the bicyclists' perception of a decreased Bicycle Level of Service (BLOS) or a lessening of their perceived experience cycling on the roadway. This perception could result in a disincentive for bicyclists to use SR 58 during operational hours of the quarry. Please refer to Section 4.11.6 [Bicycle Level of Service (BLOS) SR 58] for additional discussion regarding BLOS.

The project's increase in heavy vehicle traffic will require mitigation in the form of a monitoring program or mitigation fee (refer to MM TRAFFIC-4b) to mitigate increased pavement degradation on SR 58. Improvements resulting from the mitigation associated with impacts to SR 58 will include review of required project improvements and repairs along SR 58 under the Caltrans "Complete Streets Program" (e.g., Complete Streets Implementation Action Plan, prepared by Caltrans to Implement Deputy Directive 64-R1) prior to construction. Appendix G contains the most recent version of this document as of the publication date of this EIR. This review will include an analysis to determine the appropriateness of providing shoulders, restriping and/or other improvements to ensure all travelers (including bicyclists) can be accommodated on the State highway system. In summary, this effect is considered a potential significant impact that can be mitigated.

b. The following narrative and revised narrative were added under the subheading "Cumulative Effects" in Section 4.10.6 "Project Impacts and Mitigation Measures", as follows:

The contribution of the projects heavy truck traffic to existing heavy truck traffic and future heavy trucks along this route is considered a potentially significant impact to recreational bicyclists that can be mitigated through implementation of mitigation measures Traffic-4b. If future quarries are approved in the vicinity and heavy vehicles also travel along SR 58, their contribution to maintenance of State highway facilities will also be reviewed under Caltrans Complete Streets Program.

In summary, due to the non-residential nature of this quarry and the Hanson Quarry, ~~and~~ the offer of dedication for the trail alignment, and repair / maintenance of SR 58 under Caltrans's Complete Streets Program required

by Mitigation Measure Traffic-4b, potential cumulative impacts to Recreation are less than significant.

c. Within Section 4.10.6 "Project Impacts and Mitigation Measures of the EIR", Impact REC-2 and Mitigation Measure MM REC-2 were renumbered "Impact REC-2a" and "Mitigation Measure MM REC-2a", respectively. Impact REC-2b and Mitigation Measure MM REC-2b were added, as follows:

IMPACT REC-2b: Conflict with Bicyclists along SR 58. Heavy vehicle traffic associated with the proposed project may conflict with bicyclists traveling along SR 58.	*MM REC-2b: Conflict with Bicyclists along SR 58. Mitigation Measure TRAFFIC-4b serves as adequate mitigation for Impact REC-2b.*	*Less than significant*

d. The following paragraphs were added under the subheading "Bicycle Level of Service (BLOS) SR 58" in Section 4.11.6 "Project Impacts and Mitigation Measures":

Bicycle Level of Service (BLOS) SR 58. *As discussed above, bike lanes are present along various segments of the identified truck routes (but not all segments) associated with the proposed project. The Highway Capacity Manual describes a method for measuring a level of service to bicycles that use state highways. Bicycle level of service for two-lane highway segments are based on a "Bicycle Level of Service" (BLOS) score, which is in turn based on a travel perception model. This score is based, in order of importance, on five variables:*

- *Average effective width of the outside through lane,*
- *Motorized vehicle volumes,*
- *Motorized vehicle speed,*
- *Heavy vehicle (truck) volumes, and*
- *Pavement condition.*

The BLOS score represents a perception that would likely be held by bicyclists along a given segment of a roadway regarding their experience cycling on the roadway. Changes to the input levels of any one of the above mentioned variables can result in a skewed perception of BLOS.

Caltrans has provided information related to Bicycle Level of Service (BLOS) dated November 21, 2013 and included in Appendix G. The BLOS analysis performed by Caltrans indicates that the existing BLOS along SR 58 (under existing conditions) is "F" (BLOS score of 8.79). The primary

contributing factors associated with Caltrans's calculated LOS "F" for this stretch of SR 58 are related to the existing and proposed percentage of heavy vehicles along this stretch of SR 58. When the proposed project is added to the existing conditions, the Bicycle Level of Service remains "F" (BLOS score of 14.14).

Review of the Highway Capacity Manual indicates that the BLOS model should not be used over large stretches of roadways with varied grades and / or traffic conditions. The Highway Capacity Manual indicates that the resulting score generally ranges from 0.5 to 6.5 and is stratified to produce a LOS A-F result. As noted above, Caltrans calculated the existing score as 8.79 (without project) and 14.14 (with project) which is well outside of the anticipated range of BLOS scores identified in the Highway Capacity Manual. The analysis provided by Caltrans resulted in scores that were so extreme that mitigation recommended by Caltrans (in the form of shoulder widening) does not mitigate either the BLOS existing or project scores.

Discussions with industry professionals indicate that the model used in determining the BLOS was developed for roads with very low heavy vehicle traffic (between 0 and 2 percent) and the formula does not accurately reflect BLOS on road segments with higher levels of heavy vehicle traffic. The Highway Capacity Manual (2010) states, "The bicycle methodology was developed with data collected on urban and suburban streets, including facilities that would be defined as suburban two-lane highways. Although the methodology has been successfully applied to rural two-lane highways in different parts of the United States, users should be aware that conditions on many rural two-lane highways will be outside the range of values used to develop the bicycle LOS model. The range of values used in the development of the bicycle LOS model are shown below:

- *Width of the outside through lane: 10 to 16 ft.;*
- *Shoulder width: 0 to 6 ft;*
- *Motorized vehicle volumes: up to 36,000 annual average daily traffic (AADT);*
- *Posted speed: 45 to 50 mi/h;*
- *Heavy vehicle percentage: 0% to 2%; and*
- *Pavement condition: 1 to 5 on the Federal Highway Administration (FHWA) 5-point pavement rating scale.*

The bicycle LOS methodology also does not take differences in prevalent driver behavior into consideration, although driver behavior may vary considerably both regionally and by facility. In particular, the likelihood of

drivers slowing down or providing additional horizontal clearance while passing cyclist plays a significant role in the perceived quality of service of a facility."

Based on the information provided by Caltrans, the information contained in the Highway Capacity Manual, and discussions with industry professionals; the County has determined that "Bicycle Level of Service" more appropriately describes the bicyclist's perception of the recreational experience they would perceive along a segment of roadway; accordingly, this topic is discussed further is Section 4.10 – Recreation.

31. Text Revision #31 [Miscellaneous Minor Editorial Changes]:

In addition to the Text changes described above, various Sections of the Final EIR have also included minor technical edits to amplify or clarify the narrative originally presented in the Draft EIR. These minor editorial changes are not necessarily generated in response to public comments received on the Draft EIR, but rather are included in the Final EIR for clarity.

9.4 COMMENTS ON THE DRAFT EIR

Each comment that the lead agency received during the DEIR comment period is included in this section. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Final EIR addresses pertinent environmental issues. Collectively, these revisions clarify or amplify the analysis in the Draft EIR and none of them would result in new significant environmental effects. Pursuant to State CEQA Guidelines Section 15088.5(b), recirculation of the Draft EIR is not required.

The comment letters have been numbered sequentially, and each issue within a comment letter, if more than one, has a number assigned to it. Each comment letter is reproduced in its entirety with the issues of concern numbered in the right margin. References to the responses to comments identify first the letter number, and second, the numbered comment. Letters are numbered by the type of organization from which they were sent (federal, state, regional, county, local), or by organization (S.01-2, for example, would reference the second issue of concern within the first letter received from a state agency).

9.4.1 Thematic Responses

Many of the comments received on the Draft EIR raised questions or sought clarification on certain common topics. These commonly-asked questions have generated thematic responses as follows:

1. Thematic Response #1 – Bicycle Level of Service and Bicycle Safety:

Bicycle lanes are present along various segments of the identified truck routes (but not all segments) associated with the proposed project. The Highway Capacity Manual describes a method for measuring a level of service to bicycles that use state highways. Bicycle level of service for two-lane highway segments are based on a "Bicycle Level of Service" (BLOS) score, which is in turn based on a travel perception model. This score is based, in order of importance, on five variables:

- Average effective width of the outside through lane,
- Motorized vehicle volumes,
- Motorized vehicle speed,
- Heavy vehicle (truck) volumes, and
- Pavement condition.

The BLOS score represents a perception that would likely be held by bicyclists along a given segment of a roadway regarding their experience cycling on the roadway. Changes to the input levels of any one of the above mentioned variables can result in a skewed perception of BLOS.

Caltrans has provided information related to Bicycle Level of Service (BLOS), dated November 21, 2013 and included in Appendix G. The BLOS analysis performed by Caltrans indicates that the existing BLOS along SR 58 (under existing conditions) is "F" (BLOS score of 8.79). The primary contributing factors associated with Caltrans's calculated LOS "F" for this stretch of SR 58 are related to the existing and projected percentage of heavy vehicles along this stretch of SR 58. When the proposed project is added to the existing conditions, the Bicycle Level of Service remains "F" (BLOS score of 14.14).

Review of the Highway Capacity Manual indicates that the BLOS model should not be used over large stretches of roadways with varied grades and/or traffic conditions. The Highway Capacity Manual indicates that the resulting score generally ranges from 0.5 to 6.5 and is stratified to produce a LOS A-F result. As noted above, Caltrans calculated the existing score as 8.79 (without project) and 14.14 (with project) which is well outside of the anticipated range of BLOS scores identified in the Highway Capacity Manual. The analysis provided by Caltrans resulted in scores that were so extreme that mitigation recommended by Caltrans (in the form of shoulder widening) does not reduce either the BLOS existing or project scores.

Discussions with industry professionals indicate that the model used in determining the BLOS was developed for roads with very low heavy vehicle traffic (between 0 and 2 percent) and the formula does not accurately reflect BLOS on road segments

with higher levels of heavy vehicle traffic. The Highway Capacity Manual (2010) states, *"The bicycle methodology was developed with data collected on urban and suburban streets, including facilities that would be defined as suburban two-lane highways. Although the methodology has been successfully applied to rural two-lane highways in different parts of the United States, users should be aware that conditions on many rural two-lane highways will be outside the range of values used to develop the bicycle LOS model. The range of values used in the development of the bicycle LOS model are shown below:*

- *Width of the outside through lane: 10 to 16 ft.;*
- *Shoulder width: 0 to 6 ft;*
- *Motorized vehicle volumes: up to 36,000 annual average daily traffic (AADT);*
- *Posted speed: 45 to 50 mi/h;*
- *Heavy vehicle percentage: 0% to 2%; and*
- *Pavement condition: 1 to 5 on the Federal Highway Administration (FHWA) 5-point pavement rating scale.*

The bicycle LOS methodology also does not take differences in prevalent driver behavior into consideration, although driver behavior may vary considerably both regionally and by facility. In particular, the likelihood of drivers slowing down or providing additional horizontal clearance while passing cyclist plays a significant role in the perceived quality of service of a facility."

Based on the information provided by Caltrans, the information contained in the Highway Capacity Manual, and discussions with industry professionals; the County has determined that "Bicycle Level of Service" more appropriately describes the bicyclist's perception of the recreational experience they would perceive along a segment of roadway.

Recreational opportunities that could be impacted by project related heavy truck traffic are bicyclists traveling for recreational purposes along SR 58. To a lesser degree, commuter bicyclists may also be impacted by the increase in heavy truck traffic associated with the proposed project. Commuter bicyclists are not expected in large number along the haul route during operational hours of the proposed quarry (Mon – Fri: 6:00 a.m. to 5 p.m.) and are not typical in rural locations such as the project site. Recreational bicyclists are more likely to use SR 58 on the weekends when the quarry is not operating.

Recognizing the above referenced use differences, when project related heavy vehicles and bicyclists interact along SR 58, the addition of project related heavy vehicles would likely result in the bicyclists' perception of a decreased Bicycle Level of Service (BLOS) or a lessening of their perceived experience cycling on the

roadway. This perception could result in a disincentive for bicyclists to use SR 58 during operational hours of the quarry. If the quarry is approved, and MM Traffic-4b is adopted, all improvements / repairs resulting from project related heavy trucks will be made in accordance with the "Complete Streets Implementation Action Plan." This will include an analysis to determine the appropriateness of providing shoulders, restriping and/or other improvements to ensure all travelers (including bicyclists) can be accommodated on the State highway system.

2. Thematic Response #2 – Valley Fever:

A number of comments on the Draft EIR related to the potential effects of the project with regard to Valley Fever. Valley Fever is a disease contracted by exposure to spores that live within the top two to twelve inches of previously undisturbed soils. The project will excavate and stack topsoil from areas to be mined so that it can later be used for reclamation. The handling of the topsoil will occur infrequently as compared to rock that is normally handled and which should not contain Valley Fever spores. Valley Fever is primarily an occupational health issue and to a lesser extent a public policy concern related to dust generated from all types of construction projects that may increase the potential exposure of workers, as well as the general public, to this disease. As recently as August, 2013, the California Department of Public Health website provides extensive research and guidance to prevent Work-Related Coccidioidomycosis (Valley Fever).

Locally, the San Luis Obispo County Public Health Department has also provided guidance for the minimization of exposure to, and the treatment of Valley Fever. The following narrative is adapted from information available to the public on the Department's website. This narrative includes specific means and procedures for employers to control worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever.

> *During the Fall of 2007, San Luis Obispo County Public Health Department investigated an outbreak of Valley Fever (coccidioides immitis) in construction workers in the North County region of the County. The California Department of Public Health participated in the investigation, and the following recommendations were issued to limit exposure to Valley Fever. Certain words were removed from the recommendations, to make the location of the outbreak more generic in order to protect confidentiality.*
>
> *The California Department of Public Health has been conducting an epidemiological investigation of the outbreak of Valley Fever among a construction crew in October 2007. Although this investigation is ongoing, the County Health Department recommends interim measures to control worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley*

Fever. These recommendations are based on scientific information from the published literature.

Cocci is spread in the environment through dust that contains spores of the fungus. Geographic areas that are more likely to contain cocci spores in the soil (endemic areas) include the deserts of California, Nevada, Arizona, New Mexico, and Texas, as well as Mexico. The spores are small enough to be inhaled deep into the lung, where they can cause infection (Coccidioidomycosis or Valley Fever). Construction workers have been found to be at increased risk of Valley Fever compared to agricultural and other workers. In particular, pipeline, highway, and utility construction often involves work in remote areas where the soil has not been disturbed and where pockets of cocci may exist. When these pockets are disturbed, the dust raised can have a high concentration of spores. These pockets cannot be reliably predicted, but preventive measures, notably dust control, can be effective in reducing the rate of infection and the seriousness of epidemics.

Based on the most recent incident and on past incidents, the County Health Department knows that San Luis Obispo County is an endemic area for cocci. Workers exposed to dust may be considered at risk for developing Valley Fever. The County Health Department recommends that employers implement the following control measures to reduce the possibility of worker illness:

1. *Reevaluate and update the employer's Injury and Illness Prevention Program (IIPP, as required by Title 8, Section 3203), and ensure that safeguards to prevent Valley Fever are included.*

2. *Train all employees on the following issues:*

    a. *The soil in San Luis Obispo County may contain cocci spores, especially in the North County region;*

    b. *Inhaling cocci spores may cause Valley Fever;*

    c. *How to recognize symptoms of Valley Fever; these symptoms resemble common viral infections, and may include fatigue, cough, chest pain, fever, rash, headache, and body and joint ache;*

    d. *Work with a medical professional with expertise in cocci as employers develop this training;*

    e. *Workers must promptly report suspected symptoms of work-related Valley Fever to a supervisor;*

f. Workers are entitled to receive prompt medical care if they suspect symptoms of work-related Valley Fever; workers should inform the health care provider that they may have been exposed to cocci;

g. To protect themselves, workers should use control measures as outlined in this document.

3. Control dust exposure:

a. The employer should consult with the San Luis Obispo County Air Pollution Control District Compliance Assistance programs and with California Occupational Safety and Health Administration (Cal/OSHA) Compliance program regarding meeting the requirements of Dust Control Plans and for specific methods of dust control. These methods may include wetting the soil while ensuring that the wetting process does not raise dust or adversely affect the construction process;

b. Provide HEP-filtered air-conditioned enclosed cabs on heavy equipment. Train workers on proper use of cabs, such as turning on air conditioning prior to using the equipment;

c. Provide communication methods, such as 2-way radios, for use in enclosed cabs;

d. Provide National Institute for Occupational Safety and Health (NIOSH)-approved respirators for workers without a prior history of Valley Fever;

e. Half-face respirators equipped with N-100 or P-100 filters should be used during digging. Employees should wear respirators when working near earth moving machinery;

f. Employees should be medically evaluated, fit-tested, and properly trained on the use of the respirators, and a full respiratory protection program in accordance with the applicable Cal/OSHA Respiratory Protection Standard (8 CCR 5144) should be in place;

g. Prohibit eating and smoking at the worksite, and provide separate, clean eating areas with hand-washing facilities;

h. Avoid outdoor construction operations during unusually windy conditions;

i. The employer should consider limiting outdoor construction during the Fall to essential jobs only, as the risk of cocci infection is higher during this season.

4. *Prevent transport of cocci outside endemic areas:*

    a. *Thoroughly clean equipment, vehicles, and other items before they are moved off-site to other work locations;*

    b. *Provide workers with coveralls daily, lockers (or other system for keeping work and street clothing and shoes separate), daily changing and showering facilities;*

    c. *Clothing should be changed after work every day, preferably at the work site;*

    d. *Train workers to recognize that cocci may be transported offsite on contaminated equipment, clothing, and shoes; alternatively, consider installing boot-washing stations;*

    e. *Post warnings onsite and consider limiting access to visitors, especially those without adequate training and respiratory protection.*

5. *Improve medical surveillance for employees:*

    a. *Employees should have prompt access to medical care, including suspected work-related illnesses and injuries;*

    b. *Work with a medical professional to develop a protocol to medically evaluate employees who have symptoms of Valley Fever;*

    c. *Consider preferentially contracting with 1–2 clinics in the area and communicate with the health care providers in those clinics to ensure that providers are aware that Valley Fever has been reported in San Luis Obispo County, and especially the North County region. This will increase the likelihood that ill workers will receive prompt, proper and consistent medical care;*

    d. *Respirator Clearance should include medical evaluation for all new employees, annual re-evaluation for changes in medical status, and annual training, and fit-testing;*

    e. *Please note that skin testing is not recommended for evaluation of Valley Fever;*

    f. *If an employee is diagnosed with Valley Fever, a physician must determine if the employee should be taken off work, when they may return to work, and what type of work activities they may perform.*

With regard to Control Measure 3, "Control dust exposure," Mitigation Measure MM AQ-1b: "Emissions of PM10 Fugitive Dust" provides an effective means to comply with item 3(a). The balance of the Control Measures relates to occupational health issues to be

addressed within the employer's Injury and Illness Prevention Program (IIPP, as required by Title 8, Section 3203).

As Lead Agency for this EIR, the County of San Luis Obispo recognizes the County Public Health Department's guidance for avoiding and treating control worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of the above control measures, the County considers the environmental effect of this project on public health issues to be less than significant.

3. Thematic Response #3 – Air Quality Mitigation Strategy Accepted by the SLOAPCD:

A number of public comments on the Draft EIR have expressed concern about potentially significant air quality impacts which may result from implementation of this proposed quarry. The Draft EIR reported that: *it appears that it may be possible to develop additional measures in consultation with SLOAPCD that would be capable of reducing annual emissions to below the 25 tons/year threshold. It is much more problematic, however, to identify measures that would be capable of reducing the peak daily emissions below the 25 pounds/day threshold. For this reason, the ROG+NO_X emissions of the project are considered to be a significant and not mitigable impact.*

In other words, the Draft EIR concluded that Impacts AQ-1a (NOx+ROG and particulate matter emissions) should be considered "significant and not mitigated".

The San Luis Obispo County Air Pollution Control District (APCD) is the local agency working to protect the health of over 269,000 county residents by preserving good air quality. By partnering with the local communities and businesses APCD implements regulations and programs to reduce air pollution and assists the County in reaching all outdoor air quality standards.

The applicant and APCD have consulted on all air quality issues and have reached agreement to include several additions to the Air Quality analysis presented in the EIR. In particular, the applicant and APCD agree that Mitigation Measure MM AQ-1a shall be expanded to include the following additional requirements:

5. *Prior to issuance of a Notice to Proceed for the first phase of the quarry operation, the applicant or quarry operator shall pre-purchase off-site ROG + NOx mitigation from the SLOCAPCD, as outlined in the approved AMP and based on the then-in-place pricing under the Carl Moyer Grant Program. Thereafter, the project operator shall report to the SLOCAPCD as stated in the approved AMP. If applicant determines on-road diesel truck engine model years are not available and/or cannot be verified, applicant agrees to use the San Luis Obispo County on-road diesel truck fleet average*

emission factor and a total count of truck trips. SLOCAPCD shall then utilize this information to invoice the project operator in accordance with its off-site mitigation program any emissions deemed to exceed APCD thresholds during the reporting period. Copies of all reports, invoices, and payments under this program shall be provided to the Department of Planning and Building for verification and audit.

6. *The AMP shall include, but not be limited to the following elements:*

   a. *General project phase schedule and a description of activities and all project generated emissions, including vehicle haul trips, blasting, recycling, off-road vehicle activity and diesel equipment.*

   b. *Description of mitigation measures, including all equipment emission reduction measures.*

   c. *A timeline for submittal of quarterly reports.*

   d. *A section describing contents of quarterly reports. Include a description of the tracking mechanism to ensure the truck engine model year is as stated in the AMP. Describe the use of the weigh scale software in tracking vehicle trips. Include the contact person(s) responsible for monitoring. Provide phone, email and mailing address of responsible contact person.*

7. *The quarterly reports shall include, but not be limited to the following elements:*

   a. *Tabulation of on and off-road equipment used during the reporting period (age/model year, horsepower, engine tier, miles and/or hours of operation).*

   b. *Tabulation of on-road truck trips and hours of use for off-road equipment, blasting activity.*

The San Luis Obispo County Air Pollution Control District (APCD) has indicated on-site and off-site mitigation of air quality impacts (including NOx+ROG, as well as PM10) can and will be incorporated into the project, to reduce the project emissions below a level of significance. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "<u>significant but mitigable</u>."

The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with

the recommendations of the District, as a Responsible Agency. Text Revision #18 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

4. Thematic Response #4 – Traffic Analysis/Assumption of 800 Trips per Day:

The value of 800 trips per day was briefly mentioned in the Draft EIR, but is not proposed as part of the project and was not analyzed in the EIR. Such an intense level of operation could only occur under extraordinary and unpredictable circumstances, such as an emergency highway repair project which might need aggregate from any number of sources. In other words, this trip generation rate of 800 trips per day was based on a hypothetical production rate which is not "reasonably foreseeable." Normal operations of the project will be limited to the maximum production rate of 500,000 tons per year, with the 273 truck trips per day and other operating parameters as described in the EIR. In order to accurately define the actual scope of the project covered by the EIR, the reference to 800 trips per day has been clarified in Section 2.3.3 as follows:

> *In summary, the aggregate mine project is expected to generate, on average, 198 heavy truck trips per day for the purpose of delivering aggregate material from the property to regional job sites. Adding in the deliveries of concrete and asphalt material to the project site for recycling, will increase this number of truck trips per day by 75. This number is likely to be high since the amount of backhauling may be more than the 50 percent assumed above. Thus, the estimate of the average daily truck trips for the entire project is 273. Employee trips, assuming from three to five employees making an average of two trips per day, would amount to 10 passenger vehicle trips per day.*
>
> *It is also possible that for specific projects, these average numbers of trips per day may be exceeded for short periods, but only during an emergency situation necessitating aggregate materials and only with prior authorization from the Department of Planning and Building. Up to 800 truck trips per day may be anticipated during an emergency situation for a limited time and only until the specific emergency situation is resolved. ~~for a large project.~~*
>
> *It is also possible that for specific projects, these average numbers of trips per day may be exceeded for short periods, but only during an emergency situation necessitating aggregate materials and only with prior authorization from the Department of Planning and Building. Up to 800 truck trips per day may be anticipated during an emergency situation for a limited time and only until the specific emergency situation is resolved. In other words, this trip generation rate of 800 trips per day is not reasonably foreseeable.*

If an emergency project arises that would lead to a truck trip generation of up to 800 trips, it is likely that numerous CEQA regulations (e.g. Section 15269 of the CEQA Guidelines; Public Resources Code Sections 21080(b)(2), (3), or (4); and/or Section 21080.33 of the Public Resources Code) could exempt this "Emergency Project" from CEQA analysis. For the above reasons, the County of San Luis Obispo, as Lead Agency, does not consider this potential emergency project/situation, as defined by Section 21060.3 of the Public Resources Code, to have a significant impact.

5. Thematic Response #5 – CEQA Guidance for Recirculation of an EIR:

A number of commenters have suggested that the Draft EIR should be recirculated for public comment. The County of San Luis Obispo, as Lead Agency, will make the decision regarding recirculation. For reference, following are key excerpts from the CEQA Guidelines, describing in detail the recirculation process:

15088.5. RECIRCULATION OF AN EIR PRIOR TO CERTIFICATION

a. A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

b. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

c. If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.

d. Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.

e. A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.

6. Thematic Response #6 – CEQA Guidance for Responding to Public Comments on a Draft EIR:

A number of comments suggested a refinement of the EIR's analysis to include more detail than presented in the Draft EIR. When appropriate, the County of San Luis Obispo, as Lead Agency, has provided this detail as needed to amplify or clarify information requested by the commenters. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. (Reference: CEQA Guidelines Section 15204(a)).

Other CEQA Guidelines direction, relevant to this Thematic Response:

15144. FORECASTING

Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.

15145. SPECULATION

If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact.

15151. STANDARDS FOR ADEQUACY OF AN EIR

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

In any event, please note that all concerns expressed by commenters on the Draft EIR will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

7. Thematic Response #7 – "Substantial Evidence" Requirements of CEQA:

A number of comments have offered the opinion that certain statements made in the Draft EIR were not supported by "substantial evidence." For context, the County of San Luis Obispo, as Lead Agency, has relied upon the following definition of "substantial evidence," as provided by Section 15384 of the CEQA Guidelines:

> *"Substantial evidence" as used in these guidelines means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, <u>even though other conclusions might also be reached</u>. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, <u>reasonable assumptions predicated upon facts</u>, and expert opinion supported by facts.* (Emphasis added)

In any event, please note that all concerns expressed by commenters on the Draft EIR will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

8. Thematic Response #8 – Project Impacts to State Route 58 and County Roads

The project will increase traffic volumes associated with heavy trucks along the identified haul routes including SR 58 between the project site and Highway 101. The Traffic Index (TI) is a logarithmic scale, which indicates the ability of the pavement structure to

support repetitive wheel and axle-loads of large trucks. As shown in Appendix 3, TI calculations were prepared by URS, following Caltrans procedures outlined in the Highway Design Manual Chapter 610, Topic 613.3 to determine impacts resulting for project related truck on SR 58. A 20-year pavement design life was used in calculating the project impacts to SR 58 along with an existing TI for this entire stretch of SR 58 of 10.0 (based on Caltrans information contained in their November 21, 2013 letter).

The County of San Luis Obispo has established significance criteria associated with potential public roadway damage along SR 58 between the project site and Highway 101. Impacts to the roadway of SR 58 would be considered a significant impact if the project related heavy vehicle traffic increases the calculated Traffic Index by 1.5 or more from the existing roadway design (existing TI = 10). A change in the Traffic Index of 1.5 or more would represent a substantial shortening of the design life of SR 58 (deterioration of roadway condition) as a result of implementing the proposed project. To ensure that the structural integrity of the State highway system would not be adversely affected by the proposed project, this EIR provides County decision makers and other readers of this document with information about the effect of the increased volume of heavy trucks on SR 58 generated by the project.

Typically, TI ratings in the range of 7.0 +/- are calculated for roadways that are not expected to carry appreciable amounts of truck traffic. Higher TI values in the range of 9.0 to 10.0 are typical of major arterial roadways with heavy truck traffic, and values of 10.0 or more are common for freeways and freeway ramp systems. The effects on pavement life from passenger cars, pickups, and two-axle, four-wheel trucks are considered to be negligible. State highways, such as SR 58, generally are designed to handle a mix of vehicle types, including heavy trucks. A summary of TI calculation for SR 58 are presented in the following table:

TABLE 4.11-10
SUMMARY OF TRAFFIC INDEX CALCULATIONS

Segment #	Current ADT	Current AADTT	Project AADTT	Total AADTT	Existing T.I. Per Caltrans	T.I.(with Quarry)	T.I. (No Quarry)	T.I. Difference (T.I. with Quarry – Existing T.I. Per Caltrans
1	7200	447	218	668	10	11	10	1
2	2900	180	246	426	10	10.5	9	0.5
3	1776	111	260	371	10	10.5	8.5	0.5

ADT – Average Daily Traffic
AADT – Average Annual Daily Truck Traffic (6.2& of ADT per Caltrans 2010 Data)

Based on the information contained in this table, the truck trips generated by the project would cause incremental damage and wear to roadway pavement surfaces along SR 58. The degree to which this wear and tear would occur depends on the roadway's design (pavement type and thickness) and its current condition. State highways, such as SR 58, generally are designed to handle a mix of vehicle types, including heavy trucks.

Information provided by Caltrans for SR 58 indicates that existing TI values are 10.0 for all three segments of SR 58 between the project site and Highway 101 (See Exhibit B to Appendix G). Table 4.11-10 indicates the project would increase the estimated TI for all three segments of the haul route, but by no more than 1.0 for any individual segment. Project generated heavy trucks (based on the maximum production quantities described in the EIR) will increase heavy truck traffic along SR 58 such that a TI design standard of 11.0 would be required to handle the higher volume of heavy truck traffic without deteriorating the pavement surface (decrease in the design life of the highway) for segment #1. Segment #2 and #3 would require a TI of 10.5 to ensure the maximum production quantities associated with the proposed quarry would not decrease the design life of the highway. Based on the significance criteria established for this EIR, the project would have a less than significant impact on SR 58 along the proposed haul route with the inclusion of mitigation.

9. Thematic Response #9 – Provision of left turn lane into the Project

A number of comments have offered the opinion that a left turn lane into the project from eastbound SR 58 should be provided. In addition, a comment from Caltrans (Comment S.02-03) noted that the traffic analysis should address the sight distance at the proposed access driveway. Both of these issues were addressed in the engineering reviews associated with the project, but were only briefly mentioned in the Draft EIR.

Under normal operations, no more than a few trucks are expected at the quarry site at any one time. Intersection analysis indicates that under both existing and future conditions, the proposed driveway access on SR 58 will function adequately but Caltrans has indicated that a left turn lane on SR 58 is needed to ensure safe access to the proposed project site (in correspondence received on the Draft EIR dated May 24, 2013 as well as a follow up memo dated September 5, 2014).

The specific location of the driveway intersection with SR 58 is considered adequate, but final design has not yet been approved by Caltrans. Also, since the driveway will connect to the state highway and involve construction within the right-of-way, an Encroachment Permit will have to be approved by Caltrans. The review and approval of the Encroachment Permit by Caltrans will address appropriate traffic control and safety during construction, and ensure that the improvements are consistent with Caltrans standards.

To clarify the discussion in the EIR, minor revisions have been made in Section 4.11 (see Text Revision #13) to document that a left turn lane will be required.

9.4.2 Separate Responses

Responses from Federal Agencies

F.01 Dick Butler, National Marine Fisheries Service

1. Within the project site, the proposed Las Pilitas Quarry operations are not located on or near habitat of the South Central California Coast steelhead Distinct Population. For clarification of this point, Page 3-4 in the Environmental Setting section has been revised as follows:

   From the above descriptions, it appears unlikely that expansion of the Residential Rural designation or extensive residential subdivision will occur in the project vicinity. One of the constraints to extensive future development in the vicinity is the limited groundwater supply for most areas, particularly along Parkhill Road as described above. The Moreno Creek drainage basin along Parkhill Road includes about 3,200 acres of steep granitic hillsides and shallow alluvial material along the creek itself and its local tributaries. The Calf Canyon tributary to the Salinas River northwest of the Oster property ~~Moreno Creek~~ is similar, but with a smaller drainage area of about 2,100 acres. The subject property is at the confluence of Moreno Creek ~~these smaller drainages~~ with the much larger drainage of the Salinas River from the south. This unique location has a much larger groundwater resource than the nearby Residential Rural developed areas along Parkhill Road.

   Steelhead trout is discussed under the heading Threatened and Endangered Wildlife on pages 4.5-29 and 4.5-30 of the Draft EIR. In that discussion, it is explained that the Salinas River crosses the southwest corner of the Oster property about 2,000 feet southwest of the proposed quarry site. The ephemeral drainage that crosses the quarry site and is tributary to the Salinas River does not contain surface water on a regular basis and does not contain habitat for the species. This drainage is outside of the area designated as critical habitat for the species, as reported in the EIR (page 4.5-30 of the Draft EIR).

   Potential effects of the project on surface water and water quality are discussed in Section 4.13 of the EIR. Potential impacts to water quality from construction and mining activities that might possibly affect downstream habitat areas are discussed as impact and Mitigation Measure MM WQ-1, starting on page 4.13-10 of the EIR. Increased use of surface and shallow subsurface water associated

with the Salinas River drainage is discussed as impact WQ-3, on page 4.13-11 of the EIR and is expected to be less than significant.

As reviewed in the Water Supply Assessment (Appendix F of the EIR) the major influence on surface flows along the Salinas River in the project vicinity is surface release of water from the Salinas Dam. The total use of water from the project, plus other anticipated uses in the residential and agricultural activities on the property, amounts to about 7 acre feet per year. The surface flow in the Salinas River ranges from a low of about 800 AFY during drought years to over 8,000 AFY in normal years. Therefore, the worst case scenario uniformly applied throughout the year adequately evaluated the impacts. The broader issues of surface mining along the Salinas River and deleterious withdrawals of water from the Paso Robles groundwater basin, which are mentioned in the comment, are related to areas farther to the north (downstream) from the project site.

2. Erosion control procedures and other methods of water quality management will be required of the project, as set forth in Mitigation Measures MM WQ-1a, 1b, and 1c. These measures, in conjunction with the substantial buffer distances that separate the proposed quarry site from the potential habitat along the Salinas River, will avoid any adverse effects on the south California central coast steelhead habitat. For this reason, the County does not believe that additional consultation with NMFS is necessary at this time.

Responses from State Agencies

S.01 Scott Morgan, State Clearinghouse, OPR

1. OPR transmitted a letter from the Department of Water Resources; please see Letter S.03 for lead agency responses to that letter.

S.02 Adam Fukushima, Caltrans District 5

1. The EIR reference to the design concept LOS used by Caltrans is not intended to suggest that Caltrans uses this value as a criteria in defining a significant impact for purposes of a CEQA evaluation – only that the County is referencing this value to provide some perspective for its own evaluation of potential impacts. Consistency with Caltrans planning is one factor used by the County in evaluating potential traffic impacts.

   Section 4.11.1 (pages 4.11-5 and 4.11-6 of the EIR) provides a background discussion related to various LOS criteria. The Caltrans Guide for the Preparation of Traffic Impact Studies (Caltrans December 2002: page 1) states:

> *Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" … on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS.*

The County-wide Circulation Element goals and policies (Inland Framework for Planning 2011: pages 5-1 through 5-3) do not specify a particular LOS to be achieved on County roadways. Rather, the stated intent is to provide a roadway system that meets, but does not exceed, the capacities needed to serve the County population, in concert with other transportation modes. In a similar manner, the Salinas River Area Plan Circulation Element does not specify a particular LOS to be achieved on County roadways (Salinas River Area Plan 2003: pages 5-2 through 5-4).

For San Luis Obispo County evaluations of roadway capacity conditions, the Resource Management System (RMS) bases the determination of "level of severity" upon the expectation or occurrence of road operations at LOS D. The RMS is part of the General Plan, described in the December 2011 Inland Framework for Planning, pages 3-19 and 2-20). As allowed by Section 15065 (c) (1) of the CEQA Guidelines, this determination procedure provides guidance for the County's CEQA analyses. The RMS, citing the Highway Capacity Manual, describes a road that has reached "capacity" as being at LOS E. Thus, it might be interpreted that LOS D or E would be a reasonable criterion to use to define a significant impact.

Examination of Table 4.11-9 in the EIR shows that when compared to the existing Delay/LOS at all studied intersections, the addition of the project related traffic would not cause any substantial changes, or significant impacts, regardless of whether LOS C, D, or E is used as the threshold. This is because all "existing" and "existing+project" LOS values would be either A or B. In the cumulative analysis, however, the project would contribute towards unacceptable LOS values (shown in Table 4.11-11 of the EIR). Three minor clarification changes have been made in the EIR text to delete the references to the Caltrans route concept LOS. See Text Revision #12.

a. The following clarification has been made to the text of the EIR (starting on page 4.11-19 of the EIR):

> ***US Highway 101/SR 58 Interchange.*** *The project traffic distribution discussed above assumes 80 percent of the quarry traffic will use US Highway 101. To assess the effect of this traffic on the*

ramp and highway operations, ATE first assumed that all of this traffic would move to and from the south. Table 4.11-10 below shows the results of this analysis, compared with the existing conditions. Examination of the table indicates that the project would cause small changes in the traffic density, but in no case would there be a change in the resulting peak hour LOS. In all cases, the peak hour LOS would be D or better~~, which is consistent with the target established by Caltrans for US Highway 101 operations~~. ATE performed a similar analysis, but assuming that all of the project traffic to US highway would travel to and from the north instead. The results of this analysis are similar to the all-southbound assumption, so they are not repeated here but they are included in Appendix C. The effects of the project on the SR 58 ramps mainline operations of US Highway 101 are less than a significant impact, because the LOS would not be altered by the project-generated traffic.

b. The following clarification has been made to the text of the EIR (page 4.11-26 of the EIR):

US Highway 101 and SR 58 Ramps. *The speed surveys by ATE indicated that heavy trucks entering US Highway 101 southbound from SR 58 had an average speed of 51.1 MPH, compared with a speed of 59.1 MPH for automobiles. The field observation and speeds survey found that large trucks merging onto the freeway do not significantly affect mainline operations. These results are consistent with the operational analysis performed using the Highway Capacity Manual, demonstrating that this southbound ramp junction operates at a peak hour LOS D~~, which is consistent with the Caltrans target LOS for US Highway 101~~.*

2. The discussion of SR 58 operating conditions near the park and ride is on pages 4.11-10 (existing conditions) and 4.11-25 to 4.11-26 (effect of the project, which is less than significant). The conclusion (on page 4.11-26) is based in part on the finding of no "…abnormal accident history at this location." This information is a summary of the discussion in the Traffic Appendix (page 13, Appendix C). Since the comment agrees with the EIR conclusion, no changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. Thematic Response #9 describes the need for a left turn lane into the project site.

4. The effect of the project generated truck traffic on the LOS of the different ramps at the US Highway 101/SR 58 interchange is presented in Table 4.11-10 of the EIR. Examination of this table confirms that certain legs of this interchange at certain time periods operate at LOS D. The table also indicates that the project related traffic will not cause any change in any LOS at any of the interchange ramps during any time of day. For this reason, the EIR did not identify any project related impacts or mitigation measures at this location.

5. Thematic Response #9 describes the need for a left turn lane into the project site. The County acknowledges that: "any work within the State right of way would need to satisfy Caltrans design standards through its encroachment permit process."

6. Parking or queuing of quarry trucks along SR 58 is not anticipated for this project. Sufficient room is provided within the project site, or along its access driveway, to accommodate trucks if necessary. This issue is discussed on pages 4.11-27 and 4.11-28 of the EIR, and Mitigation Measure MM TRAFFIC-3b requires adequate provisions for truck parking and operations. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

7. Please refer to Thematic Response #1 for further information regarding bicycle safety.

8. The County of San Luis Obispo acknowledges that any signal proposal on State Route 58 must meet Caltrans signal warrants and design standards. Mitigation Measure MM TRAFFIC-1a has been clarified as follows:

   MM TRAFFIC-1a: Increase Traffic at El Camino Real/SR 58 and Estrada Avenue. *Prior to the issuance of a Notice to Proceed, the applicant/quarry operator shall provide payment or a suitable financial guarantee to fund a portion of the cost of signalization and related intersection improvements at Estrada Avenue (SR 58) and El Camino Real. The amount is to be determined by the County Department of Public Works based on the proportion of total peak hour traffic through the intersection that is assignable to this project, using methods consistent with Caltrans guidelines. The timing for this requirement may be extended by the County into a later phase of the quarry project in the event Caltrans and the Department of Public Works determine that*

postponement of signalization of this intersection is appropriate. Any signal or other improvements at this intersection must meet Caltrans signal warrants and design standards.

9. The County of San Luis Obispo acknowledges that a pedestrian refuge island or other pedestrian safety related improvements on State Route 58 would have to meet Caltrans design standards through the encroachment permit process. Mitigation Measure MM TRAFFIC-2b has been clarified as follows:

   MM TRAFFIC-2b: Pedestrian Crossing at Encina Avenue. *Prior to issuance of a Notice to Proceed with quarry operations, the applicant/quarry operator shall construct a pedestrian refuge island on SR 58 at the intersection of Encina Avenue, or related pedestrian safety improvement consistent with the Santa Margarita Design Plan, as approved by the County Department of Public Works and Caltrans. This improvement will require a Caltrans encroachment permit and compliance with applicable Caltrans design standards.*

10. The County of San Luis Obispo acknowledges that further information may need to be provided to Caltrans, in conjunction with review of the applicant's final engineered construction plans, and Caltrans review of applications for encroachment permits. Mitigation Measure MM TRAFFIC-3a has been clarified as follows:

    MM TRAFFIC-3a: Access. *Prior to the issuance of any construction permit by the County for the project access road, the applicant/quarry operator shall obtain an Encroachment Permit from Caltrans, and shall incorporate any conditions from Caltrans related to traffic controls or construction of the access road into its design, including a left turn lane from SR58 at the project entrance. These conditions may include sight distance and other design features consistent with the Highway Design Manual, and compliance with subsequent Caltrans environmental review, if necessary, and other Encroachment Permit procedures.*

S.03 David M. Samson, Department of Water Resources

1-4. The County of San Luis Obispo, as Lead Agency for the EIR, acknowledges the concerns expressed by the Department of Water Resources. To alleviate the Department's concerns regarding the potential for damage to the State Water Project Pipeline, the following change has been made to clarify Mitigation Measure MM HAZ-1b:

> ***MM HAZ-1b: Risk of Explosion or Release of Explosive Material – Use On-site.*** *The management, handling and storage of explosive materials shall be conducted in accordance with the Blast Plan (Gasch & Associates, December 2009) and with stringent adherence to the federal, state and local regulations. To avoid potential damage to the State Water Project Pipeline, part of the California Aqueduct, the specific requirements of the California Department of Water Resources shall be incorporated into the Blast Plan. These requirements are specified in a letter from the Department, dated June 6, 2013 and submitted to the County of San Luis Obispo as a response to the Draft EIR for the project. The Blaster shall have a current, valid California "Blaster's License" issued by CalOSHA. No on-site storage of explosive materials is allowed.*

5. The County of San Luis Obispo acknowledges this requirement, and will apprise the Project applicant of DWR's requirements for vehicle access to the State Water Project Pipeline.

6. The County of San Luis Obispo believes that a "Final Order of Condemnation" (Document No.1998-021368), and recorded April 14, 1998, adequately addresses the risk to the Coastal Act Pipeline due to additional truck traffic. Specifically, Exhibit B to that Final Order states: "*Vehicles and equipment exceeding highway legal axle load limits requiring special permits will be permitted to cross STATE's pipeline, provided STATE's pipeline is adequately protected and an Encroachment Permit is obtained from the STATE.*"

7. The County of San Luis Obispo acknowledges that the project applicant is responsible to repair any and all damages to SWP facilities caused by the blasting operations. The County will apprise the property owner of this obligation.

8. The County of San Luis Obispo acknowledges that any construction work within DWR right of way will require an Encroachment Permit issued by DWR. The County will apprise the property owner of this obligation.

S.04 Phil Hammer, Central Coast RWQCB

1. The paragraph cited in this comment is from Section ES.3 Brief Summary of Proposed Project. The comment suggests that detailed performance standards be added in this paragraph in order to mitigate the impact to a level below significance. The County as CEQA Lead Agency believes that the visual impact would be significant and not mitigable for a variety of reasons explained in Section 4.1.6 of the EIR. The EIR includes reference to specific performance

standards for revegetation of mined slopes. These standards are part of Mitigation Measure MM AES-1a Scenic Vistas/Reclamation and Revegetation. Rather than define a specific numerical standard as suggested by the comment (70 percent coverage on revegetated slopes after a five year period without irrigation), the mitigation measure makes reference to the regulatory performance standards developed for the California Surface Mine Reclamation Act (at 14 CCR 3705). These procedures and standards are more detailed and require performance based on matching the vegetative cover, density, and species-richness of naturally occurring vegetation in the area. Sampling and other procedures are specified in the regulations to achieve the identified performance. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. Settling ponds or basins to prevent potential sedimentation of streams and other measures to prevent siltation of ground-water recharge areas are required for compliance with the Surface Mine and Reclamation Act (14 CCR 3503(b). The project design includes the pond system mentioned in the comment, along with other measures to minimize its effects on erosion and sedimentation. These other measures include the phasing of quarry operations to retain vegetation and topsoil on the natural surface until its removal is necessary; stockpiling and replacement of cover material in a phased operation as the quarry is completed; and a system of drainage ditches and swales to allow some recharge of runoff water as it is conveyed around slope areas. Selection of the specific design storm used in the drainage design by the Project Engineer is consistent with applicable standards of the County Department of Public Works for an intermediate sized drainage area (one to four square miles in area). These design standards are intended to avoid "damage," which is defined in the standards as "…water having sufficient depth or velocity to damage improvements or to deposit or scour soil." Based in the project's compliance with the County standards, the project design will avoid excessive erosion or sedimentation. Although the project design is consistent with the County standards, the final design and the details of the SWPPP that will be based upon the drainage design are subject to review and approval by both the County and by the Regional Water Quality Control Board. The clarification provided by this response does not alter the conclusions of the EIR.

3. Information regarding project-related impacts to sensitive habitat areas, and the size of the habitat areas to be preserved in open space as part of the project, is presented in Table 4.5-6 of the EIR. In the original biological survey report for the project, the main drainage and riparian area affected by the proposed quarry was mapped as a combination of "drainage" and "seasonally flooded vernal

swale." The latter area was considered a potential wetland area, although a formal delineation was not performed, for reasons explained below. The total length of this area is less than 4,000 feet (drainage plus seasonally flooded vernal swale). The longer distance in the comment (9,000 linear feet) may reflect an estimate of the total length of all the contributing hillside tributaries or swales that drain into this mapped drainage.

The comment states that the EIR should map impacts to all drainage features, swales, and other Waters of the State that will be either temporarily or permanently impacted by the proposed project. As presented in Table 4.5-6, and discussed as part of impact and Mitigation Measure BIO-10 (Effect on Wetland or Riparian Habitat), the area of seasonally flooded vernal swale totaled approximately 0.7 acre, 0.45 acre of which would be preserved in the open space area. An additional pond area of 0.75 acre is proposed in association with the main drainage area that would be created. Thus, the area of wetland habitat that would be preserved and created exceeds that which would be lost by the project.

Mitigation Measure MM BIO-10 requires:

> *The project design includes preservation of approximately 0.45 acre of the drainage in question, plus the creation of a 0.75 acre detention basin adjacent to the preserved portion of the drainage, and other detention basins within the quarry site. Prior to County issuance of a Notice to Proceed to commence quarry activities, the quarry operator shall provide a copy of an approved California Department of Fish and Game Streambed Alteration Agreement or a written determination that such an agreement is not necessary.*

Since quarry operations will not reach the identified potential wetland areas for about 5-10 years, it is anticipated that any required coordination and approval from the California Department of Fish and Wildlife (formerly "Department of Fish and Game") will incorporate later formal surveys of the affected wetland habitat to finalize details of the mitigation program. No changes are necessary in the EIR text.

4. This comment provides additional background information related to the value of wetlands in enhancing water quality and providing habitat. The comment also states that pond features used for the purpose of wetland compensation cannot be used for stormwater treatment or control.

   As described in response 3 above, the California Department of Fish and Wildlife will make the final determination about whether the project's alteration

to any streambed areas and associated habitat will have an adverse effect on fish and wildlife, giving full consideration to the direct effects of the project, its indirect effects, and its proposed preservation and habitat creation or enhancement provisions. No changes are necessary in the EIR text.

5. As requested, the following language shall be added to clarify Mitigation Measure MM HAZ-2:

   A Contingency and Spill Response Plan shall be prepared and implemented. The response plan will include a requirement that spill kits be kept on-site at all times. The spill kits should be easily accessible and properly maintained to control and contain the amount and type of spill that potentially may occur based on an inventory of hazardous materials that will be stored on-site.

6. This comment notes that Construction General Permit Finding J.62 requires Risk Level 3 sites larger than 30 acres to conduct bioassessment sampling before and after construction work to determine if significant degradation to the receiving water's biota has occurred, and states that "…the final document should include the bioassessment sampling plan for before project commencement and after project completion." The County assumes that the Central Coast RWQCB's terminology of "final document" refers to the "permit registration documents" referenced earlier in the comment. The construction area of the project – that area related to grading and paving the access road, scale, scale house, and processing area – is much less than 30 acres. The specific requirements and implementation procedures for the Statewide General Construction Permit will apply to the project, and Mitigation Measure MM WQ-1a requires compliance with those procedures. No changes are necessary in the EIR text.

7. The County has no stormwater facilities that are affected by the project, so the comment is correct in noting that compliance with industrial stormwater management requirements would be through the Statewide General Permit for Industrial Uses, as described in the EIR and in Mitigation Measure MM WQ-1b. To clarify this point, the language in the mitigation measure has been modified. In addition, the Statewide General Permit was updated in April 1, 2014 by the State Water Resources Control Board. This update and other minor revisions related to this clarification are presented in EIR Text Revision #2.

S.05 Patrick Snider, CalRecycle

1. The County of San Luis Obispo, as lead agency, acknowledges the provisions of CEQA Guidelines Section 15088.5 regarding recirculation of an EIR. Please refer to Thematic Response #5 for further information.

2. This comment provides detail regarding compliance with state requirements that are identified in Section 2.3.1 on page 2-7 of the EIR. It does not indicate any deficiency in the EIR analysis or conclusions. Other than acknowledging CalRecycle's information herein, no changes to the EIR text have been made. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. The maximum tonnage of 1,500 tons per day is identified in Section 2.3.1 on page 2-7 of the EIR, and was chosen by the applicant to allow the project to qualify under the notification tier of CalRecycle permitting. Days and hours of operation would be identical to those described in Section 2.3.1 on page 2-6 of the EIR for the project. Equipment used would include the same front-end loaders and other equipment described for the project in Section 2.3.2. Residual solid waste would be placed in the solid waste disposal waste containers (dumpsters or roll off bin) used for the project, and would be taken to the nearest solid waste disposal facility (Chicago Grade landfill) on a weekly basis or other frequency as appropriate based on amount of material and applicable regulations. No changes to the EIR text have been made.

S.06 Feliz Ko, Public Utilities Commission

1. In response to this comment, the following clarification has been added to the text of the EIR (page 4.11-8 of the EIR):

   Table 4.11-4 below presents the results of the ATE Signal Warrant evaluation, and indicates that under the existing conditions, based on traffic volumes and roadway operational criteria, a signal at this location is not warranted. Based on Signal Warrant 9, however, which deals with peak hour traffic volume and the proximity of railroad crossings, under the existing conditions a signal may be warranted at this location. This is because under the Signal Warrant 9 criteria, given the existing peak hour volumes, the minimum distance between the center of the nearest railroad track and the stop line should be 140 feet. On Estrada Avenue, this distance is about 78 feet: more than enough to accommodate a large truck, but still not meeting the Signal Warrant criteria. It should also be noted that the decision to install a traffic

signal should consider other engineering factors, and must be made in consultation with Caltrans, for state routes. The specific language from this standard states: "The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal" (Caltrans 2012:section 4C.01). In addition, the State Public Utilities Commission has advised: "the new traffic signals must be interconnected with the existing railroad automatic warning devices for the system as a whole to operate effectively. Adding preemption to the new signalized intersection will clear any vehicles queued at the crossing prior to train arrival."

2. The design of future intersection improvements at the intersection of El Camino Real and Estrada Avenue will have to consider a number of factors discussed on page 4.11-18 of the EIR, including the proximity of the UPRR tracks. The use of raised medians as suggested by the California Public Utilities Commission may be appropriate, but the final design must meet Caltrans highway design standards and must be approved by Caltrans. Mitigation Measure MM TRAFFIC-1a requires a payment or guarantee of funding for a fair share contribution by the applicant towards improvements at this intersection, but does not specify the design details for the improvements because they have to be determined by Caltrans. Text Revision #21 presents clarifying language.

3. Decisions regarding the configuration of lane striping adjacent to and through the intersection of El Camino Real and Estrada Avenue (SR 58) are within the jurisdiction of Caltrans.

4. Decisions regarding the striping for bicycle lanes along Estrada Avenue (SR 58) through the UPRR crossing are within the jurisdiction of Caltrans.

5. Consistent with this comment, Mitigation Measure MM TRAFFIC-1a already requires that this project contribute a fair share to fund improvements at the intersection of El Camino Real and Estrada Avenue (SR 58). The specific improvements, including median construction and/or additional striping to guide vehicles and bicycles, will have to be considered and approved by Caltrans as part of the implementation of this mitigation.

6. The general categories of measures to reduce potential adverse effects to rail traffic safety listed in this comment will be considered as part of the Caltrans review.

7. To amplify the point raised by this comment, the following paragraph is added to the end of the "California Regulations" narrative on page 4.11-14 of the EIR:

State Public Utilities Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. Completion and submittal of a General Order (GO) 88-B Request for Authorization will be required for any proposed work to the crossing along with appropriate project environmental documents per CEQA. The proposed mitigation measure of installing traffic signals at the El Camino Real/Estrada Avenue intersection falls under the criteria requiring a GO 88-B Authorization. Information on filing a GO 88-B Request for Authorization can be found on the Commission's website: http://www.cpuc.ca.gov/PUC/safety/Rail/crossings/go88b.htm.

Responses from Regional Agencies

R.01 Geiska Velasquez, SLOCOG

1. The County of San Luis Obispo, as lead agency, agrees with SLOCOG's comment that Section 15206 of the CEQA Guidelines ("Projects of Statewide, Regional, or Areawide Significance") applies to this project.

2. The comment presents SLOCOG's observation that "use of this route currently does have high usage for scenic touring by automobile, motorcycle and bicycle clubs." However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

R.02 Gary Arcemont, SLOAPCD

1. As noted in the EIR (Section 4.3.1), the modeling and technical analysis for the air quality section was completed in late 2011, and then was updated in 2012 after updating of the SLOAPCD CEQA Handbook. Consultations with SLOAPCD also occurred during this time period, and the direction from that agency was incorporated into the air quality analysis. The air quality work along with related background material is presented in Appendix D of the EIR. Much of Appendix D consists of spreadsheet tables excerpted from an Excel Workbook, and of sample computer input files. A general description of the methods used, and a listing of the specific models and data sources, is provided in Section 4.3.4 of the EIR.

   The documentation within the Excel Workbook includes more details regarding assumptions; sample calculations; memos with instructions on how emissions factors were obtained from the various data sources; and other information. No

changes are necessary in the EIR text regarding this information. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The assumptions used for emissions calculations; modeling and health risk assessment are described in Section 4.3.4 of the EIR. Key assumptions for the CEQA analysis included a production rate of 500,000 tons per year, including 100 days per year of portable processing plant operations, and 20 days per year of blasting. Terrain and meteorological conditions were selected for worst case conditions. The average one-way travel distance assumed was 25 miles (discussed more in Response 7 below). The individual emissions factors cannot be tabulated simply, as implied in the comment, since they vary by equipment type (trucks, grading equipment, processing plant), location (on-site or off-site), and year of operations. They are included in detail, however, in Appendix D.

3. Table 4.3-6 provides a summary of ROG+NOx emissions for on-site and off-site operations, for both daily and annual timeframes; and assuming air pollutant emissions with no mitigation ("unmitigated") and emissions after the identified mitigation measures have been applied ("mitigated"). Similar results for PM10 emissions and for Diesel Particulate Matter (DPM) are provided in Tables 4.3-7, and 4.3-8, respectively. For each of these presentations, the maximum annual production of 500,000 tons per year was assumed, and the daily values were based on a 250 day per year operation. These results were used for comparison with the SLOAPCD CEQA criteria for significance for annual and daily emission rates as shown in each of the tables.

4. The number of truck operations was based on 500,000 tons per year, 250 days per year, and an average loading rate of 20.2 tons per truck (the truck generation as described in Section 2.3.3 of the Project Description. References to a potential 800 truck trips per day are presented in Thematic Response #4.

5. For purposes of comparison with the SLOAPCD significance criteria for annual and daily emission rates, the maximum anticipated production of 500,000 tons per year was assumed for the very start of the project (originally anticipated in 2013), with a daily production rate of 2,000 tons per day. References to a potential 800 truck trips per day has been clarified in the Final EIR. Thematic Response No. 4 provides more information on this issue.

6. For ROG+NOx, the mitigation measures assumed in the "mitigated" results in Table 4.3-6, are described following this Table and include: (1) use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines, (2) use of NOx reducing catalytic system suitable for rubber-tire off road front end loaders, (3)

restrictions on idling trucks, and (4) use of model year 2007 or newer trucks. The justification and sources of specific values for individual engine emission factors are provided in the Excel Workbook, from which the tables in the Air Quality Appendix are summarized (Appendix D in the EIR). For example, for a Caterpillar 988 front-end loader operating in 2014, the CalEEMod User Manual gives an unmitigated NOx emission factor of 4.97 grams/horsepower-hour. The same data base for the same equipment type and year gives a mitigated emission factor of 4.20 grams/horsepower-hour (CalEEMod User manual, Appendix D. Table 3.5). This input, along with loading factors from the OFFROAD2011 model, and similar data for the other equipment items and sources, was used to generate the unmitigated and the mitigated emission rates for equipment operating within 23 distinct volume sources defined to cover the various phases of the proposed quarry over its lifetime, as presented in Appendix D. A similar analysis was done for on-road truck traffic. The resulting emission rates for criteria pollutants were compared to the SLOAPCD significance criteria, and were also used as input for the dispersion modeling and health risk assessment.

As explained in the EIR text, the mitigation measures assumed in the computations were limited to those measures that either were already required, or would be required, by current regulations or those which could easily be incorporated based on anticipated regulations. Additional possible measures, as described in the SLOAPCD CEQA Air Quality Handbook, are mentioned on pages following Table 4.3-6, and are reviewed in detail in Appendix D (pages 26-30). All of the measures included in the calculations for mitigated emissions are contained within Mitigation Measure AQ-1a, along with an additional requirement that blasting shall not be conducted simultaneously with the operation of portable processing equipment.

7. The assumed 25-mile travel distance from the project site is justified because it would include all of the major roadways and population centers of San Luis Obispo County from Paso Robles in the north to Pismo Beach in the south. Areas farther south (Nipomo and Arroyo Grande) would likely be served by closer aggregate sources along the Santa Maria River. No areas outside of San Luis Obispo County were assumed to be within the market area served by the project. Even if materials are shipped beyond the market as described, it is important to realize the 25-mile trip is an average. Some material will be used within 10 miles of the project whereas other materials will ship greater than 25 miles. The 25 mile trip is nearly twice as long as the default CalEEMod trip length of 13-miles that would otherwise be used for CEQA analysis of projects in the County of San Luis Obispo. Thus, the 25-mile trip assumption is conservative as compared to default methods and supported by substantial evidence, which is defined in Section 15384 of the CEQA Guidelines to include

"facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts".

8. Whole pavement recycling is becoming a common practice in roadway reconstruction, and is described in the EIR text in Section 2.3.3. As further explanation of this practice, PCC or AC concrete is broken up and removed from a roadway, transported to a crushing facility, and then returned to the original site for use in the roadbed or pavement construction. In this scenario, trucks would be loaded both to and from the project site, and the truck trips would displace potential trips associated with the delivery of new aggregate from the site – causing no net change in the estimated 198 truck trips per day for the maximum anticipated production of 500,000 tons per year. It is also possible that broken PCC or AC concrete may be available from a demolition project or some other source. While this scenario is not expected to be common, the EIR assumed an additional 75 truck trips per day to account for it, in order to retain a reasonable maximum or "worst case" approach for the traffic and air quality analyses. This is an aspect of the Project Description; no mitigation measures or conditions are anticipated to mandate or prescribe a specific number of truck trips related to whole pavement recycling.

9. The emissions inventory included a default assumption of 5 minutes idling time, with the trucks located along the access road. The access road was chosen for the location of the idling because it is closer to the receptors south of the project than the processing area and would produce more conservative results. No changes are necessary in the EIR.

10. The effect of alternative haul routes on regional emissions would be the same as that of the project. If an alternative haul route were feasible, it may result in a slight reduction in potential exposures of residents to diesel exhaust. Since this effect was less than significant with the project as proposed, there would be no substantial difference under an alternative haul route. The CEQA Guidelines note that alternatives should be described which would avoid or substantially lessen significant effects of the project (Section 15126.6). No changes are necessary in the EIR.

11. The assumed trip generation of 273 truck trips per day includes an allocation for truck trips associated with the recycling operation. As explained in Response #8 above, the recycled material would comprise a portion of the total 500,000 tons per year of material processed at the project. To the extent that the transport of recycled material simply replaces the transport of mined aggregate material, there would be no substantial change in the estimated air emissions. No changes are necessary in the EIR.

12. The project is not proposed to be electrified and does not propose to manufacture Portland cement or Portland cement concrete. Appendix D includes non-road emissions from an 800 hp portable generator operating a portable processing plant, under the assumption that the recycle and aggregate processing plants would not operate concurrently (i.e., the same plant is used for both material sources, or only one would be present and operating at one time). If the recycle and aggregate processing plant is eventually electrified, then the emissions would be less than those in the EIR. Finally, the GHG emissions are not a significant impact of the project. Therefore, there is no need for electrifying the plants solely on the basis of GHG impacts and no change to the text of the DEIR is necessary. From Appendix D, the fuel-use GHG emissions presented in Table 4.4-3 can be distributed among various sources as follows:

Source	CO2e Emissions (tons/yr)
Blasting	56.6
Non-road engines	744
Trucks running on-site	61.5
Trucks idling on-site	19.8
Subtotal on-site	882
Trucks running off-site	3,054
Passenger vehicles running off-site	24.8
Subtotal off-site	3,079
Total	3,961
SLOAPCD Significance Threshold	10,000
Project exceeds Threshold?	No

Since the emissions of GHG are considered less than significant, and since this clarification does not alter the discussion or conclusion in the EIR, no changes are necessary.

13. Response # 8 above provides more information related to the role of PCC and AC aggregate recycling truck trips. These trips are included within the total of 273 truck trips per day assumed for the EIR analysis. The CUP will include a condition to maintain records regarding the number of trucks departing the project. Since it is not expected that this condition would need to distinguish between recycled aggregate material trips and raw aggregate trips, no changes are necessary in the EIR.

14. The reference to 800 trips per day has been clarified in the Final EIR, as explained in more detail in Thematic Response # 4.

15. Health risks from toxic air contaminants (TACs) other than diesel particulate matter (DPM) were considered in the health risk assessment. These TACs included crystalline silica, nine trace metals, and two other elements (chlorine and selenium). Results of the health risk assessment are summarized in Table 13 (Cancer Risk), Table 14 (Chronic Hazard Index), and Table 15 (Acute Hazard Index), in the Air Quality and Climate Change Impact Assessment (Appendix D of the EIR). More information on both DPM and the other TACs is presented in the Cancer and Non-Cancer Source Apportionment tables contained in the EIR Appendix D, which include 19 pages showing how the sources of these pollutants were distributed among the 23 volumes that were assigned to the various phases of the project. By far, the highest risk represented by these contaminants is that from diesel particulate matter, and Appendix D includes a lengthy discussion of this pollutant. There would be no mining activities at the project that would result in health impacts from the remaining TACs above the significance thresholds as discussed in the EIR, and this justifies the focus of the EIR on the health risk associated with DPM. Additional information regarding the potential health concerns of the other TACs is presented in documentation from OEHHA which is found on the following web links:

Compound	Web Links
Arsenic	http://oehha.ca.gov/air/toxic_contaminants/pdf_zip/Arsenic%20final.pdf
Asbestos, Naturally Occurring	http://www.arb.ca.gov/toxics/Asbestos/FactShts.pdf
Cadmium	http://oehha.ca.gov/air/chronic_rels/pdf/7440439.pdf
Chromium	http://oehha.ca.gov/air/chronic_rels/pdf/hexChroms.pdf and http://www.oehha.ca.gov/air/hot_spots/2009/AppendixB.pdf#page=201
Copper	http://oehha.ca.gov/air/hot_spots/2008/AppendixD2_final.pdf#page=74
Lead	http://www.oehha.ca.gov/air/hot_spots/2009/AppendixB.pdf#page=368
Manganese	http://oehha.ca.gov/air/hot_spots/2008/AppendixD1_final.pdf#page=170
Mercury	http://oehha.ca.gov/air/hot_spots/2008/AppendixD1_final.pdf#page=214
Nickel	http://oehha.ca.gov/air/chronic_rels/pdf/032312NiREL_Final.pdf http://www.oehha.ca.gov/air/hot_spots/2009/AppendixB.pdf#page=432
Selenium	http://oehha.ca.gov/air/hot_spots/2008/AppendixD3_final.pdf#page=476
Silica, crystalline respirable	http://oehha.ca.gov/air/hot_spots/2008/AppendixD3_final.pdf#page=486
Vanadium	http://oehha.ca.gov/air/hot_spots/2008/AppendixD2_final.pdf#page=298

Naturally Occurring Asbestos (NOA) is the final TAC considered in the EIR, but it was handled in a separate discussion in Section 4.3.6, since there is a

specific Toxic Control Measure issued by the California Air Resources Board, and a specific procedure at the SLOAPCD for addressing this material. As explained in the EIR text for this issue, the project site is located in the La Panza granitics region, which contains a rock type (granitics) with a very low likelihood of containing NOA. The EIR also explains that the SLOAPCD has a review and exemption process that can confirm the absence of NOA, and thus avoid the need for special dust control measures. Impact and Mitigation Measure AQ-2b address the issue of NOA. No changes are necessary in the EIR.

16. This comment points out that in a number of approved projects throughout San Luis Obispo County, off-site mitigation of air quality impacts can be incorporated to reduce the project emissions below a level of significance. The comment also points out a number of possible additional mitigation measures that might be applied to the project. For these reasons, the comment suggests that the conclusions relative to Impacts AQ-1a (NOx+ROG and particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable." The County of San Luis Obispo, as Lead Agency, has carefully reviewed the suggestions of the District. Given the non-attainment status of the air basin with respect to California ambient air quality standards for ozone, the potential use of offsite pollutant reduction measures as suggested by the comment may be appropriate. The EIR includes three pages of discussion regarding potential additional mitigation measures (pages 4.3-21 through 4.3-24), with reference to the longer lists of potential measures published by the APCD. Appendix D (in its Section 6.2) includes a list of 50 such measures. Mitigation Measure MM AQ-1a requires that the applicant document the incorporation of all feasible measures.

    The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #27 documents the change in EIR conclusions for Air Quality, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

17. This comment suggests that the EIR conclusion with respect to emissions of fine particulate matter should be changed from "significant and not mitigated" to "significant but mitigable," and suggests that implementation of measures identified in the APCD CEQA Handbook would achieve mitigation. The comment also suggests that the discussion be expanded to include reference to two APCD Rules: 401 related to visible emissions and 402 related to nuisance. Specifically the comment states, "Complete implementation of the mitigation

measures shall manage fugitive dust emissions such that they do not exceed the APCD 20 percent opacity limit (APCD Rule 401) from any source project on-site." Both Rule 401 and 402 are noted in the EIR in Table 4.3-5. The Draft EIR text included the specific reference to and description of fugitive dust mitigation measures recommended by APCD (see page 4.3-26 of the Draft EIR), and incorporated many of these in Mitigation Measure MM AQ-1b. This set of measures is intended to reduce fugitive dust emissions as much as is feasible.

The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #18 documents the change in EIR conclusions for Air Quality, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

18. As requested by this comment, Table 4.3-9 has been changed to be consistent with Appendix D Table 13. Risk levels in Appendix D, Table 13 are slightly less than those presented in Table 4.3-9. Thus, Table 4.3-9 is conservative and there are no changes to the significance determinations that are made in the DEIR.

19. Mitigation Measure MM AQ-1a includes three items intended to minimize emissions of exhaust from diesel engines. To the extent that these measures reduce or control diesel exhaust, they will help to minimize the generation of DPM. Table 4.3-8 clearly quantifies changes in DPM between the project and MM AQ-1a and Table 4.3-9 clearly quantifies the resulting change in health risk. As noted in Response #12, the project does not include electrification of material processing plants and need not electrify the plants in order to further mitigate DPM impacts which are already less than significant. Therefore, no change in the EIR text is necessary to address this comment.

20. APCD staff was consulted regarding the best available meteorological data for this project site and provided the electronic files by email on July 22, 2011. While it is possible that the predominant wind direction at the project site is different from the meteorological data, the north-south orientation of the meteorological data is conservative because most of the receptors are located to the south and the project sources are oriented north-south causing the plumes from multiple sources to overlap and increasing the concentration and/or risk at those receptors to the south. The more east-west the wind direction is assumed to be, the more sources are oriented in the cross wind direction which would result in less overlapping and lower concentrations and/or risk. It is also noteworthy that the model used flat simple terrain which is a conservative

feature because the sources are at higher elevations than the receptors and would result in greater dispersion of the plume than is represented in the model. Also, intervening ridgelines separate the source areas from the receptors to the east and would likely have affect both wind direction and plume dispersion. Modeling with on-site meteorological data may produce different results as would the use of terrain in the model. Nevertheless, the results of the modeling are considered to conservatively representative the project throughout the model domain. Risk at the nearest off-site receptors was determined by choosing representative grid receptors for each off-site receptor. Other residences in the vicinity would be expected to have lower exposure and risk and could be assessed independently if they are close enough to the project to be located within the model domain. No changes are necessary in the EIR.

21. The referenced policies dealing with the promotion of transit, bicycle, and pedestrian transportation focus on design aspects of residential subdivisions, commercial construction, and workplace development projects that can promote these modes of transportation. Since the project does not involve residential or retail commercial uses, and would employ a very small number of people, most of these types of policies do not apply. The main point of the comment, however, addresses potential effects of truck traffic on pedestrian and bicycle safety – which is the major focus of the following comment and response.

22. Pedestrian and bicycle counts were part of the analysis of Levels of Service for Intersections along Estrada Avenue (SR 58) in the discussion starting on page 4.11-6. Although no specific mitigation measure was warranted at the pedestrian school crossing where H Street crosses Estrada Avenue, the project is required to contribute a fair share contribution towards signalization at this intersection if it is deemed necessary in the future (Mitigation Measure MM TRAFFIC-4). This funding is separate from the project requirement to contribute towards the improvements at Estrada Avenue and El Camino Real (Mitigation Measure MM TRAFFIC-1a). The project is also required to install pedestrian crossing improvements at Encina Avenue across SR 58 (Mitigation Measure MM TRAFFIC-2b). The comment suggests that the "public perception" of hazardous conditions related to truck traffic on SR 58 may lead to additional vehicle traffic use in lieu of current pedestrian and bicycle activity, and requests that the EIR analyze the potential air emissions of this effect. The County as CEQA Lead Agency respects the opinion of the APCD in air quality matters, but the suggested line of analysis would clearly be speculative in nature and is not included in the EIR. Thematic Response #6 provides additional information related to the degree of detail necessary in an EIR.

A separate issue in this comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita in the event that "traffic backs up on Highway 58" (Estrada Avenue). The comment suggests that residents may be subject to increased diesel particulate matter exposures in this scenario – although it is not clear from the comment which residences are of concern (along I Street or Estrada Avenue), or how exhaust from trucks on the SR 58 route would affect residences along I Street, if that is the concern. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

Responses from County Agencies

C.01 Unnamed, SLO County Parks

1. As requested by the County Department of General Services, the following change has been made to the second paragraph under the section entitled "Effect on Access to Trails, Parks or Other Recreation Opportunities," found on page 4.10-4 of the EIR: *~~Acceptance~~ Development of a trail corridor by the County must meet required findings including sufficient funds for ongoing maintenance and liability.*

2. As requested by the County Department of General Services, the following change has been made to clarify Mitigation Measure MM REC-2: *Prior to issuance of a Notice to Proceed, the property owner shall offer a ~~future~~ trail easement for dedication to the County, along the Salinas River Trail corridor, subject to conditions and County policies to coordinate trail development and to protect public safety and property owner rights. The offer of dedication shall be a minimum of ~~10~~ 25 feet in width and be located adjacent to the Salinas River (outside of the creek corridor). The final location of the offer of dedication shall be determined in consultation with the Parks Department.*

Responses from Organizations

O.01 Fred Collins, N. Chumash Tribal Council

1. The County of San Luis Obispo acknowledges Northern Chumash Tribal Council's role in the Tribal Consultation process. As reported in the comment letter, the Northern Chumash Tribal Council was involved during the Notice of Preparation period for this EIR. The requirement for Native American consultation arises from two sources. First, Government Code Section 65352.3 requires consultation with Native American tribes for the adoption or amendment of the County general plan, but no such action is associated with the proposed project.

   Second, the County of San Luis Obispo General Plan, Conservation and Open Space Element (COSE), Implementation Strategy CR 4.4.1 in Chapter 4 states: "In areas likely to contain Native American and cultural resources, include Native Americans in tasks such as Phase I, II, and III surveys, resource assessment, and impact mitigation. Consult with Native American representatives early in the development review process and in the design of appropriate mitigations. Enable their presence during archaeological excavation and construction in areas likely to contain cultural resources." This policy and the COSE were adopted in 2010, and the County is pursuing this policy of early involvement with Native American representatives in the conduct of Phase I surveys for work done after this date.

2. This comment requests a full Phase I and Phase II survey with California Native American Chumash present. The County acknowledges that the project site is within the region occupied and used by the Chumash. Based on the results of the cultural resource survey report (Heritage Discoveries Inc., 2009), available at the County Department of Planning and Building, the proposed quarry location does not contain an archaeological site or resource as the terms are used in the CEQA Guidelines (Section 15064.5(c)). The cultural resource survey report indicates that the project site is not an area likely to contain Native American resources – no artifacts or other evidence of Native American occupation were found and the quarry site itself includes very steep topography covered mainly with chaparral vegetation (see Section 4.15.1 of the EIR). In the unlikely event that previously undiscovered cultural resources are exposed during construction, all ground-disturbing activities shall immediately be halted and the Department shall be notified consistent with Land Use Ordinance Section 22.10.040.

3. This comment objects to processing of an "MND" (presumably, a "Mitigated Negative Declaration") for this project. A Mitigated Negative Declaration was not prepared for this project; instead the project was reviewed through preparation of an Environmental Impact Report. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

O.02 Gordon Hensley, SLO Coastkeeper

1. The EIR discussion in Section 4.5.6 explains that the area to be preserved outside of the boundaries of the quarry itself has an equal or higher habitat value than the area to be lost. The listing of areas of different habitat types in Table 4.5-6 supports this conclusion; the ratio of impacted sensitive habitat to sensitive habitat within the open space is approximately 1:4.11. Additionally, the land being preserved meets with the definition of "mitigation": *Compensating for the impact by replacing or providing substitute resources or environments*. (CEQA Guidelines Section 15370(e); emphasis added)

   Based on the fact that there is five times more coast live oak woodland (as calculated from Figure 4.5-1: Plant Communities Identified in LFR Survey, 7.75 acres ÷ 1.55 acres = 5) preserved through mitigation measure MM BIO-1 than impacted, this impact shall be considered mitigated. The project will not affect any state or federally listed endangered or threatened species. Additional mitigation measures described in the EIR (MM BIO-3, 4, 5, 6) will avoid or minimize potential effects on individuals of other identified species. Given the fact that the land proposed for preservation could be subject to unrestricted grazing or other ranching activities, the proposed open space conservation in conjunction with the other identified mitigation measures will reduce the effects of the project to a less than significant level. The comment provides no additional information or data relative to this issue, and no changes are necessary in the EIR.

2. This comment notes that the California Fish and Game Code does not provide for any licenses or permits to take ring-tailed cats. This is consistent with the definition of "fully protected" pursuant to Fish and Game Code Section 4700. The EIR notes the "fully protected" status of ring-tailed cat, and identifies potential effects and appropriate mitigation in impact and Mitigation Measure MM BIO-3. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

O.03 Stephnie Wald, Central Coast Salmon Enhancement

1. Funding of surface mine reclamation activities is a requirement of the California Surface Mine and Reclamation Act (at Public Resources Code Section 2773.1), and is implemented through the County Code requirement in Section 22.36.060, as well as requirements placed on the Conditional Use Permit.

2. This comment suggests "replacement of lost oaks at a 2:1 ratio" as compensation for impacts to oak trees in the proposed quarry area. However, the County has already provided adequate mitigation for the impact, based on the following definition of mitigation: *Compensating for the impact by replacing or providing substitute resources or environments*. (CEQA Guidelines Section 15370(e); emphasis added)

   This comment also suggests "off-site mitigation through the purchase of lands in the amount of 41 acres of equal or greater value". This approach appears to support MM BIO-1 which requires the recordation of an open space easement that protects the habitat in perpetuity. Please note that Table 4.5-6 was derived from Figure 4-5.1 which shows the "Plant Communities Identified in LFR Survey".

   The EIR discussion in Section 4.5.6 explains that the 69 acres to be preserved outside of the boundaries of the quarry itself have an equal or higher habitat value than the area to be lost. Table 4.5-6 notes that there will be 7.75 acres of Coast live oak woodland preserved, which is five times more coast live oak woodland than that which would be impacted (as calculated from Figure 4.5-1: Plant Communities Identified in LFR Survey, 7.75 acres ÷ 1.55 acres = 5). Planting additional oak trees within the area to be preserved would have little or no habitat value, since the areas capable of supporting oak woodland already have this vegetation community present. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. The major issue regarding surface mining projects along the Salinas River has focused on current and proposed sand and gravel operations that remove recent or older alluvial material from the river bed itself or from areas adjacent to the river. These types of projects may directly affect habitat quality along the river, and have the potential to release sediment or other pollutants directly into the river.

   The proposed Las Pilitas quarry is not this type of surface mine. The project will mine granitic rock from hillsides that are located a relatively large distance from

the river and its associated habitats. At its closest point, the quarry would be about 1,000 feet from the river, and the main body of the quarry would be over 2,000 feet from the river. This distance, in conjunction with required stormwater controls (see Mitigation Measures MM WQ-1a, 1b, and 1c) will avoid any adverse effects to potential steelhead habitat areas.

4. This comment cites a project specific mining proposal document related to sediment transport and bedload along the Salinas River and Estrella River, which was prepared and submitted to the County in conjunction with review of sand and gravel mines within the Salinas River and Estrella River. However, the comment does not present any connection between this document and the proposed Las Pilitas quarry. No changes are necessary in the EIR.

5. The County of San Luis Obispo acknowledges the [California] Department of Fish and Game's recent name change to "Department of Fish and Wildlife." However, since the Notice of Preparation was issued before the name change (reference Section 15125 of the CEQA Guidelines), the former agency name may be used interchangeably with its new name, in the final EIR.

6. In response, it should be noted that the County's consultant (URS) prepared the estimate of project water consumption, not the applicant. Sections 15162 and 15164 of the CEQA Guidelines explain when an addendum can be prepared. No changes are necessary in the EIR.

O.04 Dreaming the Salinas, Ecologistics, Inc.

1. This comment generally describes the conditions of the Salinas River watershed, repeating information that is posted on the web site of www.ecologistics.org. The conditions described relate primarily to portions of the watershed 20 miles downstream (north) from the project vicinity. The EIR provides a description of conditions, including seawater intrusion and other water quality issues, in Section 4.13.1. The comment provides no new information or evidence, and no changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. Water rights on the property are held by the property owner, not the applicant. Since the property is adjacent to the Salinas River and Moreno Creek, and draws surface and shallow subsurface flows from these sources, the property owner has a riparian water right to these sources. Riparian water rights are described in the California Constitution (Article X, Section 2), and Section 101 of the California Water Code. Under riparian rights, the property owner may use an unlimited amount of water for beneficial uses as long as the use is reasonable

and not wasteful and does not diminish the rights of downstream riparian users or holders of appropriative rights. In addition, the property owner has documented diversion and use of water on the property prior to the effective date of the state Water Commission Act (December 19, 1914), and filed several Statements of Diversion and Use and Supplemental Statements that document past and current uses on the property. While the Statements of Diversion and Use do not guarantee any specific water right, they may provide evidence to establish a priority of use in the event of any future applications for appropriation or adjudication of the surface or groundwater supply. The publicly available information regarding these Statements of Diversion and Use, as well as more information regarding water rights, is provided in Section F.3 of Appendix D of the EIR.

Detailed information regarding the specific points and means of diversion, past and current uses, and other water related improvements does not relate directly to the issue of potential water use impacts. This comment provides no additional information or evidence related to this issue, and no changes are necessary in the EIR.

3. This comment requests factual support for the EIR contention that Salinas River flow, including underflow, is not directly or indirectly related to the Paso Robles Groundwater Basin. The EIR does not state or imply that there is no relation between flow in the Salinas River and the Paso Robles Groundwater Basin. Figure 4.13-1 shows the project site within the Salinas Hydrologic Unit, and within the Paso Robles Hydrologic Area (Atascadero Hydrologic Subarea). The project area, as shown in Figure 4.13-2 is well outside of the mapped boundaries of the Paso Robles Groundwater Basin. However, the average contribution from Salinas River seepage to the Paso Robles Groundwater Basin is estimated in the Paso Robles Groundwater Basin Study, Phase I Report (San Luis Obispo County 2002:page 106) to be 10,500 AFY, with a range from 300 AFY to 19,000 AFY. Similar river seepage from other streams in the basin, including the Salinas River from Paso Robles to the Nacimiento River, contributes an average of 29,075 AFY. Deep percolation from precipitation contributes an average of 43,400 AFY (San Luis Obispo County 2002: pages 105–107). As described in section 4.13.1 of the EIR, releases from the Salinas Dam and Santa Margarita Reservoir are the major influences of surface flows on the Salinas River in the vicinity of the project, and they provide a median surface flow of nearly 9,000 AFY. This information does not alter the analysis or conclusions in the EIR: the project water use of the proposed quarry and total water use expected on the property from existing ranch and residential uses plus the project are not expected to cause a significant impact to water supplies.

4. As explained in the Project Description, starting on page 2-7 of the Draft EIR, pavement material to be processed through the project would be limited to "Type A" inert debris, as defined in 14 CCR 17381(k)(1). This material may not contain oil, plastics, and other wastes, and may not contain soluble pollutants in excess of water quality objectives. As such, this material is not considered to be hazardous waste, as implied by the comment. The project would not use thermal or chemical processes in any asphalt recycling. Material would be brought to the site, crushed and sorted with portable equipment using only mechanical processes, loaded into trucks, and hauled away. Storage and processing areas would occur in the same areas used for rock processing within the site, and all of these areas would be subject to the drainage control system proposed with the project. That is, all stormwater runoff from these areas would be directed to detention basins which would be constructed before any pavement recycling would begin. These basins would help to minimize the potential for discharge of sediment to any areas of aquatic habitat. The nearest such areas are along the Salinas River, which is approximately 1,000 feet from the closest point within the proposed quarry site.

5. Within the project site, the proposed Las Pilitas Quarry operations are not located on or near habitat of the South Central California Coast steelhead Distinct Population. For clarification of this point, Page 3-4 in the Environmental Setting section has been revised as follows:

   From the above descriptions, it appears unlikely that expansion of the Residential Rural designation or extensive residential subdivision will occur in the project vicinity. One of the constraints to extensive future development in the vicinity is the limited groundwater supply for most areas, particularly along Parkhill Road as described above. The Moreno Creek drainage basin along Parkhill Road includes about 3,200 acres of steep granitic hillsides and shallow alluvial material along the creek itself and its local tributaries. The Calf Canyon tributary to the Salinas River northwest of the Oster property ~~Moreno Creek~~ is similar, but with a smaller drainage area of about 2,100 acres. The subject property is at the confluence of Moreno Creek ~~these smaller drainages~~ with the much larger drainage of the Salinas River from the south. This unique location has a much larger groundwater resource than the nearby Residential Rural developed areas along Parkhill Road.

   Steelhead trout is discussed under the heading Threatened and Endangered Wildlife on pages 4.5-29 and 4.5-30 of the EIR. In that discussion, it is explained that the Salinas River crosses the southwest corner of the Oster property about 2,000 feet southwest of the proposed quarry site. The ephemeral

drainage that crosses the quarry site and is tributary to the Salinas River does not contain surface water on a regular basis and does not contain habitat for the species. This drainage is outside of the area designated as critical habitat for the species, as reported in the EIR (page 4.5-30 of the Draft EIR).

Potential effects of the project on surface water and water quality are discussed in Section 4.13 of the EIR. Potential impacts to water quality from construction and mining activities that might possibly affect downstream habitat areas are discussed as impact and Mitigation Measure MM WQ-1, starting on page 4.13-10 of the EIR. Increased use of surface and shallow subsurface water associated with the Salinas River drainage is discussed as impact WQ-3, on page 4.13-12 of the EIR and is expected to be less than significant.

As reviewed in the Water Supply Assessment (Appendix F of the EIR) the major influence on surface flows along the Salinas River in the project vicinity is surface release of water from the Salinas Dam. The total use of water from the project, plus other anticipated uses in the residential and agricultural activities on the property, amounts to about 7 acre feet per year. The surface flow in the Salinas River ranges from a low of about 800 AFY during drought years to over 8,000 AFY in normal years. The broader issues of surface mining along the Salinas River and deleterious withdrawals of water from the Paso Robles groundwater basin, which are mentioned in the comment, are related to areas farther to the north (downstream) from the project site.

6. This comment does not indicate any deficiencies in the Aesthetics and Visual Resources analysis (Section 4.1), but expresses general concerns with eco/wine/recreation tourism issues. No changes have been made to the EIR text, in response to this comment.

7. The Northern Chumash Tribal Council was involved during the Notice of Preparation period for this EIR. The requirement for Native American consultation arises from two sources. First, Government Code Section 65352.3 requires consultation with Native American tribes for the adoption or amendment of the County general plan, but no such action is associated with the proposed project.

   Second, the County of San Luis Obispo General Plan, Conservation and Open Space Element (COSE), Implementation Strategy CR 4.4.1 in Chapter 4 states: "In areas likely to contain Native American and cultural resources, include Native Americans in tasks such as Phase I, II, and III surveys, resource assessment, and impact mitigation. Consult with Native American representatives early in the development review process and in the design of

appropriate mitigations. Enable their presence during archaeological excavation and construction in areas likely to contain cultural resources." This policy and the COSE were adopted in 2010, and the County is pursuing this policy of early involvement with Native American representatives in the conduct of Phase I surveys for work done after this date.

A Phase I survey was conducted according to County protocol. The EIR consultant has reviewed the findings and no deficiencies were noted. No additional surveys are necessary and no changes are necessary to the EIR.

8. Mitigation Measure MM REC-2 (slightly revised from the Draft EIR) ensures appropriate consistency of the project with future plans for a future Salinas River Trail, as follows:

   MM REC-2: Access to Future Salinas River Trail. *Prior to issuance of a Notice to Proceed, the property owner shall offer a ~~future~~ trail easement for dedication to the County, along the Salinas River Trail corridor, subject to conditions and County policies to coordinate trail development and to protect public safety and property owner rights. The offer of dedication shall be a minimum of ~~10~~ 25 feet in width and be located adjacent to the Salinas River (outside of the creek corridor). The final location of the offer of dedication shall be determined in consultation with the Parks Department.*

   No changes to the EIR are necessary.

O.05 Andrew Christie, Sierra Club

1. As noted in Table 4.5-5 (page 4.5-21 of the EIR), and described in more detail on page 4.5-30, California red-legged frog was not found on the property during field surveys, and suitable habitat was not found within the area to be disturbed by the quarry. The nearest suitable habitat is along Moreno Creek and the Salinas River, about 500 feet and 900 feet from the nearest quarry areas, respectively. Despite the low likelihood of occurrence within the proposed quarry area, the EIR conservatively concluded that the project may adversely affect the species when clearing and grading occurs for Phase 2 of the quarry development (impact and mitigation measures BIO-6). Since Phase 2 of the project is not expected to occur for 3–7 years after the project is started, completion of a habitat assessment or protocol survey for California red-legged frog during the EIR preparation time would have provided no additional useful information. Had such surveys found red-legged frog, that information would have only confirmed the potential impact and mitigation measure already in the EIR. Had they not found the species or suitable habitat, they would still need to

be performed as described in mitigation measure MM BIO-6 since conditions may change over the time before the quarry operations reach Phase 2. For these reasons, the discussion in the EIR represents neither inappropriate piecemealing nor deferred mitigation as suggested by the comment, and no revisions are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about the discussion.

3. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about the discussion.

   Furthermore, Impact Traffic 2a states:

   > ***IMPACT TRAFFIC-2a: Elementary School Crossing.*** *Project generated heavy truck traffic may impair visibility of roadway traffic from the Santa Margarita Elementary school crossing on Estrada Avenue at H Street. Since the crossing design and improvements on this state highway are consistent with applicable standards, <u>this effect is a less than significant impact</u>.* (emphasis added).

   No mitigation measure is necessary, if the effect is less than significant (reference CEQA Guidelines Section 15126.4). Therefore, the EIR does not defer mitigation, as alleged by this comment.

4. This comment appears to disagree with the following statement made in Chapter 4.11 of the EIR:

   > *"In summary, the additional heavy truck traffic in the vicinity of the Santa Margarita Elementary school may affect visibility of oncoming cars from the school crossing, and in this regard may* [be] *considered incompatible with the land uses in the Santa Margarita community, but it is not considered a significant impact."*

   The comment also disagrees with the applicability of several applicant proposed measures related to the issue of compatibility between truck traffic and other uses along SR 58.

   The comment does not indicate any deficiencies in the EIR's analysis. As noted in Thematic Response #6, CEQA Guidelines Section 15151 states:

"Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts."

No changes are necessary in the EIR. The decision makers will decide if the project is compatible with surrounding land uses. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. At the present time, the only uses proposed and approved in the Santa Margarita Ranch property are the Agricultural Residential Cluster Subdivision, and the continuation of farming, ranching, and related events at the ranch complex. The remaining points of the comment all relate to the potential for truck traffic to contribute towards increased accidents along State Route 58, particularly at the right angle curve at J Street. This issue is discussed in the EIR on page 4.11-4, with information beyond the short quotation contained in the comment. In addition, the EIR notes the vehicle code regulations that apply to trucks and the transport of hazardous materials on state highways (page 4.11-14 of the EIR). Other aspects of traffic safety are also discussed on pages 4.11-26 and 27 of the EIR. The method to calculate the project's fair share contribution towards intersection improvements will be based on the project traffic volume and the total traffic volume, consistent with both County and Caltrans policy.

6. This comment expresses the opinion that there is no support for a finding of overriding considerations, as defined in Section 21081 of the Public Resources Code. The County of San Luis Obispo, as lead agency, will review these overriding considerations concurrent with their review of the project itself, and will make findings accordingly.

O.06 Linda Seeley, Terra Foundation

1. Within the project site, the proposed Las Pilitas Quarry operations are not located on or near habitat of the South Central California Coast steelhead Distinct Population. For clarification of this point, Page 3-4 in the Environmental Setting section has been revised as follows:

From the above descriptions, it appears unlikely that expansion of the Residential Rural designation or extensive residential subdivision will occur in the project vicinity. One of the constraints to extensive future development in the vicinity is the limited groundwater supply for most areas, particularly along Parkhill Road as described above. The Moreno Creek drainage basin along Parkhill Road includes about 3,200 acres of steep granitic hillsides and shallow alluvial material along the creek

itself and its local tributaries. The Calf Canyon tributary to the Salinas River northwest of the Oster property ~~Moreno Creek~~ is similar, but with a smaller drainage area of about 2,100 acres. The subject property is at the confluence of Moreno Creek ~~these smaller drainages~~ with the much larger drainage of the Salinas River from the south. This unique location has a much larger groundwater resource than the nearby Residential Rural developed areas along Parkhill Road.

Steelhead trout is discussed under the heading Threatened and Endangered Wildlife on pages 4.5-29 and 4.5-30 of the EIR. In that discussion, it is explained that the Salinas River crosses the southwest corner of the Oster property about 2,000 feet southwest of the proposed quarry site. The ephemeral drainage that crosses the quarry site and is tributary to the Salinas River does not contain surface water on a regular basis and does not contain habitat for the species. This drainage is outside of the area designated as critical habitat for the species, as reported in the EIR (page 4.5-30 of the Draft EIR).

Potential effects of the project on surface water and water quality are discussed in Section 4.13 of the EIR. Potential impacts to water quality from construction and mining activities that might possibly affect downstream habitat areas are discussed as impact and Mitigation Measure MM WQ-1, starting on page 4.13-10 of the EIR. Increased use of surface and shallow subsurface water associated with the Salinas River drainage is discussed as impact WQ-3, on page 4.13-12 of the EIR and is expected to be less than significant.

As reviewed in the Water Supply Assessment (Appendix F of the EIR) the major influence on surface flows along the Salinas River in the project vicinity is surface release of water from the Salinas Dam. The total use of water from the project, plus other anticipated uses in the residential and agricultural activities on the property, amounts to about 7 acre feet per year. The surface flow in the Salinas River ranges from a low of about 800 AFY during drought years to over 8,000 AFY in normal years. The broader issues of surface mining along the Salinas River and deleterious withdrawals of water from the Paso Robles groundwater basin, which are mentioned in the comment, are related to areas farther to the north (downstream) from the project site.

2. The comment provides observations on the need for adequate surface water flows and high water quality for potential steelhead habitat restoration along the Salinas River. The comment does not identify any specific effort regarding steelhead habitat restoration underway in the area. The only specific critique in the comment is: "The DEIR is more than vague on the source and amount of water to be used by the project, but Terra believes any loss of water attributable

to Project diversions would be a threat to the steelhead." The Draft EIR, in the discussion of Impact WQ-2 (page 4.13-11) identifies both the source and the amount of water to be used by the project. The source would be "Well A," a shallow well 80 feet from the Salinas River (Figure 2-3 shows the location of this well). The amount would be up to 5,500 gallons per day, which is greater than the current uses on the property but less than past agricultural uses. The comment provides no evidence or new information to support its belief. No changes in the EIR or in the Water Supply Assessment for the project are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. Based on the results of the cultural resource survey report (Heritage Discoveries Inc., 2009), the proposed quarry location does not contain an archaeological site or resource as the terms are used in the CEQA Guidelines (Section 15064.5(c)). As noted in the EIR, the cultural resource survey report indicates that the project site is not an area likely to contain Native American resources.

4. Please see response to Letter O.01, from Fred Collins, N. Chumash Tribal Council.

5. The background information presented in this comment is acknowledged, and demonstrates Native American artifacts in two locations, both of which are significantly offsite from the project. This background information does not contradict the analysis presented in the EIR. As noted in the response to comment O.01-2, in the unlikely event that previously undiscovered cultural resources, such as lithic debitage or groundstone, shell midden, historic debris, building foundations or human remains are exposed during construction, all ground-disturbing activities shall immediately be halted at the discovery site and within 100 feet of it.

6. This comment represents an administrative suggestion, but does not indicate any deficiencies in the EIR. No changes to the EIR are necessary.

O.07 David Chipping, CA Native Plant Society

1. The entire ownership of the Oster family is approximately 234 acres. Within this area, the proposed quarry would disturb approximately 41 acres (or 45 acres as described in Appendix B/LFR Report, which evaluated an earlier site plan that had a slightly larger quarry area). The area proposed for conservation as open space is approximately 69 acres. The area covered by the biological survey was approximately 114 acres (the 45 acres to be disturbed plus the 69 acres to be conserved in open space). The remaining portion of the Oster family property

will be retained in private ownership and will continue in ranching and agricultural uses. While much of this remaining area will continue to have habitat value, as suggested in the comment, it may also be subject to future agricultural activities (primarily grazing) and was therefore not counted as part of the mitigation for biological effects.

2. Table 4.5-6 in the EIR quantifies and compares the habitat areas, including sensitive habitat areas, that will be impacted (removed) by the project and that will be permanently preserved by the project. This table and analysis does not attempt to include a detailed accounting and distribution of every non-listed but otherwise sensitive plant species on the property as suggested by the comment. As discussed in Thematic Response #6, the evaluation of environmental effects in an EIR need not be exhaustive.

3. The comment provides additional information regarding the presence of *Eriastrum luteum* in the project vicinity, approximately 2,000 feet to the east. Table 4.5-4 and the text of the Draft EIR (page 4.5-2) note that this species was found on the property. Suitable habitat for this species exists both within the proposed quarry area and within the proposed open space area. The additional information provided in the comment does not require any revisions in the EIR discussion for this species. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. The comment is correct in noting that *Camissoniopsis hardhamiae* (Hardham.s suncups or evening primrose, also known as *Camissonia hardhaminae*) was not addressed in the biological survey report. The potential confusion between this species and the similar common suncups (*Camissonia micrantha*), is noted on page 4.5-19 of the Draft EIR. Nearby recorded locations for Hardham's suncups were also noted in the text of the Draft EIR on page 4.5-2, and the species is considered to occur on the property as presented in Table 4.5-4 on page 4.5-12. Figure 4.5-3 of the Draft EIR includes the locations for this species, which were noted in the comment, and confirms that the species does occur within the eastern property boundary. This location is approximately 800 feet east of the nearest area that would be impacted by the quarry. A comparison of this location with Figure 4.5-4 shows that this species would be included within the open space area, as noted in the comment. The management activities within the open space areas to maintain habitat for this and other species will be the responsibility of the qualified conservation organization approved by the County, which will hold the open space easement for this area (mitigation measure BIO-1).

5. Table 4.5-6 in the EIR shows that the total area of oak woodland of all types that would be impacted by the project is approximately 2.1 acres, and the area of oak woodland to be preserved is 11.3 acres. As Lead Agency, the County believes that this preservation, which is at a ratio of over 5:1 (as calculated from Figure 4.5-1: "Plant Communities Identified in LFR Survey"; 7.75 acres ÷ 1.55 acres = 5) for the area of oak woodland habitat being lost, is adequate mitigation. This preservation is consistent with Section 21083.4(b) (1) of the Public Resource Code (i.e., the "Kuehl bill") which authorizes mitigation of impacts to oak woodlands including: "*Conserve oak woodlands, through the use of conservation easements*". No changes in the EIR are necessary.

6. The contradiction referenced in the comment concerns the EIR conclusions regarding cumulative effects associated with two different issues. The EIR concludes that the development of additional quarries in the region would lead to a cumulative visual impact, but the EIR does not conclude that the cumulative biological effects would be significant. The reasons for these conclusions are explained in the EIR sections dealing with those issues, and are summarized in Section 5.3. As Lead Agency, the County does not believe these conclusions are contradictory. No changes are necessary in the EIR.

7. The proposed quarry would not be located on the "north bank" of the Salinas River, as stated in the comment. At its nearest point, the quarry would be approximately 1,000 feet from the bank of the river. The comment notes that the existing Hanson Quarry is immediately adjacent to the Salinas River on its western side, but the two projects would be separated from one another by over 1,500 feet. The two projects would not represent an interruption or obstruction of wildlife movement along the river corridor to any extent greater than that already caused by the existing Hanson Quarry. No changes are necessary in the EIR.

8. The cited point in the comment -- wildlife being "habituated" to the presence of the Hanson Quarry -- relates to the topic of wildlife movement in the EIR (Impact BIO-11), and not directly to the issue of cumulative effects (Impact BIO-12). Activity for many wildlife species (including that of ringtail mentioned in the comment) occurs at night, when the noise, vehicle traffic, and other quarry activity are at a minimum. The narrative in the Draft EIR for Impact BIO-12 describes several other reasons why cumulative effects are not expected to be significant. No changes are necessary in the EIR.

9. Table 4.5-3 merely presents locations of preserves in the region and locations where the presence of some sensitive plant species is established. This table is not part of the analysis of impacts and mitigations for the project. Figure 4.5-4

shows the location and configuration of the 69 acres to be preserved by the project. This figure also shows the location and extent of the various plant communities and habitats that will be preserved. The locations of plant species recorded in the CNNDB are shown in Figure 4.5-3. A comparison of the two figures shows that the eastern open space as proposed will include some of the CNPS mapped area for Hardham's evening primrose and San Luis Obispo mariposa lily, as well as areas for other vegetation and habitat types. In addition all of the sensitive plants found by LFR and reported in Table 4.5-4 are known to be in habitat types (i.e. chaparral) that are within the two mitigation areas presented in Figure 4.5-1.

10. The method of protecting and managing the open space will be through the granting of an easement to a qualified conservation organization approved by the County, as stated in Mitigation measure BIO-1. The quarry area is only approximately 40 acres, not 114 acres as stated in the comment. All of the 69 acres proposed for open space is located outside of the quarry boundary, as shown in Figures 4.5-1 and 4.5-4. The remaining portion of the Oster property (outside of the quarry and outside of the open space area) will remain in agricultural and ranching uses. No changes are necessary in the EIR.

11. Review of Figures 4.5-1 and 4.5-4 shows that most of the perimeter areas of the quarry, particularly the larger northerly area, are not included in or adjacent to the areas proposed for open space. The areas estimated for the quarry (approximately 40 acres) include all grading, perimeter trails, and disturbance areas.

O.08 Josh Olejczak, SLO County Bicycle Advisory Committee

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about this discussion.

   The comment appears to disagree with the following statement from Chapter 4.11 of the EIR:

   "The project will cause increases in traffic volumes on local roadways, but will not substantially reduce the Level of Service at intersections, freeway ramps, or on US Highway 101, when added to existing traffic

volumes. The project traffic effects on other roadways and intersections are considered less than significant."

The comment does not indicate any deficiencies in the EIR's analysis. As noted in Thematic Response #6, CEQA Guidelines Section 15151 states:

"Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts."

No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

5. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

6. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. All mitigation measures adopted in the EIR, including Mitigation Measure MM AQ-1b: Emissions of PM_{10} Fugitive Dust, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

O.09 Susan Harvey, North County Watch1

1. This comment raises a number of questions regarding the transport and use of explosives for blasting at the project site. Blasting is a common activity associated with quarries and major construction. It is a highly regulated activity, subject to federal and state laws that govern the possession, transport, and use of explosives. The California Health and Safety Code (11 HSC 12000) sets forth major provisions for the regulation of explosives under state law. The local fire department (Cal Fire for the County) handles permitting for the transport and use of explosives. The General Blast Plan prepared for the project and included in Appendix A provides additional information regarding the activities of blasting. The risk of blasting is mitigated through compliance with applicable regulations.

2. As directed by Section 15087(f) of the CEQA Guidelines, the County of San Luis Obispo used the State Clearinghouse (a division of the Governor's Office of Planning and Research) to distribute the Draft EIR to relevant State agencies The County suggested in the transmittal of the Draft EIR to the State Clearinghouse that the document be distributed to the California Highway Patrol. Although no response was received by the California Highway Patrol, the County expects that transportation of explosives will occur in full compliance with all state law requirements, including those cited in this comment, as applicable.

3. In response to this question, the second paragraph in Section 4.7.6 shall be revised to clarify:

   Risk of Explosion or Release of Explosive Material

   Mining procedures include drilling and blasting to develop a series of slopes and benches. It is ~~anticipated~~ estimated that blasting would occur up to two times a week (but generally no more than 20 times per year) and only during daylight hours.

4. Through the requirements of the Mitigation and Monitoring Program adopted simultaneously with approval of the project, Mitigation Measure MM HAZ-1b, clarified as follows, will be implemented by the project:

   MM HAZ-1b: Risk of Explosion or Release of Explosive Material – Use On-site. *The management, handling and storage of explosive materials shall be conducted in accordance with the Blast Plan (Gasch & Associates, December 2009) and with stringent adherence to the federal, state and local regulations. To avoid potential damage to the*

State Water Project Pipeline, part of the California Aqueduct, the specific requirements of the California Department of Water Resources shall be incorporated into the Blast Plan. These requirements are specified in a letter from the Department, dated June 6, 2013 and submitted to the County of San Luis Obispo as a response to the Draft EIR for the project. The Blaster shall have a current, valid California "Blaster's License" issued by CalOSHA. No on-site storage of explosive materials is allowed.

5. Comment Letter S.03, from the State Department of Water Resources (DWR), presented similar concerns for potential blasting impacts to the State Water Project Pipeline. As noted above, Mitigation Measure MM HAZ-1b has been amplified to incorporate DWR's requirements into the Blasting Plan.

6. As Lead Agency, the County of San Luis Obispo is responsible for oversight of all EIR mitigation measures, including effective implementation of the Blasting Plan.

7. This comment expresses general concerns for blasting; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

8. The transport and delivery of fuel to construction vehicles and equipment is a routine activity that is not expected to represent a potential impact to the environment. For this reason, the EIR did not provide details regarding the transport of fuel. The comment requests information regarding the gallons of fuel, types of fuel, and number of fueling trucks, that will be associated with the project. The Project Description (Section 2.3.2) provides an equipment inventory for the quarry, describing the types of equipment and vehicles expected. Depending on specific models for each vehicle or piece of equipment, the total amount of fuel present would be approximately 750 to 1,000 gallons. All fuel is expected to be diesel. Fuel deliveries would typically occur once or twice per week. This information does not affect any of the conclusions in the EIR, and no changes are necessary.

9. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy 58 either east or

west of the project site." No changes have been made to the text of the EIR, in response to this comment.

10. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy 58 either east or west of the project site."

    The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about the 800 trips per day discussion.

11. Since the CalFire/San Luis County Fire Department has concluded that the proposed project does not adversely affect emergency vehicle response(s), the emergency plans cited within this comment will likewise be unaffected. No changes have been made to the text of the EIR, in response to this comment.

12. In the event the project stores hazardous materials in quantities above threshold levels, then it will be required to submit a Hazardous Materials Business Plan. For general purposes, those thresholds are 55 gallons, 200 cubic feet of gas, or 500 pounds of solid hazardous material. A Hazardous Materials Business Plan is submitted to the County Environmental Health Division, through an on-line system, and consists of several electronic forms, one of which is an Emergency Response Plan. This information is made available to Cal Fire and the County Office of Emergency services so that, if necessary, it can be provided to emergency responders and coordinated with public evacuation plans prepared and maintained by the County. The Hazardous Material Business Plan is a public document, and can be made available to the public upon request. No such plan is anticipated as part of this project because the project does not propose storage of hazardous materials above threshold levels on-site.

13. The Hazardous Material Business Plan is a public document, and can be made available to the public upon request. No such plan is anticipated as part of this project because the project does not propose storage of hazardous materials above threshold levels on-site.

14. Comment Letter S.03, from the State Department of Water Resources (DWR), presented similar concerns for potential blasting impacts to the State Water Project Pipeline. As a result, Mitigation Measure MM HAZ-1b has been expanded to incorporate DWR's requirements into the Blasting Plan.

15. Lead Agency responses to the California Public Utilities Commission Letter (S.06), dated June 27, 2013, are presented above.

16. Lead Agency responses to the California Public Utilities Commission Letter (S.06), dated June 27, 2013, are presented above.

17. The project includes 20,000 gallons of water storage for fire suppression. Operating plans and other project documents necessary to comply with applicable regulations can be made available to the public, following their acceptance by the County Planning and Building Department, Cal Fire, County Environmental Health Division, or other regulatory agencies. As compliance with these regulations and procedures is mandatory, mitigation measures are not necessary to enforce these requirements. Therefore, "deferral of mitigation" is not an issue.

18. In the event the project stores hazardous materials in quantities above threshold levels, then it will be required to submit a Hazardous Materials Business Plan. For general purposes, those thresholds are 55 gallons, 200 cubic feet of gas, or 500 pounds of solid hazardous material. A Hazardous Materials Business Plan is submitted to the County Environmental Health Division, through an on-line system, and consists of several electronic forms, one of which is an Emergency Response Plan. This information is made available to Cal Fire and the County Office of Emergency services so that, if necessary, it can be provided to emergency responders and coordinated with public evacuation plans prepared and maintained by the County. The Hazardous Material Business Plan is a public document, and can be made available to the public upon request. No such plan is anticipated as part of this project because the project does not propose storage of hazardous materials above threshold levels on-site.

19. 4.7-2 in the EIR presents a comprehensive "SUMMARY OF FEDERAL, STATE AND LOCAL REQUIREMENTS HAZARDS AND HAZARDOUS MATERIALS." Approximately 30 regulatory requirements are presented in this Table. Included in this Table is a column titled "Applicability," which describes how the quarry project operations might be governed by these requirements. Furthermore, Mitigation Measure MM HAZ-2 requires full compliance with these regulations, before the project can proceed. Please refer to Thematic Response #6, which states: "*CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full*

disclosure is made in the EIR." (Reference: CEQA Guidelines Section 15204(a)).

No changes are necessary to the EIR.

20. Same response as #18, above.

21. The Draft EIR was made available to the County Environmental Health Division during public review. The project will not be required to submit a Hazardous Material Business Plan (if one is required) until it is fulfilling project conditions prior to the notice to proceed from the County Planning and Building Department, as explained in Mitigation Measure HAZ-2. Based on presently available information, the project will not be subject to review by the California Department of Toxic Substances Control. The remaining part of this comment describes the use of the Hazardous Material Business Plan, which is consistent with the information provided in Response # 12 above.

22. Based on review of other quarries and of the specific activities proposed in this project, no hazardous waste generation has been identified. Used motor oil can be recycled, and there are no other significant amounts of waste anticipated. The EIR identifies requirements and typical measures that would be implemented in the event that hazardous waste is generated by any of the project activities.

    This comment notes that some sealants used on roadways contain polycyclic aromatic hydrocarbons (PAH) that are carcinogenic. The comment further notes that fine dust associated with asphaltic product milling can also have risks associated with it. The mere presence of a compound that may be toxic in high concentrations does not make a bulk material toxic or qualified as a hazardous waste. The project also does not include fine milling of asphalt. The State of California Department of Conservation, the Regional Water Quality Control Board, and other agencies have experience in regulating the re-use of pavement as a useful material in the construction of roads. The regulations applicable to the project are established based on this experience. As a general rule, pavement removed from roadways is not classified as a hazardous waste. Regulations allow for the re-use of pavement material in reconstructing roads without requiring separate discharge or other permits. No changes are necessary in the EIR.

23. Impact and Mitigation Measure WQ-1 address the issue of potential contamination to surface and ground water. Sediment and erosion control planning is part of the requirements in order to be covered by the referenced General Permits for construction activities and for industrial activities. In

response to other comments (specifically S.04-2 and S.04-7), Mitigation Measure WQ-1b has been revised as follows:

> ***MM WQ-1b: Alteration of Runoff Water/Mining Activities.*** *The applicant/quarry operator shall submit Permit Registration Documents ~~a Notice of Intent (NOI)~~ and a related Stormwater Pollution Prevention Plan (SWPPP) to the SWRCB to provide coverage of the surface mine as an industrial use under the General Permit for Storm Water Discharges Associated with Industrial Activities ~~Statewide General Permit for Industrial Uses~~ (SWRCB Order No. 97-03-DWQ, and NPDES No. CAS000001. ~~or more current permit).~~ Evidence of such coverage shall be provided to the County prior to the start of Phase 1A. Measures to control stormwater runoff and minimize discharges identified in the documentation related to this permit shall be implemented, and be subject to monitoring and verification as provided in the permit. In the event the project comes under the County stormwater provisions and general Nationwide Pollutant Discharge Elimination System Permit, ~~Alternatively,~~ this condition may be met through compliance with the County Stormwater Management provisions of Section 20.10.155 of the Land Use Ordinance.*

Design of the project also includes storm water detention basins that will collect runoff from all processing areas, and prevent its direct discharge to surface water. The mitigation measures will reduce the potential impacts to below significance, and no changes are necessary in the EIR.

24. The methodology and modeling process for air quality has been accepted by the San Luis Obispo County Air Pollution Control District. Please see Thematic Response #3 for further details regarding Air Quality.

25. Impacts of the project were based on the use of Diesel fuel in all engines. The use of compressed natural gas is not proposed. The Construction Activities Management Plan is a document and program implemented by the San Luis Obispo APCD. There is no requirement for public review and comment on this plan, or on other required plans, programs, registrations, notices, and submittals, that are necessary to implement the project after its approval or to comply with other statutory or regulatory requirements. Off-site mitigation measures are identified in the SLOAPCD 2012 CEQA Air Quality Handbook which provides the framework for determination of appropriate off-site mitigation for project related impacts. Thematic Response #3 provides further details regarding Air Quality, including requirements for an Activity Management Plan (AMP).

If alternative fuels are used that require amendments to hazardous materials plans, this plan will be required to be updated through Environmental health department standard reporting procedures.

26. Section 1.5(h) of the SLO County APCD CEQA Air Quality Handbook, entitled "PREPARING THE AIR QUALITY ANALYSIS SECTION FOR CEQA DOCUMENTS," states: *A cumulative impact analysis should be performed to evaluate the combined air quality impacts of this project and impacts from existing and proposed future development in the area. This should encompass all planned construction activities within* <u>*one mile*</u> *of the project*. (emphasis added)

    Therefore, the cumulative impacts analyzed in the EIR are adequate. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project.

27. Steelhead trout is discussed under the heading Threatened and Endangered Wildlife on pages 4.5-29 and 4.5-30 of the EIR. In that discussion, it is explained that the Salinas River crosses the southwest corner of the Oster property about 2,000 feet southwest of the proposed quarry site. The ephemeral drainage that crosses the quarry site and is tributary to the Salinas River does not contain surface water on a regular basis and does not contain habitat for the species. This drainage is outside of the area designated as critical habitat for the species, as reported in the EIR (page 4.5-30 of the Draft EIR). Implementation of sedimentation/erosion control measures and other project improvements will mitigate the concerns identified in the comment.

28. According to Table C of the Las Pilitas Area Plan (page 5-1), the "Rural Land" land use category is not considered to be an "Open Space" land use category. The two land use categories are distinct from each other.

29. On March 22, 2010, Las Pilitas Resources LLC applied for a Conditional Use Permit/Development Plan and Reclamation Plan to allow for an Aggregate Quarry, and Asphalt and Concrete Recycling facility. The project case number is DRC2009-00025.

O.10 Susan Harvey, North County Watch2

1. As a condition of project approval (consistent with MM Rec-2), the project applicant will be required to offer a trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail. Thematic Response #1 presents issues related to Bicycles, including bicycle safety.

2. Table 4.10-1 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: "*The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…*" The County of San Luis Obispo, as Lead Agency does not believe that alleged "inconsistencies" noted in this passage inherently represent adverse effects on the physical environment, as noted in Section 4.10-6 of the EIR. In any event, the ultimate determination of general plan consistency will be made by county decision makers in their discretionary review of this project.

3. As noted above, the County of San Luis Obispo, as Lead Agency does not believe that additional goals and objectives noted in this passage inherently represent adverse effects on the physical environment, as noted in Section 4.10-6 of the EIR. In any event, please note that as a condition of approval (consistent with MM Rec-2), the project applicant will be required to offer a trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail. No changes have been made to the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. As noted above, the County of San Luis Obispo, as Lead Agency does not believe that additional goals and objectives noted in this passage inherently represent adverse effects on the physical environment, as noted in Section 4.10-6 of the EIR. In any event, please note that as a condition of approval (consistent with MM Rec-2), the project applicant will be required to offer a future trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail. No changes have been made to the EIR.

5. The comment (in the context of preceding comments) appears to suggest that a "macro" view of Parks and Recreation policies and facilities may increase the importance of the Salinas River trial corridor on the subject property.

   As noted above, Table 4.10-1 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: "*The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…*" The County of San Luis Obispo, as Lead Agency does not believe that alleged "inconsistencies" noted in this passage inherently represent adverse effects on the physical environment, as noted in Section 4.10-6 of the EIR. Rather, the ultimate determination of general plan

consistency will be made by county decision makers in their discretionary review of this project.

6. This comment repeats the implication from earlier comments that regional tourism and the regional importance of the Salinas River trail system will become manifest as development of a multi-use trail on the Salinas River within the Oster property. Responses 1-5 above address this issue.

7. Neither statewide plans for the De Anza Trail, nor the SLOCOG Salinas River trail master plan, include any trail segments, evaluations, constraints information, or any other consideration for trails along the Salinas River south of Santa Margarita. It is true that the ultimate southerly destination on the Salinas River trail is intended to be Santa Margarita Reservoir, but the SLOCOG Salinas River trail plan does not encompass any segments along the Salinas River between the town of Santa Margarita and the reservoir. As noted above, the project will be required to offer an easement for future construction of the trail as a condition of approval (consistent with MM Rec-2) in support of the Parks and Recreation Element goals and objectives.

8. While residents in the vicinity may enjoy a trail along the Salinas River, there is no active plan or funding underway to create such as trail on the Oster property or on properties upstream or downstream from it. As noted in the EIR, the proposed quarry operation would have no adverse effect upon the construction of or use of any future trail since it is over 1,000 feet away from the proposed quarry operations. If the offer of dedication is accepted by the County the potential for a trail along this portion of the Salinas River can be realized as part of future regional trail planning efforts.

9. As a condition of approval (consistent with MM Rec-2), the project applicant will be required to offer a trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail.

10. The comment suggests that the Reclamation Plan accomplish "…restoration of the mined area to include a publicly accessible Salinas River Natural Area." Unlike other sand and gravel projects farther downstream along the Salinas River, this mined area will consist of 1.5:1 slopes and a central flat area in a hard rock granitic hillside at an elevation about 150 feet higher than the Salinas River, which will remain over 1,000 feet away. While reclamation can include native species and non-native grasses to approximate the brush habitat and grazing uses found elsewhere on the property, it would not be possible to create a "Salinas River Natural Area" within this Reclamation Plan. Mitigation for the

biological impacts identified in the EIR is already planned, and will include preservation of a larger area of native habitat, but this also will not include a "Salinas River Natural Area" because such habitat will not be adversely affected by the project.

11. This comment expresses the opinion that the EIR should be recirculated, in light of the ten comments presented in this letter. The County of San Luis Obispo, as lead agency, will consider this opinion, and base its decision on recirculation with reference to the criteria presented in Section 15088.5 of the CEQA Guidelines. See Thematic Response #5, for further details.

O.11 Kathy Longacre, SLO County Trails Committee

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety.

O.12 Unnamed, Santa Margarita Area Advisory Council

1. All landscaping of the quarry site shall be in conformance with Section 22.16.040 of the San Luis Obispo County Code. In accordance with Section 22.36.060 of the County Code:

   Appropriate security or guarantees shall be provided by the applicant to ensure proper implementation of the reclamation plan as required by the Public Resources Code, as a condition of issuance of a permit and/or approval of a reclamation plan. The guarantee may be in the form of a surety bond, trust fund, irrevocable letter of credit, or other financial assurance mechanisms acceptable and payable to the County and the State Department of Conservation (beneficiaries must be stated as "County of San Luis Obispo or Department of Conservation") and consistent with the procedure described in Section 22.62.040.

   Section 22.36.060 of the County Code requires:

> *Appropriate security or guarantees shall be provided by the applicant to ensure proper implementation of the reclamation plan as required by the Public Resources Code, as a condition of issuance of a permit and/or approval of a reclamation plan. The guarantee may be in the form of a surety bond, trust fund, irrevocable letter of credit, or other financial assurance mechanisms acceptable and payable to the County and the State Department of Conservation (beneficiaries must be stated as "County of San Luis Obispo or Department of Conservation") and consistent with the procedure described in Section 22.62.040.*

Section 22.36.060(C) of the County Code requires:

> *The amount of the financial assurance will be reviewed as part of the annual review of the operation by the County to determine if any changes are necessary. Where reclamation is phased in annual increments, the amount shall be adjusted annually to cover the full estimated costs for reclamation of any land projected to be in a disturbed condition from mining operations by the end of the following year. The estimated costs shall be the amount required to complete the reclamation on all areas that will not be subject to further disturbance, and to provide interim reclamation, as necessary, for any partially excavated areas in compliance with the approved Reclamation Plan. Financial assurances for each year shall be reviewed upon successful completion of reclamation (including maintenance) of all areas that will not be subject to further disturbance and adjusted as necessary to provide adequate assurances for the following year. Prior to county approval, any amendments or changes to an existing financial assurance will be submitted to the state for its review.*

2. The Draft EIR notes on pages 4.1-1, 4.1-2 and 4.1-7, that there are several homes in the vicinity with views into the project site, and that the views will be affected by the project. Also noted on page 4.1-7 is the fact that the County has no specific policies to protect views from private lands. In some County planning areas and plans, specific visual resources and corridors are identified for special consideration. No such resources or policies are in the Las Pilitas Area Plan. Although not officially designated as a scenic route, SR58 ("from the Santa Margarita urban reserve line to the Kern County line") is listed as a "Suggested Scenic Corridor" in Table VR-2 in the Conservation and Open Space Element. This is why the visual analysis in the Draft EIR was oriented towards views from SR 58. In addition, most of the several homes with views towards the project site are located along SR 58, and the simulations in the Draft EIR are very representative of their views, as well as those of travelers on the highway.

3. The reference to the "County Land Use Ordinance," in Mitigation Measure MM AES-3: Nighttime Glare/Lighting Plan includes but is not limited to Section 22.10.060(B) - Exterior Lighting, which states: *"light sources shall be designed and adjusted to direct light away from any road or street, and away from any dwelling outside the ownership of the applicant."* Since this information is already presented in Section 4.1.6/Effects on Nighttime Glare, no changes in the EIR text are necessary.

4. The County of San Luis Obispo believes that full conformance with Section 22.10.060 – Exterior Lighting is sufficient to address effects of the project on Nighttime Glare, such that hours of operation do not need to be specified, at least for this issue.

5. This comment appears to agree with the conclusion presented on page 4.1-13 of the EIR, which states: *"Although the specific number, location, and actual configuration of these future quarries is unknown at this time, cumulative effects relative to Aesthetics and Visual Resources are expected to be significant and not mitigable due to the nature of mining activities and the engineered appearance of mined slopes in quarry operations."*

   No changes have been made to the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

6. The Draft EIR page number referenced in the comment (page 6-6) deals with a project alternative that involves expansion at existing quarries in the area (Hanson Santa Margarita and/or Rocky Canyon Quarry), or selection of an alternative site altogether. As noted in the text of the EIR regarding the existing quarries – their future aesthetic effects may change somewhat over time. If the Hanson Santa Margarita Quarry expands as proposed, then the visual impact of its southeast facing slopes would be reduced over time as the excavation removes the northwestern slope and hill. This would gradually reduce the visibility of the slope from SR 58. The various alternative locations considered in the Draft EIR have greater or lesser visual impacts than the proposed project. Since the primary focus of the visual analysis and identification of impact was the effects to travelers on SR 58, as opposed to visual effects on residents, the visual results for the various alternative locations are determined by their distance from and visibility from SR 58. Other than requesting this clarification, this comment does not indicate any deficiencies in the analysis presented in Chapter 4.1. No changes have been made to the EIR.

7. Please refer to Comment Letter S.06 and associated responses to those comments. Comments from the State Public Utilities Commission have been incorporated into the EIR.

8. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

9. Figure 4.11-5 shows the templates for two large truck rigs (doubles, or tractor-semitrailer-full trailer rigs) at the curve in question, and indicates that the outer edges of both operations would be within the roadway, without crossing the center line. Thus, it would be possible for two trucks to operate simultaneously through this curve.

10. MM TRAFFIC-3b: Internal Traffic and Parking addresses this issue and states: *The applicant/quarry operator shall designate and publicize to customers and haulers, off-site limits within which trucks should not operate or park while awaiting for the quarry gates to open in the morning.* All mitigation measures adopted in the EIR, including MM Traffic 3b, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

11. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

    The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route.

12. The alternative haul road is described in the text (page 6-14 and 6-15); it is shown in Figure 6.8-1; its effects on various environmental issues relative to those of the proposed project are discussed; and other aspects of its development are noted on page 6-15. The discussion of this alternative is also summarized on the last entry of Table 6-1 (page 6-20). The evaluation in the Draft EIR meets the specification in the CEQA Guidelines Section 15126.6(d), and no revisions are necessary.

13. With regard to the Mitigation Measure MM NOISE-1: Truck Traffic Noise, all mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

14. OSHA requirements for the blasting warning sirens or horns are contained in California Code of Regulations (18 CCR 5291). Since the signals are to warn personnel in the area that may be affected by the blast, the horns are typically located near the blast location, and are directed to signal towards areas where employees would be-- the operations area of the quarry. The signal devices will not be located along the perimeter of the property or near adjacent properties. This clarification does not alter the discussion or conclusions in the EIR.

15. It is assumed that the comment refers to Mitigation Measure MM NOISE-2b: Quarry Operations Noise/Noise Management Plan, on page 4.8-22 of the EIR. If that is the case, all mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

16. Sufficient room will be provided in the operations area behind the scale house for staging (i.e. parking, loading, and related operations). This location is approximately 500 feet from the highway. Truck operations along the access road were considered in the analysis of truck traffic noise, but were not separately computed and added to the on-highway truck noise. This is due to the much slower speeds and truck noise on the access road, which would contribute very little to noise levels on the highway. In addition, the only residences near the access road that might be affected by this source are located within the subject property itself. For these reasons, a more detailed calculation of noise from the truck traffic on the access road would not substantially alter the conclusion in the analysis.

17. The "mitigation fee" referred to on page 4.3-24 of the Draft EIR is under the jurisdiction of the San Luis Obispo County Air Pollution Control District, a public agency which is separate from the County of San Luis Obispo. The County does not have authority to dictate how the mitigation fee would be applied. In any event, further information regarding Air Quality mitigation is presented in the Thematic Response #3, and the County's Response to the letter dated June 4, 2013 from the San Luis Obispo County Air Pollution Control District (R.02, above).

18. The County is unclear as to what further information is being requested by this comment. In any event, further information regarding Air Quality mitigation is presented in the Thematic Response #3, and the County's Response to the letter dated June 4, 2013 from the San Luis Obispo County Air Pollution Control District (R.02, above).

O.13 Sharon Marini, Santa Margarita CSA No.23 Advisory Group

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

3. The Santa Margarita Ranch project is mentioned throughout the EIR, particularly in the Traffic analysis presented in Chapter 4.1 and Chapter 5, Cumulative Effects Summary. As just one example, on page 4.11-34, IMPACT TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes states:

   "The project will contribute towards future (2030) traffic volumes including trips associated with the development of the Santa Margarita Ranch Agricultural Residential Cluster Subdivision, that will degrade the LOS at the intersection of Estrada Avenue (SR 58) and El Camino Real, and at the intersection of Estrada Avenue and H Street (location of the Santa Margarita Elementary School pedestrian crossing)."

4. A single small project, particularly a church, will not contribute substantially to cumulative effects. Typically, church uses do not coincide with peak hourly traffic on average days. Cumulative effects related to traffic were evaluated through a consideration of recently approved or foreseeable projects and also

through a longer term analysis based on regional projections of traffic. No changes are necessary in the EIR.

5. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

6. The comment states that the standard of measurement of levels of service is not appropriate for the small rural community of Santa Margarita. Section 4.11.1 (pages 4.11-5 and 4.11-6 of the EIR) provides a background discussion related to various LOS criteria. The Caltrans Guide for the Preparation of Traffic Impact Studies (Caltrans December 2002: page 1) states:

   Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" … on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS.

   The County-wide Circulation Element goals and policies (Inland Framework for Planning 2011: pages 5-1 through 5-3) do not specify a particular LOS to be achieved on County roadways. Rather, the stated intent is to provide a roadway system that meets, but does not exceed, the capacities needed to serve the County population, in concert with other transportation modes. In a similar manner, the Salinas River Area Plan Circulation Element does not specify a particular LOS to be achieved on County roadways (Salinas River Area Plan 2003: pages 5-2 through 5-4).

   For San Luis Obispo County evaluations of roadway capacity conditions, the Resource Management System (RMS) bases the determination of "level of severity" upon the expectation or occurrence of road operations at LOS D. The RMS is part of the General Plan, described in the December 2011 Inland Framework for Planning, pages 3-19 and 2-20). As allowed by Section 15065 (c) (1) of the CEQA Guidelines, this determination procedure provides guidance for the County's CEQA analyses. The RMS, citing the Highway Capacity Manual, describes a road that has reached "capacity" as being at LOS E. Thus, it might be interpreted that LOS D or E would be a reasonable criterion to use to define a significant impact.

   Examination of Table 4.11-9 in the EIR shows that when compared to the existing Delay/LOS at all studied intersections, the addition of the project related traffic would not cause any substantial changes, or significant impacts, regardless of whether LOS C, D, or E is used as the threshold. This is because

all "existing" and "existing+project" LOS values would be either A or B. In the cumulative analysis, however, the project would contribute towards unacceptable LOS values (shown in Table 4.11-11 of the EIR).

The comment does not offer any explanation, evidence, or an alternative evaluation procedure; no changes are necessary in the EIR.

7. The comment provides current information regarding school hours, and observations of traffic patterns which are not inconsistent with the description on page 4.11-3 of the EIR. The comment also reiterates concern for children and traffic associated with the Santa Margarita Elementary School. Although the traffic analysis did not identify any substantial effects of impacts of the project relative to this issue, the "Applicant Proposed Measure," which is a key component of the applicant's Project Description, will be incorporated into the Conditional Use Permit. The Measure reads as follows:

   APM/LU-1a: Prior to any commercial production or sales at the quarry, the Applicant shall prepare and submit a Traffic Control and Management Plan (TCMP) <u>which [will] be updated and resubmitted annually</u> no later than July 1 of each year. The TCMP shall ensure that trucks arriving at or leaving the quarry reduce conflicts with peak pick-up and drop-off and bus arrival/departure times at Santa Margarita Elementary School, and also that truck traffic will not be active on the day of the annual Wildflower Ride. The Applicant shall obtain school start and end times from the Atascadero School District prior to July 1 of each year and shall coordinate with the San Luis Obispo Bike Club to determine the date of the Wildflower Ride for each year. (Emphasis added)

   This Applicant Proposed Measure is sufficiently comprehensive and flexible to adjust for student dismissal times, as they may change from time to time.

8. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along

this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

9. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

10. The San Luis Obispo Council of Governments (SLOCOG) was consulted during the preparation of the Draft EIR. SLOCOG's response letter on the Draft EIR (Letter R.01) did not mention a need for fair share contributions to any interchange or overpass improvements to SR 58/Hwy 101. The traffic analysis results for the interchange of US Highway 101 and SR 58 are presented in Table 4.11-10, and are summarized in Impact Traffic 1b:

    IMPACT TRAFFIC-1b: Traffic Volume Increases – LOS*. The project will cause small increases in the traffic delay at intersections in the project vicinity, and on the traffic density on US Highway 101 and the SR 58 freeway ramps. In all cases, these changes will not alter the existing Level of Service (LOS) and in all cases the existing LOS is within applicable standards.*

    In any event, the following mitigation measure has been imposed on the project, to mitigate for cumulative traffic impacts:

    MM TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes. *The applicant/quarry operator shall enter into an agreement with the County to pay their fair share of improvements necessary to identified intersections in the community of Santa Margarita. The applicable fair share is currently estimated at 8.1 percent based on proportional contribution by the project to traffic at the intersection of Estrada Avenue and El Camino Real. The estimated fair share for signalization at Estrada Avenue and H Street is 9.1 percent. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of each Notice to Proceed for each phase of the quarry.*

    Please note that although the proposed mitigation would reduce impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, and uncertainty regarding right-of-way acquisition, it cannot be assured that all improvements would be feasibly constructed prior to the time when they are needed. As a result, cumulative traffic impacts would remain significant and unavoidable.

11. RTA bus routes may have changed since the original work on the Draft EIR, but a slight increase in bus traffic will not alter the analysis or conclusions in the EIR. This issue is also noted in Comment I.41-2.

12. Table 4.11-7 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: *"The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…"* The County of San Luis Obispo, as Lead Agency does not believe that alleged "inconsistencies" noted in this passage inherently represent adverse effects on the physical environment. Rather, the ultimate determination of general plan consistency will be made by county decision makers in their discretionary review of this project.

    This comment appears to disagree with the traffic analysis presented in Chapter 4.11, but does not indicate any deficiencies in the analysis. As noted in Thematic Response #6, CEQA Guidelines Section 15151 states:

    > *"Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts."*

    No changes are necessary in the EIR.

13. Items 1, 2, 3, 6, and 7 in this comment all relate to the geometry and configuration of the intersection at El Camino Real and Estrada Avenue. This intersection is described in detail on page 4.11-18 of the EIR. Impact and Mitigation Measure TRAFFIC-1a relates to this intersection. Items 4 and 5 in this comment relate to congestion along Estrada Avenue at the school crossing on H Street, and the argument that passenger vehicle traffic may choose alternate routes to avoid this congestion. Table 4.11-9 includes an analysis of delay times that will be caused by the project at this location, and the results indicate that the effect will not be substantial, and is not considered a significant impact. This result, combined with the slow posted speeds and number of turns necessary to use an alternate route through the residential neighborhoods of Santa Margarita, do not support the contention that there would be a substantial diversion of traffic.

    Item 8 cites the Caltrans advisory for this segment of SR 58. The advisory does not relate to all heavy trucks but only for trucks with a kingpin to rear axle length of more than 30 feet. The aggregate hauling trucks expected to be associated with the project would all comply with this advisory.

    No revisions are necessary in the EIR.

14. The County-wide Circulation Element goals and policies (Inland Framework for Planning 2011: pages 5-1 through 5-3) do not specify a particular LOS to be achieved on County roadways. Rather, the stated intent is to provide a roadway system that meets, but does not exceed, the capacities needed to serve the County population, in concert with other transportation modes. In a similar manner, the Salinas River Area Plan Circulation Element does not specify a particular LOS to be achieved on County roadways (Salinas River Area Plan 2003: pages 5-2 through 5-4).

    For San Luis Obispo County evaluations of roadway capacity conditions, the Resource Management System (RMS) bases the determination of "level of severity" upon the expectation or occurrence of road operations at LOS D. The RMS is part of the General Plan, described in the December 2011 Inland Framework for Planning, pages 3-19 and 2-20). As allowed by Section 15065 (c) (1) of the CEQA Guidelines, this determination procedure provides guidance for the County's CEQA analyses. The RMS, citing the Highway Capacity Manual, describes a road that has reached "capacity" as being at LOS E. Thus, it might be interpreted that LOS D or E would be a reasonable criterion to use to define a significant impact.

15. This comment notes several hazards along Estrada Avenue near the school crossing, including the restricted sight distance due to the vertical curve on the roadway and high-speed travel by passenger cars. Project effects at this location are discussed in the EIR (Section 4.11.6). Truck drivers have an elevated sight line and generally drive at slower speeds than passenger cars. In addition, the applicant proposed measures described in Section 4.14 include coordination with the elementary school to avoid truck traffic during high traffic periods at the school.

    The specific issue of pedestrians crossing El Camino Real in downtown Santa Margarita is also discussed in the EIR. Contrary to the statement in the comment, the EIR explicitly includes Mitigation Measure TRAFFIC 2b, which requires improvements to the pedestrian crossing at Encina Avenue.

    The issue of traffic associated with the park and ride lot was also discussed in the EIR. The analysis requested by Caltrans, and prepared by ATE, and reviewed by Caltrans, concluded that with the addition of project generated truck traffic there would still be sufficient gaps and time for traffic entering and leaving the park and ride lot to operate at acceptable levels.

    No changes are necessary in the EIR.

16. The EIR conclusion is that the addition of truck traffic from the project along Estrada Avenue would not cause a substantial change in operations that would represent a significant impact relative to safety. The Applicant Proposed Measure LU-1A is presented on page 4.14-9, and repeated here for clarity:

    Prior to any commercial production or sales at the quarry, the Applicant shall prepare and submit a Traffic Control and Management Plan (TCMP) which be updated and resubmitted annually no later than July 1 of each year. The TCMP shall ensure that trucks arriving at or leaving the quarry reduce conflicts with peak pick-up and drop-off and bus arrival/departure times at Santa Margarita Elementary School, and also that truck traffic will not be active on the day of the annual Wildflower Ride. The Applicant shall obtain school start and end times from the Atascadero School District prior to July 1 of each year and shall coordinate with the San Luis Obispo Bike Club to determine the date of the Wildflower Ride for each year.

    The specific item in Mitigation Measure TRAFFIC-2b – construction of a pedestrian refuge to help improve the pedestrian crossing at Encina Avenue – was identified by the County Public Works for this project. The design and installation of this improvement, or any modifications in the Caltrans SR 58 right-of-way, must also be reviewed and approved by Caltrans. The reference to the Santa Margarita Design Plan was made in the mitigation measure in order to provide flexibility to the Department of Public Works in working with Caltrans to develop an acceptable design. The Santa Margarita Design Plan describes general pedestrian crossings in this area as follows (page I-3):

    Rather than taking such measures as re-locating the state highway out of town, people would prefer slowing traffic and making the street more pedestrian-friendly. A series of features could accomplish this – by minimizing pavement width and constructing wide sidewalks or landscaped walkways, pedestrian 'bulb-outs' in the parking lane, textured crosswalks, a landscaped median and large street trees.

    Section II.D.1. of the Santa Margarita Design Plan contains additional descriptions of possible modifications to the SR 58 design.

17. As required by CEQA, the County as Lead Agency, not "Quarry management" is responsible for effective implementation and enforcement of traffic mitigation measures, "including but not limited to speeding, parking, noise and air quality issues." All mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by

Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

18. The specific issue addressed in this comment is noise from truck traffic along SR 58. Although the increase in average noise levels attributable to the project is generally small (1.9 dBA for Day-Night Average Noise Levels), the resulting noise levels would be at or above the County threshold of 60 dBA and these noise levels would affect outdoor living areas. Additional mitigation as suggested in the comment (increased window insulation) would not reduce noise levels at outdoor living areas.

19. The comment argues that community values should be reflected in the assessment of noise impacts. In fact, the EIR did consider these values, as well as the absolute magnitude of noise levels and the extent to which the project would contribute towards those noise levels. The discussion of Table 4.8-7 makes this clear. None of the areas along SR 58 in the project vicinity would exceed the County residential exterior threshold of 60 dBA Ldn, while the areas in the Santa Margarita community that would exceed this criterion already do without the project related traffic.

20. This comment appears to express support for Alternative 6.8, described in 6.0, Project Alternatives. No deficiencies are noted in the EIR's analysis, so no changes were made in the EIR text.

21. Mitigation Measure Traffic-2b includes improvements and the construction of a pedestrian refuge at the pedestrian crossing of SR 58 at Encina Avenue, which appears to be consistent with the intent expressed in this comment. Other actions proposed by this comment to slow traffic through Santa Margarita may be considered by the County Public Works Department as options to implement Mitigation Measure MM TRAFFIC-4: Cumulative Contribution to 2030 Traffic Volumes, which reads as follows:

    The applicant/quarry operator shall enter into an agreement with the County to pay their fair share of improvements necessary to identified intersections in the community of Santa Margarita. The applicable fair share is currently estimated at 8.1 percent based on proportional contribution by the project to traffic at the intersection of Estrada Avenue and El Camino Real. The estimated fair share for signalization at Estrada Avenue and H Street is 9.1 percent. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of each Notice to Proceed for each phase of the quarry.

Although the proposed mitigation would reduce impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, and uncertainty regarding right-of-way acquisition, it cannot be assured that all improvements would be feasibly constructed prior to the time when they are needed. As a result, cumulative traffic impacts would remain significant and unavoidable.

22. This comment states that all noise impacts must be brought to a level of insignificance to address community concerns for traffic, noise, and safety. CEQA requires that all feasible mitigation measures be used in addressing significant impacts, but does not require that all impacts be fully mitigated. This comment also suggests that the applicant "…look into creating a railroad "quiet zone…" Such a zone can be approved by the Federal Railroad Administration and would allow railroad operations without the normally required sounding of horns at each street crossing. Federal regulations require that such a "quiet zone" be initiated by a public authority (49 CFR 222.37).

O.14 Sue Luft, Water Resources Advisory Committee

1. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

2. Text Revision #8 clarifies this issue throughout the EIR.

3. Text Revision # 8 provides the information requested by this comment.

4. The comment questions the estimate of water use for dust control, suggesting it is too low, but does not provide any additional information. The land area expected to require application of water for dust control would amount to 2-3 acres, and would be part of the processing and storage area created behind the scale and scalehouse in Phase 1B of the quarry excavation. The quarry access road and parking areas around the scalehouse would be paved, and long-term stockpiles would be stabilized through vegetation or other measures. No estimate has been prepared for predicting the annual distribution of water use for dust control (water volume vs. months), since the need would depend on rainfall, temperature, and wind patterns, and that detail would not affect the long-term estimate of need or supply. Application of water for dust control would not be necessary every day, and an average of 4,000 gallons per day throughout the year was estimated based on observations of similar sized

construction areas elsewhere on the Central Coast. Comment and Response # O.24-4 provides some additional information on this topic. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. As noted in Chapter 4.1 of the EIR and Thematic Response #3 above, the County of San Luis Obispo defers to the San Luis Obispo County Air Pollution Control District to determine best management practices for dust control measures. This information is presented in detail in Section 2.4 of the "SLOAPCD CEQA Air Quality Handbook" referenced in Chapter 4.1 of the EIR (reference: SLO APCD. 2012. CEQA Air Quality Handbook, A Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review. Air Pollution Control District, San Luis Obispo County, San Luis Obispo, CA. Obtained May, 2012 at: http://www.slocleanair.org/business/regulations.php). Since no deficiencies in the EIR's analysis were noted by this comment, the EIR has not been changed.

6. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the San Luis Obispo County Air Pollution Control District. Further, this Appendix states:

   Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.

7. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) states:

   The following list of dust control suppressants are approved by the SLO County APCD. The approved suppressants must be reapplied at a frequency that ensures that fugitive dust emissions are adequately controlled to below the 20% opacity limit identified in the APCD Rule 401 Visible Emissions and to ensure that dust is not emitted offsite. If fugitive dust is not adequately controlled, emissions could result in complaints and a violation of APCD Rule 402 Nuisance. The APCD will consider products that are not listed on a case-by case bases; provide product specifics to APCD by contacting the APCD Planning Division at (805) 781-5912.

8. The method to be used to control dust will be determined through the "Activity Management Plan" approved by the Air Pollution Control District, and described in Thematic Response # 3. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the Air Pollution Control District. Further, this Appendix states:

   Suppressants are often used in combination with other APCD recommended control methods to minimize fugitive dust emissions. Other methods include:

   1) Paving and then maintaining to applicable standards thus replacing need for suppressants and other control methods;

   2) Implementing and maintaining design standards to ensure vehicles speeds on unpaved areas are physically limited to a posted speed limit of 15 mph or less; and

   3) For special events, site parking areas in grass or low cut dense vegetative areas that are adequately irrigated to minimize fugitive dust emissions.

   SLO County APCD used a 2002 San Joaquin Valley APCD list of dust suppressants as the starting point for the list presented below. Products that could not be readily found were removed from the list. This SLO County APCD list also streamlines the SJVAPCD list by removing hygroscopic products and all but one of the petroleum based products from the SJVAPCD list. A petroleum based method (chipseal) and three polymer products (Dust Binder, Gorilla-Snot, and Soiltac) were added to the list.

   Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.

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1. This comment suggests that protection of mineral resource lands from future incompatible uses does not relate to an underlying purpose of the project, which is a rock quarry. One component of the project, however, is preservation of land in a conservation easement, which would preclude future development on lands near the Hanson quarry and the proposed quarry. In addition, the project will

provide a source of revenue helping to retain the ranching and farming uses on the Oster property, which would remain compatible with the proposed quarry uses.

In summary, Project Objectives are adequately presented in the EIR, in accordance with Section 15124(b) of the CEQA Guidelines, which states as follows:

> *The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact…*
>
> *b) A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.*

No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR, including revisions to Project Objective C and Project Objective F.

   As CEQA Lead Agency, the County considers this revision in the EIR to represent a clarification of information that does not affect the analysis or conclusions related to impacts and mitigation measures. Additional information related to the issue of recirculation is provided in Thematic Response #5.

3. The physical parameters of the project (area, amount of material to be mined) and operational parameters (maximum production, maximum traffic, maximum emissions) that influence the project effects are described in detail in the EIR. The potential range in lifetime of the project is a function of annual production, as explained in the text accompanying Table 2-1. The project effects on various issues likely to be affected by land use or traffic changes are evaluated on a short-term and long-term basis, using existing conditions and regional

projections of future conditions. The potential variation in the project lifetime would not affect the analysis or conclusions for these issues. No changes are necessary in the EIR.

4. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials proposed to be produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

   The County as CEQA Lead Agency does not believe that this clarification warrants recirculation of the EIR for another public review, as suggested by this comment.

5. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. The EIR includes a thorough discussion of mitigation measures (pages 4.3-22 through 4.3-25), including the potential for off-site mitigation (on page 4.3-25). Mitigation Measure MM AQ-1a-5 specifically requires implementation of off-site mitigation measures, coordinated with the APCD. This issue is also discussed more thoroughly in response R.02-16 (responding to the San Luis Obispo County Air Pollution Control District).

6. The discussion of potential electrification of portable crushing equipment concludes by saying "Since its feasibility is unknown, this measure is not included within this EIR but it may be considered later in consultation with SLOAPCD." The EIR discussion notes that a reduction in the number of heavy equipment vehicles operating simultaneously may be possible, but assumes that all pieces of equipment would be operating in conjunction with the maximum production rate of 500,000 tons per year – for a reasonable worst case analysis.

7. This comment summarizes the EIR discussion of potential offsite mitigation of air quality impacts, and suggests that the EIR may include additional analysis of the feasibility of additional mitigation measures. Thematic Response #3 presents further information regarding off-site mitigation of Air Quality impacts.

   According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be

changed from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency.

8. The Draft EIR identified specific mitigation measures that will be imposed on the project (MM AQ-1a 1-4). The Draft EIR evaluated the effectiveness of these measures (in Table 4.3-6). The Draft EIR discussed, and dismissed, other potential mitigation measures for three pages (pages 4.3-22 through 4.3-24), including the reasons each was not assumed in the EIR analysis. The Draft EIR also described the APCD process to formulate those measures, including additional on-site controls, potential offsite reductions in the area, and potential funding of regional offsite reductions. Thematic Response #3 presents further information regarding mitigation of Air Quality impacts. As Lead Agency, the County believes this discussion is adequate and in compliance with CEQA.

9. In general response, the following narrative from an Appellate Court decision is presented: *Deferral of the specifics of mitigation is permissible where the local entity commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan. (Sacramento Old City Assn. v. City Council (1991) 229 Cal. App. 3d 1011, 1028-1030 [280 Cal. Rptr. 478])*

   The County of San Luis Obispo, as Lead Agency, believes that the development of the EIR's mitigation measures is in compliance with this and subsequent court decisions.

   Thematic Response #3 presents more information regarding mitigation of Air Quality impacts. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

   The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency.

10. The comment appears to argue that the identified air quality impact is mitigable solely through the payment of money to the APCD. However, since the

applicant and APCD have agreed upon the appropriate measures to mitigate all Air Quality impacts to a less than significant level, the County as Lead Agency has concluded that these Mitigation Measures are "feasible", as defined in Section 15364 of the CEQA Guidelines. Thematic Response #3 provides additional information regarding the status of air quality mitigation.

11. Performance standards for the emissions of fugitive dust are the same as the criteria used to define impacts, and are presented in the EIR. Additional performance standards to comply with APCD Rules (including APCD Rule 401 related to visible emissions and Rule 402 related to nuisance) are discussed in Comment and Response # R.02-17. Since the applicant and APCD have agreed upon the appropriate measures to mitigate all Air Quality impacts to a less than significant level, the County as Lead Agency has concluded that these Mitigation Measures are "feasible", as defined in Section 15364 of the CEQA Guidelines. Thematic Response #3 provides additional information regarding the status of air quality mitigation.

12. Table 4.3-7 includes a quantification of the effectiveness of mitigation measures assumed in the EIR. Thematic Response # 3 provides additional information regarding the current status of air quality mitigation. No changes are necessary in the EIR.

    The mitigation measures are presented in AQ-1a (not all of which relate to DPM). The results of the health risk assessment (Appendix D) are presented in Table 4.3-9, which shows that with the mitigation measures assumed, the health risk would be reduced to a less than significant level at all locations. No changes are necessary in the EIR.

13. Biological surveys were prepared for the project. The County retained a biologist to perform additional surveys to help identify sensitive plants through an appropriate springtime (May) and later survey. The cited "on-site" pond is not within the quarry boundary, it is on the larger Oster property approximately 600 feet from the nearest point of the quarry. Habitat for western pond turtle within the quarry boundary is of poor quality and the potential for occurrence is low, as noted in the EIR. The EIR also notes that several species of bats are knows in the area, and that suitable habitat is present for them on the property. It also describes the potential impact of bats roosting in exposed rock walls or crevices in the quarry, and includes Mitigation Measure BIO-5 to address this potential.

14. The County of San Luis Obispo has not adopted "Thresholds of Significance", which are considered optional by Section 15064.7 of the CEQA Guidelines.

Instead, the relevant "Significance Criteria" adopted by the County are as follows:

Result in a loss of unique or special status species or their habitats; and/or

Reduce the extent, diversity or quality of native or other important vegetation;

In accordance with these Significance Criteria, IMPACT BIO-1 indicates that that the loss of populations of plants species considered sensitive is "a potential significant impact". Accordingly, Mitigation Measure MM BIO-1, which is applicable to habitat areas and wildlife species and consistent with Section 15370(e) of the CEQA Guidelines' definition of "mitigation", reduces the potential impact to a level that is less than significant.

15. Examination of Figure 4.5-1 (and Figure 4.5-4) in the EIR demonstrates that the habitat types and diversity that would be preserved by Mitigation Measure BIO-1 are similar to and greater than what would be impacted by the project. Please note the following definition of mitigation: *Compensating for the impact by replacing or providing substitute resources or environments*. (CEQA Guidelines Section 15370(e); emphasis added)

    Comparison of Figures 4.5-1 and 4.5-4 with Figure 4.5-3 demonstrates that habitat and known locations for at least two of the sensitive plants listed by the CNDBB would be included within the open space area as proposed. In addition, all of the sensitive plants found by LFR and reported in Table 4.5-4 are known to be in habitat types (i.e. chaparral) that are within the two mitigation areas presented in Figure 4.5-1. Mitigation Measure MM BIO-1 requires that the open space be controlled by a qualified conservation organization, with approval by the County (emphasis added). The specific details of the easement, including appropriate ongoing funding, will be subject to County approval.

16. The Biology section of the EIR identifies resources present, or likely to be present; it identifies potential impacts, and it identifies appropriate mitigation. The analysis is also based on the presumption that certain species are present (nesting birds, bats) even though focused surveys to identify them were not performed. As noted in Thematic Response #6, the County is not required to perform all studies suggested by the comment.

    Indirect effects are presented in Sections 4.5.4 and 4.4.6 of the Draft EIR as follows: *"The California Natural Diversity Database (CDFG 2012) was queried to determine all sensitive species within the Project Area. Figure 4.5-3,*

'CNDDB Results within a 1 Mile Radius' shows all documented occurrences within the Project Area with a one-mile buffer to capture records that were near the site and ensure that potential occurrences of sensitive biological resources were included in evaluations of <u>*indirect*</u> *impact … the loss of habitat and indirect effects related to night-lighting, noise, and increased activity are the primary* <u>*indirect*</u> *impacts to wildlife. Preservation within permanent open space of 69 acres of habitat similar to that which will be lost by the proposed project, including areas well-removed from quarry activities, will provide mitigation of these effects"* (emphasis added). Therefore, the EIR's analysis included both direct and indirect effects. The key mitigation measure for biological impacts is the permanent preservation of 69 acres of high quality habitat. In conjunction with other specific measures to minimize the potential for other impacts, this open space area, which includes five times more coast live oak woodland than that which would be impacted (as calculated from Figure 4.5-1: Plant Communities Identified in LFR Survey, 7.75 acres ÷ 1.55 acres = 5), would mitigate indirect and direct impacts to a less than significant level.

17. The project will have no effect on steelhead trout or any other species in the Salinas River. The Salinas River does not "traverse the project site" as stated in the comment. The Salinas River crosses the southwestern portion of the Oster property over 1,000 feet from the nearest point in the proposed quarry. As noted in Section 4.13, the base flow in the Salinas River – that is the minimum recorded flow for a single year and for multi-year drought conditions – is over 800 acre feet per year. The withdrawal of 7 acre feet per year will have an indiscernible effect on surface flows. Section 4.13 also identifies measures that will avoid potential discharge of contaminated stormwater runoff. While the comment argues that there will be effects on the Salinas River habitat, it provides no new information related to that issue. No changes are necessary in the EIR.

18. The EIR (and Appendix F) documents previous use of water on the property through recorded statements of diversion and use, field observations, and other information. The EIR also notes that current use on the property is less than this historic use, and that the project will increase water use above the existing rate of water use. Wells and the water supply on the Oster property have never experienced water shortages. There is a cluster of domestic wells in deeper granitic rock, immediately adjacent to the Salinas River, approximately 500 feet upstream from the Oster property. Communication with one well owner at this location indicated no shortages. In the direction downstream from the Oster property, the Hanson Quarry uses surface water from the Salinas River, consuming up to 30 acre feet per year. Farther downstream, and in the larger basin, County Service Area 23 (Santa Margarita) has experienced groundwater

shortages, which are documented in studies of the Paso Robles Groundwater Basin. No changes are necessary in the EIR.

19. The estimate of increased use of water is provided in Section 4.13.6 and Appendix F of the EIR. The County Department of Public Works has reviewed and confirmed the conclusions of the Water Supply Assessment. The estimate includes water for dust control, sanitary uses in the office, and landscape and revegetation irrigation. Additional information about the use of water and other management practices for dust control is provided by the applicant (See Letter # O.24).

20. The impact of the project is not based on the degree of its increase over current water use, but rather by the effect of total water use on the available supply. The purpose of rounding up the estimate for recent domestic water use is to keep the estimate conservative (high).

21. As noted in Response 20, the degree of impact was not evaluated as a function of the increase in water use over the current or past uses. The language in the EIR characterized the diversion total of 94 acre feet per year as "potential use," which is true. Past agricultural use of water was likely never this high. Based on the information available, past agricultural use included more extensive grazing (12 acres of pasture areas on the property), a small orchard, and 2 acres of corn. As explained in Response No. 18 above, the past use amounted to 15.8 acre feet per year. Thus, it is accurate to state that past use was greater than the current use. The proposed quarry would increase consumption on the property from the current 2 acre feet per year (or less) to about 7 acre feet per year. The water used is riparian water from the Salinas River. Flows in the Salinas River are year-round, and range from a minimum of just over 800 acre feet per year, to a median flow of 8,660 acre feet per year (and very much higher in wet years). The clarification regarding past agricultural use of water does not alter the assessment of impact and mitigation in the EIR, and no changes are necessary.

22. The value of "92.7" has units of acre-feet per year, and is a report of diversion; it is not a volume of stored water. The only reference to water rights in the EIR is the recognition that the Oster property is located adjacent to Moreno Creek and the Salinas River, and has riparian water rights associated with both. The statements of diversion and use were used by the Water Supply Assessment since they were written records documenting the water supply and use on the property. The EIR text recognizes that these statements do not establish water rights. Appendix F contains additional information related to this issue. There is no need to revise the EIR.

23. Contrary to this comment, the EIR does not ignore the fact that Moreno Creek is also an abundant and reliable source of surface water on the Oster property. The EIR focuses on the Salinas River since that is the source proposed for the project. The specific source proposed is an existing shallow well, adjacent to the Salinas River, which has previously been used by the property owner to withdraw shallow subsurface flow from the river.

24. Based on the volume of use estimated for the project and the volume of surface water available in the Salinas River, the EIR concludes that the project consumption will not represent a substantial adverse change in surface flow in the Salinas River. Based on available information, the nearest wells outside the property that are used by residents are all upstream from the project site along the Salinas River. These may be shallow wells or deeper wells in the granitic rock beneath the Salinas River. In either case, because they are upstream from the project and its water source, and because that water source is surface water (shallow subsurface flow), the upstream wells will not be affected by the project. The EIR acknowledges groundwater shortages that have been reported in some wells in the region – mainly along Parkhill Road. These wells are also far upstream from the project site, and are in a different drainage basin (Moreno Creek). Withdrawal of surface water from the Salinas River at the Oster property cannot affect groundwater at these locations. Since there was no evidence indicating a potential effect of the project, there was no need to conduct more detailed hydrogeological studies. With respect to the well proposed for use: at 25 gallons per minute, the well would only have to operate 3.4 hours per day to supply the project. Issues related to the pump capacity and specific improvements at the wellhead may influence the cost to the applicant, but do not affect the assessment of potential impacts of the project. This information does not alter the assessment or conclusions in the EIR and no changes are necessary.

25. The number of daily truck trips upon which the traffic analysis is based is the number of trips necessary to deliver aggregate material at the maximum annual production rate of 500,000 tons per year, assuming 250 working days per year. The analyses of intersection effects consider the peak hourly traffic associated with this daily volume. Text Revision # 8 clarifies the reference to the 800 trips per day traffic level.

26. This comment appears to misinterpret the 75 additional daily truck trips that were added in relation to pavement recycling activity. The total production rate of 500,000 tons per year includes both quarried aggregate and recycled pavement. Most trucks bringing pavement material to the site for recycling would leave with recycled aggregate for use. If all pavement recycling were

done in this type of operation, then the pavement recycling would not alter the estimate of 198 truck trips per day for full production of 500,000 tons per year. The additional 75 truck trips per day assumed in the EIR is to account for the possibility that some pavement or concrete recycling truck trips would not be associated with specific contracts and involve loaded return trips.

27. This comment requests the County of San Luis Obispo, as Lead Agency, to review and consider a Comment Letter from Dennis M. Pascua, Arch Beach Consulting, dated June 5, 2013. The Lead Agency's comprehensive responses to Mr. Pascua's Comment Letter are presented in their entirety as Comment Letter O.21.

28. Table 4.11-9 includes the results of the analysis of intersection performance at the driveway access and SR 58 intersection. The analysis shows that the largest delay for peak hour traffic on SR 58 would occur in the morning, and would be 3.0 seconds (LOS A). The longer delay of 9.2 seconds (LOS A) for the southbound approach would affect truck traffic associated with the project and is not considered an adverse effect to through traffic on the highway.

    In summary, the sight distance requirements for safe operations on the state highway would be met by the access driveway location as proposed. Please see Thematic Response #9 for further information regarding the need to construct a left turn lane as part of this project.

29. Approval of the final configuration for this intersection is within the jurisdiction of Caltrans (through issuance of an Encroachment Permit) and County of San Luis Obispo decision makers (through issuance of a Conditional Use Permit). In summary, the sight distance requirements for safe operations on the state highway would be met by the access driveway location as proposed. Please see Thematic Response #9 for further information regarding the need to construct a left turn lane as part of this project.

30. The comment points out that the accident rate shown for the SR 58 southbound onramp to US 101 in Table 4.11-6 is, in fact, higher than the statewide average for such ramps. The text of the discussion immediately following the table, however, clarifies that the rate is based only on two accidents during the three year period of the analysis. Neither accident involved a heavy truck, and one involved a vehicle striking a fixed object on the side of the road. There is no need to correct or modify the discussion in the EIR.

31. The summary conclusions in the EIR relative to some of the air quality issues mentioned in this comment indicate that the impacts would be significant and not mitigable. This applies to ROG+NOx (AQ-1a) and PM10 Fugitive Dust

(AQ-1b). The text associated with these issues, however, provides very important context and explanation. Both of these impact statements include mitigation measures as prescribed by the San Luis Obispo County APCD. The analysis evaluated the potential reductions from applying mitigation measures that were known to be feasible. Since the applicant and APCD have agreed upon the appropriate measures to mitigate all Air Quality impacts to a less than significant level, the County as Lead Agency has concluded that these Mitigation Measures are "feasible", as defined in Section 15364 of the CEQA Guidelines. Thematic Response #3 provides additional information regarding the status of air quality mitigation.

The Land Use discussion relates primarily to the town area of Santa Margarita, and at that location the health risk assessment indicated that the effects of Diesel exhaust would be less than significant. Thus, the only remaining effects that bear an influence on Land Use compatibility within the community of Santa Margarita are noise and traffic effects related to the heavy trucks. With regard to compatibility at the project site, the parcel is located in the EX1 combining designation where mining uses may occur due to the resource being present.

32. The requirement for development of an EIR's analysis of Environmental Impacts is presented in Section 15126.6 of the CEQA Guidelines. The requirement for "Project Objectives" is presented in CEQA Guidelines Section 15126 as follows: *A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary.*[emphasis added]

    Contrary to the Comment, CEQA Guidelines Section 15126.6 does not require the Land Use section of the EIR to address "how this [applicant's stated] objective would be met".

    This comment also expresses the opinion that the EIR should be recirculated, in light of the comments presented this letter. The County of San Luis Obispo, as Lead Agency, will consider this opinion, and base its decision on recirculation with reference to the criteria presented in Section 15088.5 of the CEQA Guidelines. See Thematic Response #5, for further details.

O.16 Board of Directors, Margarita Proud

1. Figures 2-1 and 2-2 show the project location and vicinity. The property is located at 6660 Calf Canyon Road (SR 58), and includes Assessor's Parcel Numbers (APN) 070-141-070 (78 acres) and 071 (156 acres). Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have

both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

2. This comment is an apparent cross reference to Comments 92–116 within this letter.

3. Project Objectives are adequately presented in the EIR, in accordance with Section 15124(b) of the CEQA Guidelines, which states as follows:

   The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact…

   b) A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.

4. A land use decision of the Board of Supervisors on April 16, 1991 (Resolution No. 91-218 applied the EX1 combining designation to land containing the La Panza Granitics in the Las Pilitas Planning Area (and other areas). This comment appears to disagree with this action by the County, even though the action was consistent with the Surface Mining and Reclamation Act implementation requirements in the Public Resources Code (14 PRC 3676 (c)). The background and context for this 1991 land use decision is presented in Section 1.3.2 of the EIR.

   The comment also appears to disagree with the State definition of "compatible land use" found in the Public Resources Code (14 PRC 3675), and applied by the State Department of Conservation. As noted in Section 15151 of the CEQA Guidelines, "disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts." No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. Text Revision #8 specifies the type of aggregate materials to be produced from this mine. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required.

6. This EIR was written to address the impacts of the Oster/Las Pilitas Quarry as a "project." The maximum tonnage of 1,500 tons per day is identified in Section 2.3.1 on page 2-7 of the EIR, and was chosen by the applicant to allow the project to qualify under the notification tier of CalRecycle permitting. Days and hours of operation would be identical to those described in Section 2.3.1 on page 2-6 of the EIR for the project. Equipment used would include the same front-end loaders and other equipment described for the project in Section 2.3.2. Residual solid waste would be placed in the solid waste disposal waste containers (dumpsters or roll off bin) used for the project, and would be taken to the nearest solid waste disposal facility (Chicago Grade landfill) on a periodic basis as appropriate based on amount of material and applicable regulations.

   In the context of Section 15378 (c) of the CEQA Guidelines, the term "project" refers the <u>physical</u> activity which is being approved and which may be subject to several discretionary approvals by government agencies. "The term 'project' <u>does not mean each separate governmental approval</u>." (emphasis added)

   In summary, since "Recycling" is specifically included in Chapter 2.0 as a component of the Project Description, no changes are necessary in the EIR.

7. This comment apparently supports the Operational Details as consistent with the Project Objectives. The Objectives have been revised to clarify that washing of aggregate will not occur.

8. Recycling will involve the re-use of crushed and sorted pavement material as aggregate in the makeup of roadways. Asphalt and Concrete will be brought to the site by customers coming to pick up other material for their projects; material will be inspected and scaled then dumped in appropriate stockpiles for processing later. Asphalt and Concrete is defined as used asphalt and concrete that is being removed from a site, this material will be fee of oil, plastics, steel pipe, wood or any other unwanted construction waste. Recycled Concrete and Asphalt will be processed by the same portable crushing and screening equipment that is used in processing the Granite Rock. The material destined for the size reduction will first be placed into a feeder to control the amount of material going to the primary crusher, after the initial crushing the reduced material will travel through a screen to separate the material into different sizes. Material that is still too large for sale as a finished product, will then be reduced by the secondary crusher and again screened into saleable sizes. Material will be stockpiled then loaded into trucks for delivery to customers. All material will be sold as either Class II Road Base or Non Spec Road Base therefore leaving no waste. The particular type of permit applicable to the project is a function of the material to be recycled (Type A inert waste) and the maximum amount of

material per day (less than 1,500 tons). The description of the recycling component of the project in Section 2.3.1 of the EIR provides more detail, cites the applicable regulations, and is adequate for the assessment of impacts and mitigation measures in the EIR.

9. The volume of pavement in the recycling component does not have "over-reaching considerations across the spectrum of impacts," as suggested in the comment. It is part of the maximum 500,000 tons per year of material production that was assumed for analysis purposes in the EIR. Therefore, its contribution to potential air quality, noise, transportation, land use and other impact areas is already included in the overall analysis. The comment notes that fine dust associated with asphaltic product milling can have risks associated with it. This comment also notes that materials on roadways may include polycyclic aromatic hydrocarbons (PAH) that are identified as pollutants by the U.S. EPA. The project does not include fine milling of asphalt. The mere presence of a compound that may be toxic in high concentrations does not make a bulk material toxic or qualified as a hazardous waste. The State of California Department of Conservation, the Regional Water Quality Control Board, and other agencies have experience in regulating the re-use of pavement as a useful material in the construction of roads. The regulations applicable to the project are established based on this experience. As a general rule, pavement removed from roadways is not classified as a hazardous waste. Regulations allow for the re-use of pavement material in reconstructing roads without requiring separate discharge permits. No changes are necessary in the EIR.

10. This comment appears to relate to the project's impacts to water quality and wind erosion as those issues may be affected by the pavement recycling component of the project. Response # 9 above reiterates the fact crushed roadway pavement is considered inert waste, and is allowed under applicable regulations. The material is not a hazardous waste. All stormwater, including that which has contacted any stockpiled pavement, will be subject to requirements to protect stormwater through the industrial stormwater permits required for this project.

    With regard to wind erosion, and as noted in Chapter 4.1, the County of San Luis Obispo defers to the San Luis Obispo County Air Pollution Control District to determine best management practices for dust control measures. This information is presented in detail in Section 2.4 of the "SLOAPCD CEQA Air Quality Handbook" referenced in Chapter 4.1 of the EIR (reference: SLO APCD. 2012. CEQA Air Quality Handbook, A Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review. Air Pollution Control District, San Luis Obispo County, San Luis Obispo, CA).

11. The equipment inventory was provided by the applicant, who has experience in mining operations.

12. Truck trips associated with fueling and servicing/maintenance equipment, and for delivery of explosives to the site, would be very minor (typically one to two per week) and would not occur during peak hours. The information regarding backhauling associated with whole pavement recycling projects was based on conversations with Caltrans staff, County Department of Public Works staff, a retired Public Works Director, and a professional engineer, all of whom were familiar with whole pavement recycling contracts and operations.

13. The information regarding backhauling associated with whole pavement recycling projects was based on conversations with Caltrans staff, County Department of Public Works staff, a retired Public Works Director, and a professional engineer, all of whom were familiar with whole pavement recycling contracts and operations. All described the operation in the same fashion, indicating that there would be no empty trucks associated with a contract, except at the very start and end of the project. Thus, the assumption used in the EIR that 50% of the trips associated with such an operation would be empty trucks is very conservative (high). The discussion of trip generation in Section 2.3.3 of the EIR clearly states that the maximum limit of 1,500 tons per day of recycled material under a notification permit was assumed. The number was used as part of the trip generation estimate as explained in the EIR. It does not need to be repeated throughout the EIR since this production number would be within the total maximum production rate of 500,000 tons per year for the project. Furthermore, the actual volume of recycled pavement in the project is likely to be much less than the assumed 1,500 tons per day. This is because the market for this material in San Luis Obispo County is much less than this assumption. Information provided in Comment O.23-13 indicates that the amount of recycled material that might be expected at this project is likely to be less than 100 tons per day. Interpreting the County Land Use Code for implementation of the project is a matter for the County as Lead Agency and the decision makers for the project. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

14. This comment claims that a variety of conditions may affect the daily trip count associated with the project, and states that every impact area is influenced by the trip count. Variations in the amount of pavement recycling would have very little effect on the overall trip count, and in any case the number of truck trips would remain below the number used in the EIR as long as the overall production of the project remains below 500,000 tons per year. The EIR

recognizes that variations in truck traffic volume may occur, which is why the traffic associated with the maximum production rate of 500,000 tons per year was used in the EIR. Interpreting the County Land Use Code for implementation of the project is a matter for the County as Lead Agency and the decision makers for the project. No changes are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

15. References to 800 truck trips per day have been clarified in the EIR. See Thematic Response #4 and Text Revision #10.

16. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials proposed to be produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

17. In contrast to alluvial deposits, sandstone or shales, granitic rock contains very few clay and silt sized particles that may be lofted into the air as dust either during excavations or after the rock surface is exposed. Where they occur in granitic rocks, these finer sized particles are generally limited to the topsoil and shallow weathered portions of the formation. The project will remove and stockpile topsoil material for use in reclamation. Weathered granitic material will also be removed and stockpiled, and sold as decomposed granite. The majority of the exposed quarry surface will consist of intact granitic rock.

    The comment specifically asks for the meaning of the adjective “not much” dust, as presented in the Draft EIR. In the context of this EIR, the adjective describes an insufficient mass of dust to create a visible plume, which would be in violation of San Luis Obispo APCD Rule 401.

    The assumptions for dust generation are based on the applicant’s plans and project description, which include paving the access drive for the project and working area around the scalehouse and office, and on observations and reviews of other quarry operations in the County and Central Coast region. Long-term stockpiles in the project will be stabilized through plantings, mulch, or physical covers. The primary source of dust will be the processing and storage area – a flat area of about 3.5 acres where regular truck traffic and equipment operation will continually grind the exposed rock or traffic bearing material to produce fine particulate material. This area will have to be monitored and periodically treated to minimize the potential for dust generation and transport. Treatment

will include application of water, with or without additives that help minimize dust in accordance with APCD requirements and guidelines (list of acceptable additives).

The estimated water use of 4,000 gallons per day for dust control (5,500 gallons per day maximum) is based on observations of construction sites that typically range from 2-4 acres in size. It would not be necessary to apply water for dust control on every day of the year, since some days would have rainfall, drizzle or fog conditions that would generate sufficient ground level moisture to prevent the generation of fugitive dust.

Section 4.13 comments relating to this topic include Nos. 77 and 78. None of the specific comments relating to Section 4.13 (comments nos. 117-127) relate to the generation or control of fugitive dust as the issue is raised in this comment.

18. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the Air Pollution Control District. Further, this Appendix states:

    Suppressants are often used in combination with other APCD recommended control methods to minimize fugitive dust emissions. Other methods include:

    1) *Paving and then maintaining to applicable standards thus replacing need for suppressants and other control methods;*

    2) *Implementing and maintaining design standards to ensure vehicles speeds on unpaved areas are physically limited to a posted speed limit of 15 mph or less; and*

    3) *For special events, site parking areas in grass or low cut dense vegetative areas that are adequately irrigated to minimize fugitive dust emissions.*

    SLO County APCD used a 2002 San Joaquin Valley APCD list of dust suppressants as the starting point for the list presented below. Products that could not be readily found were removed from the list. This SLO County APCD list also streamlines the SJVAPCD list by removing hygroscopic products and all but one of the petroleum based products from the SJVAPCD list. A petroleum based method (chipseal) and three polymer products (Dust Binder, Gorilla-Snot, and Soiltac) were added to the list.

Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.

19. This comment apparently supports the CEQA public review process that the County is undertaking.

20. Some, but not all, of the residences along Digger Pine Road may have views of portions of the quarry which would be similar to those views in the photosimulations in the EIR. None of the residences along Parkhill Road would have views into the main quarry area; some may be able to see activity along the ridgetop that would form the northern and eastern boundary of the quarry. The comment includes several Google Earth views with the quarry boundary shaded in orange. While useful for general orientation, these screenshots do not present an accurate depiction of actual views. All of the views presented in the comment are from elevations well above ground level, and none represent views from actual residential locations at ground level. The EIR concludes that the aesthetic impact of the project would be significant and not mitigable. Additional analysis would not alter this conclusion. No changes are necessary in the EIR.

21. This comment provides a description of the EX1 Extractive Resource Combining Designation, and believes that it is not relevant to the EIR discussions. The County respectfully disagrees with this opinion. Response No. 4 above provides more information about the EX1 Combining Designation.

22. The completion of reclamation and revegetation would be phased, as described in Section 2.3.1 in the EIR. Complete revegetation would not occur until after completion of the quarry operation, which would be several decades in the future ranging from 25 to 58 years as indicated in Table 2-1.

23. A number of goals and objectives in Table 4.1-1 involve County planning programs and community activities, which are not related to any specific development projects and are outside of the scope of the EIR. The timing and implementation of these programs are subject to County funding limitations and other priorities considered by the Board of Supervisors.

24. The County of San Luis Obispo believes that full conformance with Section 22.10.060 – Exterior Lighting is sufficient to address effects of the project on Nighttime Glare, such that the recommended design changes are not necessary.

In any event, Mitigation Measure MM AES-3 has been revised (see Text Revision # 28) to read as follows:

> **MM AES-3: Nighttime Glare/Lighting Plan.** Prior to the issuance of a building permit for the project scale house, the applicant/quarry operator shall provide a plan or specifications for *all lighting (including* security lighting) that complies with the County Land Use Ordinance for approval by the County Planning and Building Department. *All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from SR 58.*

25. The County of San Luis Obispo, as Lead Agency, acknowledges the comment's support for the policies of the County General Plan, Conservation and Open Space Element. The ultimate decision as to conformance with the General Plan will be made upon consideration of the Conditional Use Permit.

26. The location of the views used in the photosimulations is shown in Figure 4.1-1 in the EIR. The photograph was taken at standing eye level, and accurately represents views from this location.

27. The photosimulations were prepared by using AutoCAD files of the quarry grading plan and digital terrain modeling available from the U.S. Geological Survey. This three dimensional model was used to create the perspective view of the graded area from the vantage point of the photograph. Images of rock faces from nearby quarries were used for the appearance of the quarry faces, and digitally inserted into the existing condition photograph.

28. This comment appears to agree with the conclusion presented on page 4.1-13 of the EIR, which states:

    "*Although the specific number, location, and actual configuration of these future quarries is unknown at this time, cumulative effects relative to Aesthetics and Visual Resources are expected to be significant and not mitigable due to the nature of mining activities and the engineered appearance of mined slopes in quarry operations.*"

    No changes have been made to the EIR.

29. The County of San Luis Obispo acknowledges the photograph supplied by the commenter. No changes have been made to the EIR.

30. This comment offers the opinion that truck traffic on the state highway should be considered a component of the visual impact of the project. The operation of

trucks on the state highway was not considered to be a visual impact in the EIR. There are no County policies or Caltrans programs related to aesthetics of vehicles.

31. The comment suggests the visual impact of grading at the completion of Phase 1A would be greater than the phases chosen for the photosimulations. The Phase 1A quarry face would be closer to SR 58, but Phase 3B quarry face would be substantially larger. Regardless of which phase is used in the analysis, the EIR conclusion that the visual impact would be significant and not mitigable would not be changed.

32. The field area through which the access road would be constructed is vegetated with non-native grass. The graded areas adjacent to the road would be similarly vegetated to blend in with the adjacent field, and this vegetation can be established relatively quickly. Areas to be paved will include the entrance road and the area around the scale house and office once they are completed.

33. This comment is a repeat of the items in Comment No. 32 above. Please see that response.

34. The comment suggests that the project would have visual impacts greater than depicted in the EIR due to disturbances at the interface between quarry areas and the adjacent native vegetation. Most of the quarry perimeter would be defined by the existing system of fire breaks and maintenance roads that exist along the ridgelines containing the quarry site. Given the distances involved in all of the views to the quarry, the minor disturbance in areas where such roads do not already exist would not substantially alter the overall view. The total area of disturbance evaluated in Section 4.5 (Biological Resources) and other sections of the EIR accounted for perimeter roads and related disturbance at the edge of the quarry. There would be no substantial areas of "de-nuding the mountaintop" outside of the quarry perimeter.

35. During the scoping process, a concern was raised that trucks would queue along SR 58 or other public streets while waiting to access the quarry. As noted in the cited section of the EIR, parking would be available within the project site. It is not anticipated that the access road would be used for parking, but its length will accommodate a number of trucks so that there should be no effect of queuing onto the state highway.

36. There is no specific performance standard or requirement for the access road to accommodate 15 trucks. As noted in Response No. 35 above, the point made is that the project design will not lead to trucks queuing along SR 58 at the entrance road.

37. There is no deficient staging plan, and the project is not expected to result in trucks staging or awaiting quarry access in the town area of Santa Margarita. The issue is discussed in Section 4.11.6 as Impact TRAFFIC 3b, where it is clear that this potential effect (offsite truck parking) would not likely be associated with routine operations. Mitigation Measure TRAFFIC 3b addresses the issue, and no changes are necessary in the EIR.

38. Section 22.62.070 of the San Luis Obispo County Land Use Ordinance requires the County, if approving the Conditional Use Permit, to consider the following findings, among others:

    c. *The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and*

    d. *That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development;*

    These Findings will be considered, with appropriate public input, at the time the project is presented to the County decision makers.

39. This comment offers opinions related to the assessment of visual impacts, similar to those addressed elsewhere in this Letter. The EIR does not state that the project would not be visible from US Highway 101. The project site is over three miles from the highway, and only the uppermost elevations would be visible from short segments along the highway, backdropped by higher ridgelines in the distance. These views were considered during preparation of the visual analysis, but were not analyzed in detail since it was clear that the project would not have a substantial effect on them. The EIR also describes the fact that the project site is outside of the areas covered by the County Highway Corridor Design Standards related to US Highway 101 (Section 3.2, and end of Section 4.1.1). No changes are necessary in the EIR.

40. As Lead Agency, the County of San Luis Obispo has complied with Section 21082.1 of the Public Resources Code, which states, in part:

    Any draft environmental impact report, environmental impact report, negative declaration, or mitigated negative declaration prepared

pursuant to the requirements of this division shall be prepared directly by, or under contract to, a public agency.

This section is not intended to prohibit, and shall not be construed as prohibiting, any person from submitting information or other comments to the public agency responsible for preparing an environmental impact report, draft environmental impact report, negative declaration, or mitigated negative declaration. The information or other comments may be submitted in any format, shall be considered by the public agency, and may be included, in whole or in part, in any report or declaration.

41. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

42. This comment makes a number of observations regarding truck traffic on SR 58. The California Valley Solar Ranch described in the comment involved substantial construction traffic crossing a short segment of SR 58 in addition to a large number of special permit overweight loads on the highway. The quarry project would not include either of these traffic types. The analysis of traffic impacts in the EIR is not based on the absolute number of trips or on the relative increase in the number of trips. Rather, it is based on accepted methods of analysis and thresholds that are based on the level of service, as presented in Appendix G of the CEQA Guidelines.

43. As noted on page 4.11-22 of the Draft EIR, the only sharp curve portion of SR 58 that would regularly be used by the project is the right angle curve on J Street. The statements in the EIR regarding doubles being capable of driving the other curvy portions of SR 58 were based on a number of field observations driving behind such trucks through the steep curvy segment to the east of the project site, and through the steeper and more curvy segment of SR 58 near the Kern County line. Although roadway crests limit sight distance, the effect is much less from the elevated vantage point of a truck driver, compared to that of a passenger car driver. The comment provides observations of similar trucks crossing center lines, and concludes that the project would have public safety impacts along the entire haul route. The County respectfully disagrees with this conclusion.

44. The comment does not contradict the information provided in the Draft EIR, but disagrees with the conclusion in the Draft EIR that the project effect on traffic and pedestrian safety on Estrada Avenue would be less than significant. The Draft EIR presented an alternative haul route (Section 6.8). The feasibility of

this alternative may be considered by the County decision makers, as they review the Final EIR.

The "Applicant Proposed Measure," which is a key component of the applicant's Project Description, will be incorporated into the Conditional Use Permit. The Measure reads as follows:

> *APM/LU-1a: Prior to any commercial production or sales at the quarry, the Applicant shall prepare and submit a Traffic Control and Management Plan (TCMP) which [will] be updated and resubmitted annually no later than July 1 of each year. The TCMP shall ensure that trucks arriving at or leaving the quarry reduce conflicts with peak pick-up and drop-off and bus arrival/departure times at Santa Margarita Elementary School, and also that truck traffic will not be active on the day of the annual Wildflower Ride. The Applicant shall obtain school start and end times from the Atascadero School District prior to July 1 of each year and shall coordinate with the San Luis Obispo Bike Club to determine the date of the Wildflower Ride for each year. (Emphasis added)*

This Applicant Proposed Measure is sufficiently comprehensive and flexible to adjust for student dismissal times, as they may change from time to time.

45. In the context of the EIR discussion, "vicinity" was intended to include those areas that generate truck traffic that uses SR 58 through Santa Margarita. The heavy commercial uses referenced are in Santa Margarita or nearby areas, and generate truck traffic on SR 58 through Santa Margarita. There is much less truck traffic on SR 58 east of Santa Margarita. There are two rail spur locations that formerly delivered material by rail to uses in Santa Margarita.

46. According to Section 15364 of the CEQA Guidelines, " 'Feasible' means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The determination of "feasibility" is made by decision makers in their consideration of project approvals.

    Remaining points in this comment concern a decision by the County Board of Supervisors that was made on December 23, 2008. The narrative from Section 4.11 of the EIR, cited in this comment, needs to be clarified. The CEQA Findings for the Santa Margarita Ranch project (Exhibit B to the Board of Supervisors Resolution 2008-45) provide no indication that "*at the time the project was approved this widening requirement along with other improvements within the Caltrans right-of-way was determined to be infeasible.*" The

referenced language is not present in the final project approval (Board of Supervisors Resolution 2008-45). In any event, this EIR concludes that the project effects on traffic along the J Street curve would be less than significant for reasons explained in Section 4.11.6. No changes are necessary in the EIR.

47. Level of Service (LOS) is the appropriate metric to use in the traffic impact analysis for the intersections studied, and was based on traffic delay times. Other methods were used to evaluate the project effects on different segments of the highway. The traffic analysis for the Draft EIR (Appendix C) was prepared according to direction from Caltrans and the County Department of Public Works, with active input from both of those agencies, and following procedures published by Caltrans (Guideline for the Preparation of Traffic Impact Studies, December 2002). The question of using passenger car equivalents (PCE) is addressed in comment and response 48 below.

    The San Luis Obispo Council of Governments (SLOCOG) was consulted during the preparation of the Draft EIR. SLOCOG's response letter on the Draft EIR (Letter R.01) did not mention a need for fair share contributions to any interchange or overpass improvements to SR58/Hwy 101. In fact, the EIR's Traffic analysis concluded:

    > ***IMPACT TRAFFIC-1b: Traffic Volume Increases – LOS****. The project will cause small increases in the traffic delay at intersections in the project vicinity, and on the traffic density on US Highway 101 and the SR 58 freeway ramps. In all cases, these changes will not alter the existing Level of Service (LOS) and in all cases the existing LOS is within applicable standards.*

    In any event, the following mitigation measure has been imposed on the project, to mitigate for cumulative traffic impacts:

    > ***MM TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes.*** *The applicant/quarry operator shall enter into an agreement with the County to pay their fair share of improvements necessary to identified intersections in the community of Santa Margarita. The applicable fair share is currently estimated at 8.1 percent based on proportional contribution by the project to traffic at the intersection of Estrada Avenue and El Camino Real. The estimated fair share for signalization at Estrada Avenue and H Street is 9.1 percent. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of each Notice to Proceed for each phase of the quarry.*

Please note that although the proposed mitigation would reduce impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, and uncertainty regarding right-of-way acquisition, it cannot be assured that all improvements would be feasibly constructed prior to the time when they are needed. As a result, cumulative traffic impacts would remain significant and unavoidable.

48. The County disagrees with the suggestion in the comment that a PCE of 3.0 should be used for all aspects of the traffic impact analysis, and also for the computation of other effects influenced by truck traffic. The use of PCE depends on the specific method used to analyze traffic flow through an intersection or along a roadway segment, and PCE values vary based on terrain, traffic volume, and other factors. The formulae and software used in the computational methods from the Highway Capacity Manual incorporate adjustment factors for trucks when appropriate. The adjustment factor for heavy vehicles on a two-lane major street with a stop controlled intersection is 1.0 (i.e. no adjustment). When used, the PCE factors range from 1.0 to values between 2 and 3.

    The comment is correct in implying that there are little or no data available to estimate the precise nature of truck traffic associated with pavement recycling operations. The assumption in the Draft EIR was developed after reviewing Caltrans descriptions of pavement recycling projects, and discussions with engineering and construction professionals involved with such projects. The common practice in pavement recycling projects involves using trucks to haul broken pavement from the roadway repair site to a processing site, and then to haul crushed and sorted pavement back to the roadway site. The recycling component of the project will produce material that is part of the 500,000 tons per year – and is counted within the heavy truck traffic estimated for the project, which includes two trips per material load (one empty truck arriving at the site and one full truck departing). The “extra” truck trips added in for the EIR analysis are based on the possibility that there may be some instances when broken pavement is brought to the site for recycling, and is not a part of another project as described above.

    The maximum amount of recycling was assumed to be 1,500 tons per day, since this is the maximum amount under which Notification Permit could be used. Data provided elsewhere indicates that this estimate is very likely too high, and the real value would be much lower (See Comment # O.23-13).

The analyses in the EIR for other issues that are influenced by the volume of truck traffic (i.e. noise, air emissions) are based on specific factors that apply to heavy trucks, and do not rely on PCE or other adjustment factors.

CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. More information responding to this perspective is presented in Thematic Response #6.

49. References to 800 truck trips per day have been clarified in the EIR. See Thematic Response #4 and Text Revision #10.

    If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

50. This comment provides a lengthy discussion and illustration of "offtracking". Two points comprise the response. First, the types of trucks proposed for use by the project ("doubles") are capable of negotiating the curve on J Street (as well as other curves on SR 58) without crossing the center line. This capability is demonstrated in the EIR, was reviewed by the County Department of Public Works and Caltrans, and confirmed by field observations. Second, whether or not a particular truck actually crosses the center line is a function of driver action, and a matter for law enforcement of the California Vehicle Code. The potential for this action is not considered to be a substantial adverse change in the physical environment, and is not considered a significant impact in the EIR for this reason.

51. This comment makes a number of observations based on the truck trip projection in the EIR, and comparisons with truck traffic associated with the construction of the solar power projects in eastern San Luis Obispo County. The major concern appears to be that multiple trucks would simultaneously travel on the J Street curve during peak hours and that non-peak hours have not been considered. Figure 5 in the ATE traffic report (Appendix C of the EIR) shows

that the number of morning peak hour trucks generated along this segment of SR 58 would be 17 outbound and 19 inbound. The delay time between trucks moving in the same direction would be over three minutes, in this reasonable worst-case scenario. The total peak hour intersection delay time along Estrada Avenue would be less than 30 seconds. While it is inevitable that trucks driving to and from the quarry site will pass one another, there is no reason to expect a unique concentration of truck traffic at any one point on the route. The comment suggests that additional analysis is necessary to address proportional allocation of effects on accident potential at peak and non-peak times, but does not offer any new information or data not considered at the time the EIR was prepared.

As noted in Thematic Response #6, *"…reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors."*

52. The comment raises the issue of traffic diverting from SR58 and Estrada Avenue to use alternate routes along H Street of I Street, and appears to suggest that both passenger vehicles and truck traffic may use these alternate routes. Table 4.11-9 in the EIR shows that in the morning peak hour condition on Estrada Avenue the effect of the project would be to increase the delay time turning onto El Camino Real by less than three seconds. The level of service during the morning peak hour at this location would remain at "C," and for this reason the project effect on existing traffic was considered less than significant. In the event drivers choose an alternate route (along I Street or H Street) they would face two additional turns before arriving at El Camino Real, and would travel along local residential streets with a lower speed limit. For this reason, the travel time would not be substantially different and few drivers would be expected to use these alternate routes. From a traffic operations perspective, the effects of the diverted traffic at the stop-controlled intersections of Encina Avenue/SR 58 or Wilhelmina Avenue/SR 58 are likely to be less than significant. The comment suggests that the Traffic Control Management Plan (APM LU-1 discussed in Section 4.14) address potential traffic diversion. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

53. As explained in the EIR Section 4.11.6, neither the County Department of Public Works nor Caltrans expressed a concern regarding truck operations along this segment of SR 58 (the J Street curve) during the scoping process or during

preparation and review of the EIR. The EIR included this discussion because the issue was known to be of concern to residents. The EIR explains why the project truck traffic will not have a significant impact here. One part of that explanation is the elevated position of truck drivers, which allows them to see oncoming traffic more easily than drivers of passenger cars.

54. The proposed quarry will not include a hot plant (asphaltic concrete), or PCC grade aggregate, or batch plant like other operations in the area. The mix of products to be sold will include road base, but will also include landscape rock, drain rock, and similar products that would not consistently be used in major road construction projects. For this reason, comparisons with the intensity and timing of operations and deliveries from the Hanson Quarry are not germane to a complete analysis of the proposed quarry.

55. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

56. The access road will be designed with two 12-foot wide travel lanes, and will be approximately 1,100 feet long, including the paved extension into the processing and storage area (where additional parking room would be available). Trucks are not expected to line up on the road all the way to the gate, but this distance would accommodate about 20 trucks, while leaving room for emergency access. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy.58 either east or west of the project site."

57. Both photographs in this comment show trucks apparently parked in the middle of the day. They do not appear to represent operational "staging", which is the concern of the comment. Responses 54 and 56 above address the issue of staging and parking. This issue is discussed in the EIR in Section 4.11.6 as Impact and Mitigation Measure TRAFFIC-3b. No changes are necessary in the EIR.

58. The reference to the EX1 Extractive Resource Combining designation was included in the EIR, in order to comply with Section 15125 (d) of the CEQA Guidelines: *"the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans."* Table 4.14-2 in the EIR presents the conclusion that the project can be found consistent with the EX1 Extractive Resource Combining designation, as defined

by the Land Use Ordinance, Section 22.14.050. No changes have been made to the EIR text, to remove references to the EX1 Extractive Resource Combining designation.

59. Notwithstanding the opinion expressed by this comment, the referenced narrative on page 4.11-25 of the Draft EIR has not been changed. Section 15144 of the CEQA Guidelines states:

    "Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must <u>use its best efforts to find out and disclose all that it reasonably can.</u>" (emphasis added)

60. Mitigation measure TRAFFIC-1a relates to the signalization of the intersection of Estrada Avenue and El Camino Real. The methodology for computing the project's fair share contribution will follow the procedures used by the County of Public Works and/or Caltrans.

61. The County does not expect any change in the conclusions with respect to Impact TRAFFIC-1b. The project is not expected to have a direct significant impact on traffic operations along roadway segments, intersections, or freeway ramps other than the intersection identified in Impact TRAFFIC-1a.

62. By suggesting an alternate haul route, this comment appears to express support for Alternative 6.8, "ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY." The County does not expect any change in the conclusions with respect to Impact TRAFFIC-1b. The project is not expected to have a direct significant impact on traffic operations along roadway segments, intersections, or freeway ramps other than the intersection identified in Impact TRAFFIC-1a. With regard to a pedestrian bridge, Section 4.11 of the EIR concluded that: Since the crossing design and improvements on this state highway are consistent with applicable standards, this effect [Elementary School Crossing safety] is a less than significant impact.

    No changes are necessary on the EIR.

63. This comment appears to express support for the Mitigation Measure as it is currently written. In addition, all mitigation measures adopted in the EIR, including Mitigation Measure MM Traffic-2b, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The County does not expect any change in the conclusions with respect to Impact TRAFFIC-1b. The project is not expected to have a direct significant impact on traffic operations along

roadway segments, intersections, or freeway ramps other than the intersection identified in Impact TRAFFIC-1a. No changes have been made in the EIR.

64. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

65. The project design incorporates a large processing and storage area that would be created behind the scalehouse as part of the early (Phase 1B) part of the quarry excavation. This area will provide adequate parking and operations space for the project. Mitigation measure 3b relates to restricting offsite parking. The comment states that "MM Traffic-3b is completely inadequate on several levels…," but does not specify the alleged "inadequacies." In addition, all mitigation measures adopted in the EIR, including Mitigation Measure MM Traffic-3b, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

66. The "Applicant Proposed Measure," which is a key component of the applicant's Project Description, will be incorporated into the Conditional Use Permit. All appropriate County Departments will be consulted as necessary, to assist the Department of Planning and Building in its enforcement of the project's conditions of approval. This Applicant Proposed Measure is sufficiently comprehensive and flexible to adjust for traffic conditions which may change from time to time.

67. Impact and Mitigation Measure TRAFFIC-4a address cumulative effects of the project in conjunction with other projects in the area and future growth in traffic volume. The final fair share contribution of the project to traffic volumes and to funding future improvements will be determined at each phase of the quarry as the County reviews and issues notices to proceed for each phase. The methods used to compute the fair share contribution will be those used by the County Department of Public Works and Caltrans. Thematic Response #8 addresses other "Project Impacts to State Route 58 and County Roads."

68. This comment suggests additional mitigation measures. A specification regarding the maximum permitted level of operations will be included as a condition on the CUP. The alternative haul route suggested in the comment is a combination of Alternatives 6.7.1 and 6.8 presented in the Draft EIR with a new bridge over the Salinas River. This alternative may be considered by the County

at the time a final decision is made regarding the project. The suggestion to restrict the use of compression brakes by trucks using the state highway is similar to the measure proposed by the applicant.

> *APM/LU-1c: All trucks hauling in and out of the project shall be required to abide by posted speed limits at all times and keep at 25 mph or less through the designated school zone. All drivers visiting the quarry must be provided with a printout advising them to obey these speed limits and use extra caution when driving through the school zone and the downtown area and advising them that the use of engine brakes is prohibited in these areas except in emergency situations.*

This provision is also incorporated into mitigation measure MM-NOISE-1:

> ***MM NOISE-1: Truck Traffic Noise.*** *The applicant/quarry operator shall advise all truck drivers exiting the facility regarding the noise sensitive residential uses along the truck route through Santa Margarita, and shall prohibit the use of compression brakes except under emergency conditions. Documentation in the form of notification copies shall be provided to the Planning and Building Department prior to the notice to proceed for Phase 1A of the quarry.*

69. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

70. No changes have been made in the EIR. As stated in Section 4.11:

> *The California Vehicle Code (starting at Section 1500 Commercial Motor Vehicle Safety Program, and starting at Section 34600 Motor Carriers of Property Permit Act) adopts federal standards and requirements related to the safe operation of heavy trucks. Hazardous material transport is addressed in Section 32000. Size, weight, and load requirements start at Section 35400.* ***California cannot prohibit trucks that meet federal standards for size and weight from traveling on state highways.*** *The state identifies and publicizes "advisory routes" (also called yellow routes) where trucks with a KPRA length over a specified limit (typically 30 feet) may not be able to stay within the defined travelled lane through curves on the highway segment. Caltrans and the California Department of Motor Vehicles oversee the state permit and licensing requirements for heavy trucks, and the California Highway Patrol inspects and enforces regulations. (****Emphasis added****)*

71. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

72. The County-wide Circulation Element goals and policies (Inland Framework for Planning 2011: pages 5-1 through 5-3) do not specify a particular LOS to be achieved on County roadways. Rather, the stated intent is to provide a roadway system that meets, but does not exceed, the capacities needed to serve the County population, in concert with other transportation modes. In a similar manner, the Salinas River Area Plan Circulation Element does not specify a particular LOS to be achieved on County roadways (Salinas River Area Plan 2003: pages 5-2 through 5-4).

    For San Luis Obispo County evaluations of roadway capacity conditions, the Resource Management System (RMS) bases the determination of "level of severity" upon the expectation or occurrence of road operations at LOS D. The RMS is part of the General Plan, described in the December 2011 Inland Framework for Planning, pages 3-19 and 2-20). As allowed by Section 15065 (c) (1) of the CEQA Guidelines, this determination procedure provides guidance for the County's CEQA analyses. The RMS, citing the Highway Capacity Manual, describes a road that has reached "capacity" as being at LOS E. Thus, it might be interpreted that LOS D or E would be a reasonable criterion to use to define a significant impact.

73. Contrary to this comment, Section 4.11 of the EIR identified the following potentially significant impact: *IMPACT TRAFFIC-1a: Increase Traffic at El Camino Real/SR 58 and Estrada Avenue. The project will contribute additional traffic to this intersection adjacent to the UPRR rail crossing, where a potential need for signalization already exists. Potentially unsafe traffic conditions may be created at this location.*

    Appropriate mitigation was applied to this impact. No changes to the EIR were necessary.

74. The comment is correct: the EIR did not address the structural design of the Salinas River Bridge, built by the State of California in 1996. The bridge is built to modern design standards and is capable of handling trucks operating within legal weight limits as proposed by the project. On February 24, 2014, Caltrans District 5 (Larry Newland) reported to Roy Reeves, Margarita Proud President: "Caltrans has determined that the Salinas River Bridge can accommodate the federal weight standards for all legal loads." No changes have been made in the EIR.

75. This comment includes a series of photographs ("Misc. Field Observations") showing traffic along SR 58. The photographs show some double, bottom dumping hopper trucks such as those that commonly carry aggregate material. Other photographs show large tractor/flatbed semi-trailers used for hauling heavy equipment. These latter trucks typically have a KPRA in excess of 30 feet. Some photographs show trucks crossing the center line of the highway, while others show trucks crossing onto the shoulder but remaining within the right lane without crossing the center line.

    The California Vehicle Code contains the following provisions:

    Section 21460. (a) If double parallel solid yellow lines are in place, a person driving a vehicle shall not drive to the left of the lines, except as permitted in this section.

    Section 21650. Upon all highways, a vehicle shall be driven upon the right half of the roadway, except as follows:

    (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing that movement.

    (b) When placing a vehicle in a lawful position for, and when the vehicle is lawfully making, a left turn.

    (c) When the right half of a roadway is closed to traffic under construction or repair.

    (d) Upon a roadway restricted to one-way traffic.

    (e) When the roadway is not of sufficient width.

    (f) When the vehicle is necessarily traveling so slowly as to impede the normal movement of traffic, that portion of the highway adjacent to the right edge of the roadway may be utilized temporarily when in a condition permitting safe operation.

    (g) This section does not prohibit the operation of bicycles on any shoulder of a highway, on any sidewalk, on any bicycle path within a highway, or along any crosswalk or bicycle path crossing, where the operation is not otherwise prohibited by this code or local ordinance.

    Section 21662. The driver of a motor vehicle traveling through defiles or canyons or upon mountain highways shall hold the motor vehicle under control at all times and shall do the following when applicable:

> *(a) If the roadway has no marked centerline, the driver shall drive as near the right-hand edge of the roadway as is reasonably possible.*
>
> *(b) If the roadway has insufficient width to permit a motor vehicle to be driven entirely to the right of the center of the roadway, the driver shall give audible warning with the horn of the motor vehicle upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway.*

The interpretation and enforcement of the California Vehicle Code is a matter for local law officials, and does not relate directly to physical changes in the environment. The County of San Luis Obispo acknowledges the "miscellaneous field observations" photos, provided by this letter. No changes are necessary in the EIR.

76. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

77. Examination of the trench logs and boring logs in the Engineering Geology Investigation (included as Appendix B of the EIR) shows that there are no formations or topsoil on the property containing a substantial fraction of clay material, and the only silt-sized particles are associated with the very thin layer of topsoil in some locations. Once topsoil and the relatively shallow layer of weathered granitic material is removed from the ground surface, the harder, crystalline, granitic bedrock contains very few silt and clay-sized particles that are capable of being lofted into the air by wind. For this reason, dust control should not be necessary on the open granitic faces of the quarry. The access road and drives leading to and from the scale and processing area will be paved. Disturbed ground surfaces within the processing area that are not subject to regular traffic will be paved or treated with water and dust suppressants to minimize the need for regular watering. Long-tern topsoil stockpiles will be vegetated and covered to minimize the potential for wind erosion. Thus, regular watering for dust control will be limited to traffic lanes in the processing area, and material stockpiles in use (not all of which will require dust control). Information provided by the applicant (Comment Letter O.24) and verified by County Public Works Department describes dust control management practices, and confirms the reasonableness of the estimate of 4,000 gallons per day. The quantitative estimates of dust generation are based on standard procedures and

data used in the CalEEMod program and from the U.S. EPA AP-42 compilation of emission source data. The various sources of dust (PM10) and the amounts estimated from each source are shown in Table 4.3-7, and the Air Quality Appendix (Appendix D of the EIR) contains spreadsheets showing the derivation of each estimate.

78. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the Air Pollution Control District. Further, this Appendix states:

> *Suppressants are often used in combination with other APCD recommended control methods to minimize fugitive dust emissions. Other methods include:*
>
> *1) Paving and then maintaining to applicable standards thus replacing need for suppressants and other control methods;*
>
> *2) Implementing and maintaining design standards to ensure vehicles speeds on unpaved areas are physically limited to a posted speed limit of 15 mph or less; and*
>
> *3) For special events, site parking areas in grass or low cut dense vegetative areas that are adequately irrigated to minimize fugitive dust emissions.*
>
> *SLO County APCD used a 2002 San Joaquin Valley APCD list of dust suppressants as the starting point for the list presented below. Products that could not be readily found were removed from the list. This SLO County APCD list also streamlines the SJVAPCD list by removing hygroscopic products and all but one of the petroleum based products from the SJVAPCD list. A petroleum based method (chipseal) and three polymer products (Dust Binder, Gorilla-Snot, and Soiltac) were added to the list.*
>
> *Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.*

79. The description cited in the comment relates to the larger Upper Salinas watershed, but the specific objections in the comment appear to relate to descriptions of the property containing the proposed quarry. The descriptions in

the EIR are based on a review of available records, field inspection of the water supply improvements on the property, and interviews with the property owner. Water diversions and use have occurred on the property since before 1914, have included irrigation of small orchard areas and at least one corn crop of about 12 acres, and the recent uses for livestock and landscaped areas.

As described in Section 3.1 of the EIR:

> *The property is within the County's Las Pilitas Planning Area and is designated as Rural Lands (San Luis Obispo County, 2010). This land use designation is described in the area plan as "…generally large ownerships used for grazing, and watershed leading to Santa Margarita Lake and the Salinas River" (San Luis Obispo County, 2003: page 5-2). Various uses that may occur in this land use designation – and the permit requirements for each – are set forth in the San Luis Obispo County Land Use Ordinance in Section 22.06.20 and Table 2-2 of the Land Use Ordinance.*
>
> *In Table 2-2 of the Land Use Ordinance, "Mines and quarries" are classified under the "Agriculture, Resource, and Open Space Uses," and are listed as: "A2 Allowable Use, subject to land use permit required by the specific use standards." The specific standards and procedures for mines and quarries are in Section 22.36 (Surface Mining and Reclamation). Section 22.36.040A requires a Conditional Use Permit (CUP) for all new surface mining operations. Other applicable Land Use Ordinance requirements are found in Sections 22.30.380 (dealing with recycling), 22.30.560 (storage yards), and 2.30.020(D) which allows exceptions to special use standards if approved via a CUP, such as that required for the proposed project.*

The beneficial uses listed in the EIR are a normal component of water supply and quality discussions, since they form the justification for water quality objectives and other policies in the Regional Water Quality Control Board Basin Plan. They are listed for the Upper Salinas Watershed as a whole, and are not just specific to the Oster property where the proposed quarry is located. Agricultural uses are one of the beneficial uses common in the Upper Salinas Watershed as a whole, as well as on the Oster property.

80. The pattern of association between water pollutants and urban land uses is supported by data and discussions in the Basin Plan. The assumption that water in a rural area more distant from urban sources of pollution is expected to contain fewer pollutants associated with urban land uses seems reasonable, and

is consistent with the broader pattern of data for the Salinas River Watershed. The comment is correct in saying no data was supplied in the EIR for this specific location, but this does not represent a deficiency in the EIR analysis.

81. This comment appears to agree with the following statements made in Section 4.13.6 of the EIR:

    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.

    No changes have been made in the EIR.

82. The comment raises a number of issues related to the pavement recycling component of the proposed project. The suitability of the proposed use, and how its approval would be allowed and conditioned in compliance with the County Land Use Ordinance, are matters that will be determined by the decision makers—the County Planning Commission and Board of Supervisors. As explained in the Project Description, starting on page 2-7 of the Draft EIR, pavement material to be processed through the project would be limited to "Type A" inert debris, as defined in 14 CCR 17381(k)(1). This material may not contain oil, plastics, and other wastes, and may not contain soluble pollutants in excess of water quality objectives. As such, this material is not considered hazardous waste, as implied in the comment. The State of California Department of Conservation, the Regional Water Quality Control Board, and other agencies are experienced in regulating the re-use of pavement as a useful material in the construction of roads. The regulations applicable to the project are established based on this experience. Regulations allow for the re-use of pavement material in reconstructing roads without requiring separate discharge requirements or other permits. Additional information on this issue is presented in Response O.09-22.

    The precise amount of broken concrete and asphalt material that will be handled by the project will depend on market factors and roadway rehabilitation projects at the time. The EIR (Section 2.3.1) notes that the <u>maximum</u> amount that could be anticipated under the type of permit proposed is 1,500 tons per day. The recycled material amount is <u>included</u> within the maximum annual production of 500,000 tons per year used throughout the EIR, upon which estimates of effects related to operational activities were based. Daily variations under the stated maximum rate of recycling are to be expected. Such variations in the amounts of recycled pavement processed at the project would not affect the processing

operations, would not substantially alter equipment operations related to material storage and loading, and would not substantially affect estimates of air emissions, noise, or other factors related to operations. No changes are necessary in the EIR.

83. The Water Supply Assessment is considered adequate because it provides an estimate of the water needed by the project (approximately 7 acre feet per year, when added to existing uses on the property) and describes a source that will be more than adequate to serve the project in average years, drought years, and multiple drought years. "Well A" is approximately 30 feet deep. The pump test was performed on September 26, 2012. The pump volume was 4 hours x 25 gallons per minute x 60 minutes per hour = 6,000 gallons. The pump rate was 25 gallons per minute. The drawdown during this test was 1 foot. For the projected water use, the pump would have to operate approximately 3.4 hours per day. The detailed mechanics of the pump proposed to serve the project may be a subject of costs for the applicant, but are not necessary to substantiate the adequacy of the water supply. The comment does not agree with this conclusion, but offers no information or data not presented in the EIR. No changes are necessary.

84. Preliminary statements made by the project applicant and by project opponents at the early stages of the application were not considered in the preparation of the Water Supply Assessment. More information regarding how the estimate of water consumption for dust control was generated is supplied in an earlier response to comment No. 17 in this comment letter. Additional detail regarding the estimate of water consumption is also provided in Response O.14-4 (comments from the Water Resource Advisory Committee). Finally, the applicant provides a description of dust management practices and control procedures in Comment Nos. O.24-4 through 8. Finally, please note that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review, including water consumption issues, would be required.

85. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

86. As noted in this comment, the comparisons to other quarries are not necessarily representative of the proposed Las Pilitas project. For example, the Notice of Preparation for the Hanson Quarry expansion project states: *According to the applicant approximately 365 Acre Feet per Year (AFY) of water will be needed for aggregate processing and dust suppression. However, it should be noted that water usage is dependent on the amount of production and percentage of material that requires washing (emphasis added).* Please note that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Las Pilitas Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review, including water consumption issues, would be required. Furthermore, the HYDROGEOLOGIC EVALUATION – SANTA MARGARITA QUARRY EXTENSION, prepared by Golder Associates Inc. for the applicant, reports: *"According to Hanson personnel, approximately 90 percent of the 300 AFY is recycled to settling ponds while approximately 10 percent (30 AFY) is lost to use."* Through the EIR process, the County of San Luis Obispo will independently review the applicant's technical studies to determine appropriate water consumption rates applicable to Hanson Quarry.

    The other three quarries cited in this comment are in other counties (Riverside, Fresno and Sonoma, respectively), some distance away from the Las Pilitas project site. In summary, the variety of water consumption rates in these four quarries underscores this comment's statement that "…each project obviously has specific circumstances that determine actual water usage…". No changes are necessary in the EIR.

87. Data for the Salinas Dam operations, including releases of water to the river downstream from the dam, are available at the County of San Luis Obispo Department of Public Works, Water Resources Division, as referenced in the Water Supply Assessment. A brief review of other water sources on the property, and their reliability, is provided in the Water Supply Assessment. The wells serving nearby properties are located upstream of Well A, and would not be affected by removal of surface water at Well A. Since the surface flows in the Salinas River vastly exceed uses between the dam and the project site, cumulative water use in the vicinity of the project site does not represent a significant impact. The Water Supply Assessment and the EIR identify water shortages reported to occur elsewhere in the region, including along Parkhill Road to the east, and in the Paso Robles Groundwater Basin to the north. Neither of these areas will be affected by the surface water use at the project site. As reported in the Water Supply Assessment, all of the water supplies on the Oster property have been reliable since their initial use before 1914. The minimum base flow in the Salinas River over the last 20 years has been over

800 acre feet per year, and the median flow is much larger. For these reasons, the Water Supply Assessment and the EIR conclude that the water supply is reliable. The comment disagrees, but offers no new or different information to support its position.

The well to be used by the project is a shallow (30 feet deep) well in alluvial material approximately 80 feet from the river. The water obtained from the well is shallow underflow associated with the river.

No changes are necessary in the EIR.

88. Wells in the vicinity known to have experienced shortages of water are typically deeper wells in granitic rock or shallow alluvial wells. The deeper wells rely on water in fractures for their source, and experience higher variations in response to pumping. Depending on their location, these wells may be recharged from rainfall in the larger basin or from surface flows in the Salinas River. There are also shallower alluvial wells in the larger area (particularly along Parkhill Road), which rely primarily infiltration from local creeks or rainfall within their basins. In both cases, these wells are subject to large seasonal variations. In contrast, the water source for the project is a shallow well adjacent to the Salinas River (30 feet deep and 80 feet from the river), which draws subsurface flow associated with the river itself. Flows in the Salinas River are augmented by the mandated releases from the Salinas Dam, so the base low flow condition for over 20 years has not dropped below 800 acre feet per year. The water supply for the project is adequate, and the project will not adversely affect any other wells or water sources in the vicinity. No changes are necessary in the EIR.

89. The project would result in preservation of land in a conservation easement, which would preclude future development on lands near the Hanson quarry. In addition, the project will provide a source of revenue helping to retain the ranching and farming uses on the Oster property, which would remain compatible with the proposed quarry uses.

Project Objectives are adequately presented in the EIR, in accordance with Section 15124(b) of the CEQA Guidelines, which states as follows:

> *The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact…*
>
> *b) A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a*

> *reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.*

No changes are necessary in the EIR.

90. As the EIR states:

> *"…due to the reliable water supply provided by the Salinas River, and the nature of the topography and land uses within the La Panza Granitics region, potential cumulative impacts related to Water Quality and Supply are less than significant."*

Since this effect is less than significant, no mitigation is required.

91. The County of San Luis Obispo, as Lead Agency, understands that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry or for the recycling process material. Materials washing is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review, including water consumption issues, would be required.

92. Section 3.0 of the EIR reviews surrounding land use patterns in some detail, along with aspects of the regional setting that relate to the topics of aesthetics and water use. The Land Use discussion in Section 4.14 provides an additional discussion of land use patterns, with an emphasis on the community character and related concerns expressed by residents. In the analysis of some topics (e.g. air quality and noise) specific residential locations close to the project site were identified as "receptors" or "receiver locations," in order to quantify environmental effects. The locations were chosen based on their proximity and/or direct exposure to the area where the quarry and its operations would occur. In this respect, they represented the "worst case" locations where potential impacts could be identified. These analyses did not attempt to quantify effects at all other, more distant locations, since at those other locations the effects would be less than the results presented.

93. The "Initial Study" referred to in this comment is assumed to be the supporting document attached to the Notice of Preparation (NOP) for the EIR. As such, the NOP only provides a preliminary screening of the issues to be discussed in the EIR. As appropriate to each topic under discussion, the neighborhoods and roadways mentioned in the comment are all discussed in the EIR. The general description of the project vicinity cited in the comment is consistent with the

discussion and figure in Section 3.0, Figure 4.1-1, Figure 4.14-1, and others in the EIR.

94. Figure 4.14-1 presents the Land Use Categories in the project vicinity. A general description of the existing land uses surrounding the project site is provided in Table 4.14-2. Specific locations on properties adjacent to the project site were identified in discussions of air quality and noise. In regard to these issues and others, the evaluation of impacts is based on the comparison, with established thresholds, of physical changes caused by the project. The EIR's evaluation is not based on the number of residences that may be present within an arbitrary radius of the project site. No changes in the EIR are necessary.

95. Section 15002 of the CEQA Guidelines defines the primary goal of an EIR:

    An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment… A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project.

    Recognizing that this comment apparently disagrees with the *area affected by the proposed project* as presented in the EIR, the County follows Section 15151 of the CEQA Guidelines, which states:

    An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.

    No changes in the EIR are necessary.

96. This comment suggests that a detailed evaluation of the location of every residence within an arbitrary distance of the project site is necessary in order to evaluate consistency with the General Plan policies, and to identify the effects of the project. A subsequent comment (No. 100) in this letter provides such a mapping and tabulation. The existing mapping adequately describes the general plan Land Use Categories. Responses to that issue and related comments are below.

97. The descriptions in the EIR identify the general locations of residences in the Rural Residential land use category mapped in Figure 4.14-1 (see Table 4.14-2). Descriptions of the surrounding land uses are also presented in Section 3.0, and

specific locations of residences that represent the "worst case" (as defined by the County) exposure to potential project effects are noted in appropriate sections of the EIR. Effects such as noise and health effects related to air emissions attenuate over distance. The determination that physical changes at the "worst case" locations are less than significant provides a strong indication that effects would also be less than significant at the more distant residences. While the number of residences may increase at greater distances from the project site, the magnitude of the physical changes caused by the project does not. The comment argues that additional detailed analysis of the constituent parcels in the Rural Residential areas is necessary to "gain an in-depth working knowledge of the area being studied." The County does not believe such analysis is necessary in order to determine the significance of impacts. As noted in Thematic Response #6, *reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.*

98. Figure 4.8-1 attached to the comment is part of Section 4.8 Noise in the EIR. The purpose of the figure is to illustrate the locations of nearby residences chosen to be representative of potential worst case noise effects of project operations. These points are described in Table 4.8-2, and the EIR also notes the existence of other residences in the vicinity:

> *There are other residences in the general vicinity—two residences on the Oster property and others along the east side of SR 58 farther south of the project site and along Parkhill Road to the east. The residential locations chosen for the analysis, however, are the closest off-site residences most likely to be affected by noise from the project. Table 4.8-2 below identifies the residential locations, and lists the distance from each to nearby roads and to the closest point of the proposed quarry.*

The EIR also includes residential locations in the Santa Margarita area, at a greater distance from the project but likely to be affected by truck traffic noise associated with the project. The mapping and descriptions provided was not intended "to gain an overview of compatibility issues" as suggested in the comment, but rather to demonstrate potential noise impacts caused by the project. No changes are necessary in the EIR.

99. This comment, along with No. 100 and the accompanying figure and table, presents a listing of all parcels within a one mile radius of the proposed quarry. The County disagrees with the contention in the comment that this inventory provides information related to the area "most impacted by industrial operations." The areas "most impacted" are those closest to the proposed project, and as one moves farther away the perceptible physical changes of the project would decrease. No revisions are necessary in the EIR.

100. This comment presents the map and listing of parcels within a one-mile radius of the proposed quarry. Contrary to the suggestion in the comment, it is <u>not</u> reasonably foreseeable that impacts associated with air quality, noise, and water supply would project beyond the one mile mark, or even beyond the immediate location of the project itself. The analysis and results in the EIR demonstrate the opposite:

- Air quality effects related to the emissions inventory are significant but mitigable, based on comparison with mass emission thresholds and are independent of distance from the project site.

- Air quality effects related to health risk were demonstrated to be less than significant (with mitigation) at the identified receiver locations and would be even less at greater distances from the project.

- Noise effects were demonstrated to be significant at the identified receiver locations, at least during the initial phase of the project, and likely to be mitigable to applicable County standards. These noise effects would also be less at greater distances.

- Water supply effects were demonstrated to be less than significant at the project location, and would have no effect on adjacent properties or other parcels in the vicinity.

The results in Table 4.8-9 indicate that noise levels at locations R1 and R2 (offsite residences closest to the proposed quarry) may exceed the applicable County daytime standard and be considered a potential significant impact. Results at other mapped receiver locations are lower, and no impact would occur. Therefore, results at greater distances and at locations better shielded by intervening topography would be even lower and would not represent a significant impact. The only information presented in the comment related to evaluating impacts is the statement that residents can hear the railroad train in Santa Margarita. This evidence indicates that train horns are loud, and that low frequency noises carry relatively long distances. The EIR results demonstrate

that even if the project operations are audible at distances beyond those of the mapped receiver locations, the noise levels will not exceed County standards and will not represent a significant impact. No changes are necessary in the EIR.

101. The information in Table 4.14-2 describes the surrounding lands adjacent to the property containing the project, and a brief discussion of compatibility between the project and these lands. The comment offers additional information, most of which concerns parcels that are at greater distances from the proposed project. The table notes the existence of the Rural Residential land use category to the south and east of the subject property. It does not explicitly identify homes along Digger Pine Road since the nearest of these is over one-half mile from the project site.

102. This comment offers additional details regarding the Hanson Quarry and parcels containing that operation. Those parcels are indeed adjacent to the Oster property, even though both the Hanson Operation and the proposed Las Pilitas Quarry contain lands that buffer the quarry sites from their property boundaries. No changes are necessary in the EIR.

103. The comment provides a more extensive excerpt from the County Land Use Ordinance regarding the EX1 combining designation, and then interprets the intent of the ordinance being limited solely to identifying and protecting existing resource extraction operations. Additional purposes of the EX1 combining designation are described in the General Plan Inland Framework for Planning (Chapter 7) as follows:

    1. *To identify lands which the California Department of Conservation's Division of Mines and Geology has classified as containing or being highly likely to contain significant mineral deposits [Amended 1991, Ord. 2498].*

    2. *To notify landowners and the general public of the presence or high likelihood of significant mineral deposits [Amended 1991, Ord. 2498].*

    3. *To emphasize the conservation and development of the mineral deposits identified by the Division of Mines and Geology, provided that a high level of environmental quality is also preserved and protected through the discretionary approval process [Amended 1991, Ord. 2498].*

    Balancing the conservation and management of environmental resources - including aesthetic values, biological resources, and other concerns - with the

extraction and use of geological resources for development and maintenance of infrastructure, is the role of the County decision makers in considering this project. The comment offers an opinion regarding how that decision should be made, but the issue is not directly related to the assessment of impacts and mitigation measures in the EIR. No changes are necessary in the EIR.

104. This comment discusses lot sizes, land uses, and other information related to the Hanson Quarry and the Rocky Canyon Quarry. This comment offers the opinion that these other two quarries are relatively more compatible with their surrounding land uses than the proposed Las Pilitas Quarry would be. In other words, this comment appears to express opposition to the location of the project as proposed, but does not indicated deficiencies in the analysis presented in the EIR. No changes to the EIR are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

105. Detailed information regarding the existing rural character of the Santa Margarita community is presented on pages 4.14-8 through 4.14.-10, beginning with the sentence: *"Additional information that may be considered in formulating the required findings is presented in the next few paragraphs."* The comment does not indicate any deficiency in the analysis presented therein; no changes were made in the EIR in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

106. The scoping meeting occurred in the preliminary stages of the application, before the EIR was prepared. The market area for the project is within the greater San Luis Obispo-Santa Barbara production-consumption region defined by the State of California Department of Conservation. As shown in Figure 4.11-3 of the EIR, the majority (80%) of the anticipated truck traffic would travel on SR 58 through Santa Margarita, and then to market areas towards the south on US 101. Whether the community of Nipomo is the largest market area to the south or not, does not alter the analysis. No changes are necessary in the EIR.

107. The comment is correct that the County of San Luis Obispo has the authority to deny a Conditional Use Permit, if the findings of Section 22.62.060 (C) (4) cannot be made in the affirmative. The text of the EIR has not been changed, as this information has already been noted in Section 1.4.1 of the EIR.

108. The County agrees that the haul route to the quarry would include SR 58.

109. The Draft EIR analysis of traffic effects related to trucks passing along SR 58 concluded that the effects relative to school traffic along Estrada Avenue would be less than significant, and would not require any specific mitigation (see Impact 2a and related discussion). The Traffic Control Management Plan is a separate measure proposed by the applicant in response to expressed concerns from the community.

    The "Applicant Proposed Measure," which is a key component of the applicant's Project Description, would be incorporated into the Conditional Use Permit. All appropriate County Departments would be consulted as necessary, to assist the Department of Planning and Building in its enforcement of the project's conditions of approval. This Applicant Proposed Measure is sufficiently comprehensive and flexible to adjust for traffic conditions which may change from time to time.

    The Planning and Building Department has considerable capability and experience in overseeing the implementation of mitigation measures and other conditions of approval for complex projects.

110. The County of San Luis Obispo believes that Applicant Proposed Measure LU-1 is sufficiently comprehensive and flexible to adjust for traffic conditions which may change from time to time. This adjustment would include avoiding conflicts with the annual Wildflower Ride.

111. No changes to the EIR have been made, as a result of this comment. Section 4.14 of the EIR (Land Use) notes references to the Santa Margarita Design Plan in its development, and already acknowledges that the project may be "*potentially inconsistent with the goals of the design plan*." The Draft EIR states:

    Although most identified traffic impacts can be mitigated (see Section 4.11), the passage of heavy trucks through the Santa Margarita community is potentially inconsistent with the goals of the design plan, and was also mentioned in comments received during the scoping period for this EIR. The truck traffic generated from the proposed quarry (273 daily trips, on average) could compromise the desired rural character of the Santa Margarita community, as expressed in the adopted Santa Margarita Design Plan …

    In response to the concerns of the community regarding this issue, the applicant has proposed a number of measures to reduce potential traffic conflict ("Applicant Proposed Measures" or APM). These measures will be considered by the decision makers in their consideration and review

of the project, and the determination regarding consistency with applicable plans and policies, and compatibility with surrounding uses.

112. This comment suggests that the roadway, parkway, median, landscaping, and other improvements shown in the Santa Margarita Design Plan for SR 58 should be made as conditions on the project, while at the same time the project traffic should be diverted away from this route. This suggestion can be directed to County decision makers as they review the Conditional Use Permit, but the suggestion does not require any changes in the EIR.

113. Applicant Proposed Measure LU-1c is part of the Project Description proposed by the Applicant. As such, it is enforceable through the Conditional Use Permit process as a condition of approval, in accordance with Section 22.62.060 (C) (3) of the County Code.

114. Applicant Proposed Measure LU-1d is part of the Project Description proposed by the Applicant. As such, it is enforceable through the Conditional Use Permit process as a condition of approval, in accordance with Section 22.62.060 (C) (3) of the County Code.

115. The first two points in this comment repeat the arguments made in comments 98, 99, 100, and others. The mapping and consideration of land uses in the immediate vicinity of the project are adequate as presented in the EIR, and are sufficient to assess potential impacts and mitigation measures for these areas. The village area of Santa Margarita is not "largely unaddressed" as stated in the comment. The EIR sections addressing Air Quality (Section 4.3), Noise (Section 4.8), and Traffic (Section 4.11) specifically address issues in the village area as they were identified by the APCD, County Department of Public Works, and Caltrans during the scoping and EIR preparation process. Land Use (Section 4.14) is also discussed in broader terms of compatibility in the village area. No changes are necessary in the EIR.

116. The reference to the EX1 Extractive Resource Combining designation was included in the EIR, in order to comply with Section 15125 (d) of the CEQA Guidelines: *"the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans."* Table 4.14-2 in the EIR presents the conclusion that the project can be found consistent with the EX1 Extractive Resource Combining designation, as defined by the Land Use Ordinance, Section 22.14.050. No changes have been made to the EIR text, to remove references to the EX1 Extractive Resource Combining designation. The comments expressed herein will be forwarded to the decision

makers through the Final EIR for their consideration during the decision making process.

117. This comment states the importance of "accurate assumptions," but does not express specific deficiencies in the analysis presented. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes have been made to the EIR.

118. The number of daily truck trips used in the EIR (273) is the average number of trips assuming a continuous maximum production rate of 500,000 tons per year. EIR Text Revision #10 and Thematic Response #4 clarify the reference to 800 truck trips per day. The Air Quality analysis includes estimates both of daily emissions and annual emissions. As explained in Section 4.3.6 and shown in Table 4.3-6, a separate "peak daily" air emissions estimate was prepared for purposes of comparison with the APCD daily emissions thresholds for criteria pollutants. These daily emissions results are dominated by on-site operations, while the annual average emissions are influenced more by the offsite truck operations. Thus, the air quality results will not be substantially affected by variations in the amount of truck traffic by the project, and no changes are necessary in the EIR. Thematic Response #3 provides more information regarding the mitigation of air quality impacts.

119. This comment states the importance of "accurate assumptions," but does not express specific deficiencies in the analysis presented. No changes have been made to the EIR.

120. The project as proposed at a maximum of 500,000 tons per year is considered a mid-sized project by industry standards. Portable equipment capable of crushing and sorting material as proposed is available. The anticipated maximum use periods are based on processing the maximum 500,000 tons per year as proposed. If market demand is less than this figure, then the related effects would be lower on an annual basis and short-term processing effects would occur on fewer days than projected in the EIR. Mitigation measures would be applicable to the project regardless of the daily rate of production or sales. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

121. The list of heavy equipment to be used in the project was provided by the applicant. The number and type of equipment is generally similar to that used in other surface mines. It is not necessary to provide comprehensive equipment lists from other quarry operations.

The purpose of Figure 4.8-1 is to illustrate the locations of nearby residences chosen to be representative of potential worst case noise effects of project operations. These points are described in Table 4.8-2, and the EIR also notes the existence of other residences in the vicinity:

> *There are other residences in the general vicinity—two residences on the Oster property and others along the east side of SR 58 farther south of the project site and along Parkhill Road to the east. The residential locations chosen for the analysis, however, are the closest off-site residences most likely to be affected by noise from the project. Table 4.8-2 below identifies the residential locations, and lists the distance from each to nearby roads and to the closest point of the proposed quarry.*

The loudness of noise attenuates over distance. The determination that physical changes at the worst case locations are less than significant provides a strong indication that effects would also be less than significant at the more distant residences. While the number of residences may increase at greater distances from the project site, the magnitude of the physical changes caused by the project does not. No changes are necessary in the EIR.

122. This comment repeats the concerns regarding limiting the analysis of some effects to specific identified receiver locations in close proximity to the project, rather than extending the analysis of those effects to greater distances encompassing more residents. As explained in Responses 97-100 above, representative locations nearest to the project site were chosen for the analysis of air emission health risks and noise associated with equipment operations. There is no deficiency in this approach for these issues, since both effects are reduced as one travels farther from the source of emissions. A residence on APN 070-142-016 may be closer in a plane view straight line distance than other receiver locations, but is shielded from the project site by a significant ridgeline.

In the air dispersion models used for assessing health risks, larger areas (i.e. greater distances) are studied for sources with emission points high above the ground (i.e. stacks). Since the project emissions would be from equipment operating at ground level, a relatively smaller area would be affected. The 1,000-foot distance typically used in health risk assessments is the referral distance within which the APCD reviews proposals that would place any sensitive land use (such as a school or hospital) in proximity to a source of toxic air contaminants. This distance was originally used in the health risk assessment, but then was expanded to include more distant points in Santa

Margarita that may be affected by diesel exhaust from project truck traffic. The health risk assessment demonstrated that with the mitigation measures as proposed, the project would have a less than significant effect at the identified receiver locations. The effects would be even less at more distant locations. While the number of residences may increase at greater distances from the project site, the magnitude of the physical changes caused by the project does not. Thematic Response #3 provides more information regarding the mitigation of air quality impacts. No changes are necessary in the EIR.

123. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

124. As noted in the discussion of "Emissions of DPM" in Section 4.3.6 of the EIR (preceding Table 4.3-8) other potential toxic air contaminants (TACs) which are components of fugitive dust were considered in the preparation of the health risk assessment. These include silica and metals such as cadmium and chromium. The potential risk from these other TACs is much less than that posed by Diesel Particulate Matter (DPM), and would be minimized through the fugitive dust control measures in Mitigation Measure AQ-1b. Since the health risk assessment determined that the cancer risk posed by DPM would be mitigated to a level below the applicable threshold and would be less than significant, the risk posed by other potential contaminants with less risk was also less than significant. The results are presented in Tables 13, 14, and 15 in the Air Quality and Climate Change Impact Assessment (Appendix D of the EIR). Additional detail regarding the other TACs considered, and how their potential cancer risk sources were modeled throughout the project site, is provided in a series of tables presented in 19 pages in the "Non-Road Emissions" appendix of the Air Quality and Climate Change Impact Assessment (Appendix D of the EIR). A review of these tables shows that the cancer risk associated with DMP was substantially greater than that from other TACs. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

125. Mitigation Measure AQ-1a is designed primarily to minimize emissions of criteria pollutants in engine exhaust. Several items included in Mitigation Measure AQ-1a, however, will also minimize DPM emissions. These include

restrictions on idling engines, use of newer model engines for both off-road and on-road vehicles, and use of Verified Diesel Emission Control Strategies. By reducing emissions of DPM, which is the major source of the potential cancer risk associated with the project, these measures will reduce the cancer risk to less than significant. To the minor extent that other toxic air contaminants would be present in dust associated with the project, Mitigation Measure AQ-1b and compliance with the APCD Rule 302 related to visible emissions, will also keep that additional risk to a minimum. The health risk assessment included chronic (long-term) exposure, and the result indicates that the potential increase in cancer occurrence would be below the threshold used by the San Luis Obispo APCD to determine a significant impact. The results for other chronic and acute health risk were also less than significant assuming the same mitigation measures. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

126. This comment expresses opposition to Air Quality impacts and mitigation, but does not present any specific deficiencies in the analysis. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. Please note Thematic Response #6; no changes have been made to the EIR.

127. This comment presents a modified version of Figure 4.3-1 from the EIR, identifying additional residences in the vicinity of the project. Most of the additional residences are at greater distances than the original receiver locations. None of the additional residences are at distances less than those of several of the original receiver locations. The implication in comments referencing this figure is that because there are more residences at greater distances, the impacts of air emissions on health risk will be greater. While the number of residences may increase at greater distances from the project site, the magnitude of the physical changes caused by the project does not. The potential health risk at the nearest, most highly exposed locations, is less than significant with the mitigation identified. Therefore, the impacts at greater distances will also be less than significant. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

128. Through the requirements of the Mitigation and Monitoring Program adopted simultaneously with approval of the Project Mitigation Measure MM HAZ-1b, as follows, will be made a condition of the project:

> ***MM HAZ-1b: Risk of Explosion or Release of Explosive Material – Use On-site.*** *The management, handling and storage of explosive materials shall be conducted in accordance with the Blast Plan (Gasch & Associates, December 2009) and with stringent adherence to the federal, state and local regulations. To avoid potential damage to the State Water Project Pipeline, part of the California Aqueduct, the specific requirements of the California Department of Water Resources shall be incorporated into the Blast Plan. These requirements are specified in a letter from the Department, dated June 6, 2013 and submitted to the County of San Luis Obispo as a response to the Draft EIR for the Project. The Blaster shall have a current, valid California "Blaster's License" issued by CalOSHA. No on-site storage of explosive materials is allowed.*

129. The comment does not describe the "mapping that suggests" the presence of naturally occurring asbestos, it may be referring to Figure 4.1 contained in the APCD CEQA Air Quality Handbook. The Engineering Geology Investigation prepared for the project, and included as part of Appendix B of the EIR, describes all of the bedrock on the property as granitic, and all of the alluvial material as being derived from this bedrock. The report also states (Section 2.6), "As the property is not within Franciscan Complex or similar rock type materials there is a low potential for naturally occurring asbestos at the site." This conclusion, while supported by the mapping and site investigation of the Engineering Geology Investigation, will have to be verified by the APCD as required in Mitigation Measure MM AQ-2b in the EIR.

130. Table 4.7-2 lists requirements applicable to handling of explosives. State and local requirements implement the federal law and regulations regarding the safe handling of explosives. The CalOSHA regulations govern the issuance of permits or licenses to blasters, while the Health and Safety Code and associated regulations govern the issuance of permits for single explosive transport or for blasting events. A separate permit is required for each individual blast event, and in San Luis Obispo County, CalFire is the issuing authority for these permits. There is no specific bonding or liability insurance requirement established by state law, but the Health and Safety Code allows local governments to establish a funding guarantee in conjunction with the issuance of a permit for explosives (HSC Section 12106). A review of local government liability requirements for this type of permit shows that limits typically range from $100,000 (Monterey County) to $1 million (City of Escondido). The five million dollar liability provision included in Mitigation Measure MM HAZ-1a is the limit identified in the final Blasting Plan for the project included in

Appendix B of the EIR, and is consistent with the highest minimum limit set by the federal government for the transport of explosives (49 CFR 387.303).

County staff has not reviewed any reports addressing accidents of the specific type raised in the comment in order to assess the applicability of the liability limit (accidents involving trucks carrying explosives colliding with a car, cargo train, gravel or other large truck, or school bus). A study prepared by the U.S. Department of Transportation (*The Hazardous Materials Highway Routing Route Plans Assessment Report*. Federal Motor Carrier Safety Administration, Washington, D.C. October 2009), however, provides some information related to this issue. This study reviewed records of over 7,000 motor carriers, operating over 400,000 commercial motor vehicles carrying explosives or radioactive loads, in the period from January 1, 2005 through April 30, 2008. In this study, there were 98 reported hazardous materials incidents, which included loading and unloading events as well as in-transit events. None of the incidents resulted in any fatalities. The single most expensive cleanup cost over $2 million, while the second most expensive was in the range of $200,000. The average cleanup cost for incidents in which a route plan was required was $12,571, while the average cleanup cost for non-route plan shipments was $6,404. This information provides additional detail related to the potential hazards of transporting explosives and background for establishing liability limits, but does not alter any of the assessment or conclusions in the EIR.

Finally, this comment expresses support for 6.8 ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY. No changes in the EIR have been made.

131. All mitigation measures adopted in the EIR, including Mitigation Measure MM Haz-1b, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

132. According to Caltrans, the Salinas River Bridge is built to modern design standards and is capable of handling trucks operating within legal weight limits as proposed by the project. On February 24, 2014, Caltrans reported to Mr. Roy Reeves of Margarita Proud that "Caltrans has determined that the Salinas River Bridge can accommodate the Federal weight standard for all legal roads."

133. Comment Letter S.03, from the State Department of Water Resources (DWR), presented similar concerns for potential damage to the State Water Project

Pipeline. Please note that Appendix B of the EIR shows the areas of concrete encasement for truck crossings over the aqueduct (Entrance Road Plan, Sheet 3 of 20, Note 2).

In response to this Comment Letter, Mitigation Measure MM HAZ-1b has been amplified, as follows to incorporate DWR's requirements into the Blasting Plan.

> ***MM HAZ-1b: Risk of Explosion or Release of Explosive Material – Use On-site.*** *The management, handling and storage of explosive materials shall be conducted in accordance with the Blast Plan (Gasch & Associates, December 2009) and with stringent adherence to the federal, state and local regulations. To avoid potential damage to the State Water Project Pipeline, part of the California Aqueduct, the specific requirements of the California Department of Water Resources shall be incorporated into the Blast Plan. These requirements are specified in a letter from the Department, dated June 6, 2013 and submitted to the County of San Luis Obispo as a response to the Draft EIR for the project. The Blaster shall have a current, valid California "Blaster's License" issued by CalOSHA. No on-site storage of explosive materials is allowed.*

134. Mitigation Measure MM HAZ-1b has been amplified to incorporate DWR's requirements into the Blasting Plan, as shown in Response #133 above.

135. The graphic supplied by this comment is acknowledged. The County of San Luis Obispo believes that Mitigation Measure HAZ-1b, as modified, will resolve concerns expressed by the State Department of Water Resources, and this comment.

    In the project vicinity there are three pipelines, one of which is plugged and abandoned. In the immediate location where the project access road would be constructed to intersect with SR 58, the pipelines are located on the south side of the highway. It is not expected that any construction related to the project will affect any of these pipelines, but the applicant must still notify the pipeline operator to coordinate any construction work. Existence of the pipelines does not represent a significant impact; no changes are necessary in the EIR.

136. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." Thematic

Response #8 provides information of the project's impacts on State Route 58 and other County roads.

137. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

138. There is no mention of ceasing or altering operations or blasting during high winds in Section 4.7. Mitigation Measure MM AQ-1b in Section 4.3 (Air Quality) includes reference to the need for additional dust control when wend speeds exceed 15 mph. This language is provided by the San Luis Obispo APCD, and does not represent a requirement to cease operations as suggested by the comment. The criterion used to assess compliance with applicable APCD Rule 401 related to fugitive dust involves the presence of visible dust, and does not directly involve monitoring wind speed. Compliance with the fugitive dust rule would be required for all operations, including blasting. Thematic Response #3 provides more information regarding the mitigation of air quality impacts.

139. The comment suggests that a "detailed line by line accounting" of the noise report prepared by Dubbink and Associates is necessary in order to document that "formal or methodical" peer review of that work occurred.

    Notwithstanding this suggestion, Section 4.8 in the EIR documents that the Lead Agency's consultant (URS) preparing the Draft EIR provided a review of the Dubbink report, as required by Section 21082.1 (c) of the Public Resources Code. That review included, but is not limited to, the following points:

    - All roadway noise levels estimated or calculated by Dubbink as peak hour Leq values were reviewed and briefly mentioned in the noise section. Independent results by URS are presented in Table 4.8-1, and the text of the section compares these results with the work by Dubbink.
    - A general discussion of methods and comparisons, with specific descriptions of which predicted noise levels were checked by URS using methods different from Dubbink, is presented in Section 4.8.4 Assessment Methodology.

- The predictions and analysis of roadway noise levels and Truck Traffic Noise used in the analysis of impacts and mitigation (first discussion in Section 4.8.6) were prepared entirely by URS.
- The analysis of Quarry Operations Noise in Section 4.8.6 includes a detailed 5-page comparison of work by Dubbink with that by URS. This comparison is summarized in Table 4.8-9A and 4.8-9B.
- The discussion of Blasting Noise and Vibration Effects in Section 4.8.6 includes an independent URS review of the two methods used by Dubbink – one based on a predictive equation and the charge loading described in the Blasting Plan, and a second based on measurements of a sample blast at the Hanson Quarry.
- Dubbink did not consider ground vibration effects, but the Blasting Plan by Gash Associated included a prediction of ground vibration at locations within the Oster property.

In conclusion, as Lead Agency, the County of San Luis Obispo has complied with Section 21082.1 of the Public Resources Code, which states, in part:

> *Any draft environmental impact report, environmental impact report, negative declaration, or mitigated negative declaration prepared pursuant to the requirements of this division shall be prepared directly by, or under contract to, a public agency.*
>
> *This section is not intended to prohibit, and shall not be construed as prohibiting, any person from submitting information or other comments to the public agency responsible for preparing an environmental impact report, draft environmental impact report, negative declaration, or mitigated negative declaration. The information or other comments may be submitted in any format, shall be considered by the public agency, and may be included, in whole or in part, in any report or declaration.*

140. This comment recites relevant sections from the San Luis Obispo County General Plan Noise Element. No changes in the EIR are necessary.

141. Please note that Section 4.8 in the EIR documents that the Lead Agency's consultant (URS) preparing the Draft EIR provided a review of the Dubbink report, as required by Section 21082.1 (c) of the Public Resources Code, which states, in part:

> *This section is not intended to prohibit, and shall not be construed as prohibiting, any person from submitting information or other comments to the public agency responsible for preparing an environmental impact*

report, draft environmental impact report, negative declaration, or mitigated negative declaration. The information or other comments may be submitted in any format, shall be considered by the public agency, and may be included, in whole or in part, in any report or declaration.

142. The noise analysis prepared by Dubbink and Associates included discussions related to interpreting noise standards from the Noise Element and Noise Ordinance, and in some instances used metrics to describe noise levels that were different from those used by the County. Please note that Section 4.8 in the EIR documents that the Lead Agency's consultant (URS) preparing the Draft EIR provided a review of the Dubbink report, as required by Section 21082.1 (c) of the Public Resources Code. The EIR included additional analysis and independent work describing the project-generated noise levels and County standards. The identification of noise receiver locations may have been done prior to determining ambient noise levels, as suggested by the comment. This would be consistent with standard practice since noise receiver locations are typically chosen to represent sensitive receptors (including residential uses) in proximity to noise generating activities. No changes are necessary in the EIR.

143. The comment is incorrect. As explained in Section 2.3.3 of the Draft EIR, the <u>total</u> trip generation of 273 truck trips per day, which was used throughout the Draft EIR in all sections, <u>includes</u> the extra trips assumed for potential empty trucks not backhauling recycled material. No changes are necessary in the EIR.

144. The noise receiver locations used in the EIR (Tables 4.8-2 and 4.8-7) were chosen because they represent residential uses that may be affected by noise from the project. They include both residential uses near the project site and residential uses along the route of SR 58 through Santa Margarita. People at more distant residences may be able to hear noise from the project site, but noise levels would be below the applicable County standards to define an impact. No changes are necessary in the EIR.

145. The only component of the proposed activity that would be considered "construction" and, thus, not subject to the Noise Ordinance limits if it occurs within specified hours, is the initial work to grade and install the access road, water system, and project office. These activities would be permitted through a grading permit and building permits, and would occur prior to the Department of Planning and Building issuing a notice to proceed with quarry activities under the CUP. No changes are necessary in the EIR.

146. The County Department of Planning and Building has confirmed that the project site is designated "EX 1 – Extractive Resource Area." Accordingly, Section

22.14.050 of the County Land Use Code applies to this project site. Please note that should this project be approved, the County decision makers will need to make the following finding, as noted in Section 22.14.050 (B)(2):

> *Approval of any use other than mineral resource extraction may be granted only when the finding is made that the proposed use will not adversely affect the continuing operation or expansion of a mineral resource extraction use.*

147. The reference to the EX1 Extractive Resource Area combining designation was included in the EIR, in order to comply with Section 15125 (d) of the CEQA Guidelines: *"the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans."*

     Table 4.14-2 in the EIR presents the conclusion that the project can be found consistent with the EX1 Extractive Resource Area combining designation. As stated in Section 22.14.050 of the County Land Use Code:

     > *The Extractive Resource Area (EX1) combining designation is used to identify areas of the county which the California Department of Conservation's Division of Mines and Geology has classified as containing or being highly likely to contain significant mineral deposits.*

     In any event, please note that this General Plan designation by the County is independent of the designation of the area as MRZ-2 by the State of California in 1989 with the publication of Special Report 162.

     No changes have been made to the EIR text, the references to the EX1 Extractive Resource Area Combining designation will remain in the EIR.

148. Table 2-2 of the County's Land Use Ordinance describes "Mines and quarries" as an "allowable use, subject to the land use permit required by the specific use standards." Conformance to the Land Use Ordinance, as well as the County's applicable noise standards will be determined upon review by the appropriate County decision-makers, through the Conditional Use Permit process.

149. The Transportation Noise Model, developed and published by the FHWA, is based on empirical measurements of noise levels and has been tested and used in many different sites and applications throughout the Country. It is conservative in the sense that it tends to overestimate actual noise levels. The fact that detailed noise monitoring of existing traffic volumes was not conducted to verify the accuracy of the model in this specific application does not invalidate the results of the EIR. Please note Thematic Response #6, which notes, in part:

> *CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.* (CEQA Guidelines Section 15204(a)).

The County of San Luis Obispo believes it has complied with the CEQA Guidelines; no changes have been made to the EIR.

150. The noise measurements and analysis in the EIR were performed as part of the environmental assessment, not for a demonstration of compliance with Section 22.10.120 of the Land Use Ordinance (which could not be done at this point since the project is not yet operating). Confirmation of the noise measurement data provided in the applicant-supplied report was achieved through comparisons with published literature values for similar equipment, use of traffic modeling (discussed in Response # 149 above), and field observations.

    As with Comment #149, this comment appears to disagree with the analytical process for measuring noise levels. Please note Thematic Response #6, which notes, in part: *CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.* (CEQA Guidelines Section 15204(a)).The County of San Luis Obispo believes it has complied with the CEQA Guidelines; no changes have been made to the EIR.

151. Please note Thematic Response #6, which notes, in part: *CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors.* (CEQA Guidelines Section 15204(a)). The County of San Luis Obispo believes it has complied with the CEQA Guidelines; no changes have been made to the EIR.

152. The bolded ordinance language cited in the comment applies to measurement of noise levels to evaluate conformance with the standards of the County code section. It might be appropriate to perform such measurements if the project is approved and is operating, but it is not necessary to perform such measurements for the EIR analysis. This comment repeats the concern about using specific receiver locations to evaluate potential noise effects, which was raised in comments 92, 94, 95, 96, 97, 98, 99, and 100. To summarize the responses

presented for those comments: In the analysis of some topics (air quality and noise) specific residential locations close to the project site were identified as "receptors" or "receiver locations," in order to quantify environmental effects. The locations were chosen based on their proximity and/or direct exposure to the area where the quarry and its operations would occur. In this respect, they represented the worst case locations where potential impacts could be identified. The determination that physical changes at the worst case locations are less than significant provides a strong indication that effects would also be less than significant at the more distant residences. While the number of residences may increase at greater distances from the project site, the magnitude of the physical changes caused by the project does not. No changes are necessary in the EIR.

153. The existing noise levels used to generate the "change in sound levels" depicted in Figure 12 from the Dubbink and Associates report are not derived from the 1992 Noise Element as stated in the comment. The Dubbink and Associates report explains that its mapping of existing noise exposures (presented in Figure 9 of that report) is based on contributions from the Hanson Quarry and from Highway 58, with traffic volumes taken from the project traffic study prepared for the quarry proposal. The remaining points in this comment repeat the argument that the noise analysis in the EIR is deficient because it does not explicitly quantify noise levels at residences more distant from the project site than the receiver locations. This argument was presented in detail, including similar figures, in Comment No. 100 and was answered in Response No. 100. The conclusion from that response is repeated here: The results in the EIR Table 4.8-9 indicate that noise levels at locations R1 and R2 (offsite residences closest to the proposed quarry) may exceed the applicable County daytime standard and be considered a potential significant impact. Results at other mapped receiver locations are lower, and no impact would occur. Therefore, results at greater distances and at locations better shielded by intervening topography would be even lower and would not represent a significant impact. The EIR results demonstrate that even if the project operations are audible at distances beyond those of the mapped receiver locations, the noise levels will not exceed County standards and will not represent a significant impact. No changes are necessary in the EIR.

154. This comment, and figure, and three-page table of parcels within a one-mile radius of the project site, repeat the information and arguments presented in Comment No. 100 above. Please see Response No. 100.

155. The comment argues that the strict requirements in the language from the Land Use Ordinance (defining measurements for the purpose of demonstrating code compliance given an **existing noise source**) shall be applied in all instances as

part of the environmental assessment of predicted noise levels. The discussions, both in Appendix E referenced in the comment as well as in the text of the EIR, are more nuanced and consider other factors in the evaluation of potential environmental impacts.

Please note Thematic Response #6, which notes, in part: *CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.* (CEQA Guidelines Section 15204(a)). The County of San Luis Obispo believes it has complied with the CEQA Guidelines; no changes have been made to the EIR.

156. With respect to noise generated by onsite equipment operating within the proposed quarry, the criteria used to evaluate noise impacts were those presented in the County Noise Ordinance. The basic daytime criteria are in Table 4.8-4 of the EIR: (1) an hourly Leq value that does not exceed 50 dBA, and (2) a maximum noise level that does not exceed 70 dBA. In the event that ambient levels already exceed these limits, then a project may not cause more than 1 dBA increase. Existing daytime Leq values for the identified receiver locations are presented in Table 4.8-9B. These values were determined through use of the FHWA noise estimation procedure, based on the most recent Caltrans traffic counts and estimates of traffic volume for the area.

157. The discussion from the noise appendix cited in the comment addresses noise from operating equipment within the quarry itself, and recommends that processing equipment and other noise-producing activities be located at the lowest elevation possible to take advantage of the shielding effects provided by surrounding topography. At some nearby residences there will still be noise exposure, with the highest values from equipment working on the slopes of the Phase 1 portion of the quarry. For this reason, the EIR concludes that some aspects of the operation noise would be considered to be a significant and not mitigable impact (Impact NOISE-2). The comment notes that the western ridgeline of the quarry exposes the entry to the project as viewed from the west. There is no contradiction among these discussions, and no change is necessary in the EIR.

158. All mitigation measures adopted in the EIR, including mitigation measures for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted

simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

159. This comment expresses agreement with the EIR; no changes are necessary.

160. All mitigation measures adopted in the EIR, including mitigation measures for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

161. All mitigation measures adopted in the EIR, including mitigation measures for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

162. All mitigation measures adopted in the EIR, including mitigation measures for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

163. The comment suggests an additional noise mitigation measure relative to truck traffic noise along the haul route that may be considered by decision makers. Since the applicable County standard for roadway noise (60 dBA Ldn) is applied to residential yards, the suggested measure of improving structural insulation would not change the significance conclusion in the EIR.

164. All mitigation measures adopted in the EIR, including Applicant Proposed Measures (APM) for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

165. Mitigation Measure MM Noise-1 deals with minimizing the effects of truck traffic noise. The comment suggests that funding of sound proofing for individual homes should be required as an additional mitigation measure for this

impact. As explained in the EIR text discussion of this issue (preceding Table 4.8-7), the addition of project related truck traffic would raise the exterior noise levels (Ldn) at the affected residences to 59.6 dBA, which is the applicable County standard for "Outdoor Activity Areas" (60 dBA – in Table 4.8-3). Sound proofing structures would only help to lower interior noise levels and would not mitigate exterior noise levels. The same conclusion is true if one considers noise from equipment operations, since the County standard of 50 dBA for a one-hour Leq applies at the adjacent property line – an exterior location. Furthermore, given the projected exterior Ldn values in the 60 dBA range, conventional wood-framed structures already provide sufficient sound insulation necessary to achieve the interior Ldn standard of 45 dBA (see EIR text preceding Table 4.8-3).

The Noise Management Plan is a required component of Mitigation Measure Noise-2b related to quarry equipment operations. The components and specifications for such a plan are presented in the Mitigation Measure, along with the timing triggering mechanism to ensure its completion.

All mitigation measures adopted in the EIR, including mitigation measures for Noise, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. No changes have been made to the EIR.

166. The requirement to prepare a blasting notification plan is an appropriate condition, and the EIR discussion of potential blasting noise identifies the components for such a plan. Mitigation Measure MM NOISE-3a includes a summary of those components. The Department of Planning and Building will review and approve the details of the plan, prior to issuing a notice to proceed with quarrying activities. The County is not required to provide all detailed studies requested by commenters (see Thematic Response #6).

167. As noted in the EIR, Section 22.10.170 sets forth the County vibration standards and instances where these standards apply and do not apply. Regardless of the code applicability, significance criterion "c" in Section 4.8.5, and IMPACT NOISE 3a and 3b address blasting noise and vibration. Based on the project location, distances to nearest offsite residential properties, type of blasting proposed in the project, and standard calculation procedures discussed in the EIR, the potential ground vibration from the blasting would not exceed any applicable standard and would not cause a significant impact. Contrary to the statement in this comment, there is no evidence that blasting vibration may

damage nearby wells, or crack foundations, and no such evidence is provided by this comment.

The proposed blasting will not be in "close proximity" to pre-existing homes – except for those on the subject property. The proximity to the California Aqueduct is addressed in a separate agreement between the property and the California Department of Water Resources. As discussed in the blasting plan, the pre-blasting notification (which is required as implementation of mitigation measure MM NOISE 3a) will include an offer to prepare a pre-blast survey for any notified property owner. Blast monitoring of ground vibration would be provided at the perimeter of structures of concern, if any. The comment suggests that the County require a legal guarantee to nearby residents that damage from vibration will be compensated. While decision makers may consider such a requirement, the issue of damage claims between property owners involving land uses and permitted activities appears to be outside of the scope of the EIR. There is no evidence that damage is likely to occur, and no foreseeable impact that requires mitigation. The procedures described in the blasting plan, which include notification, pre-blast survey, and monitoring ground vibration during a blast event, are a reasonable approach to address the points in the comment. No changes are necessary in the EIR.

168. This comment repeats points made in earlier comments, all of which have been answered. One of the primary issues in this comment is the demand that the Traffic Control Management Plan suggested by the applicant in Applicant Proposed Measure APM/LU-1a should be presented in full in the Draft EIR. The contents of this plan are necessarily subject to change since one of the primary components involves coordination with the Santa Margarita Elementary School class times – which may change from year to year and vary based on special days. Thus, any details prepared for that sort of plan and presented in the Draft EIR would be out of date already, which is why the measure as proposed by the applicant requires regular updating and review by the County. Additional information regarding this issue is presented in Response # 109 above.

Several other points in this comment repeat the charge that the Draft EIR Noise analysis is deficient because it does not contain extensive monitoring of existing roadway noise levels and instead estimates existing noise levels based on contours published in the County Noise Element, and noise contours prepared by Dubbink and Associates in Appendix E, and independent modeling work done as part of the EIR preparation. The County disagrees with the comment and believes that the presentation of existing noise conditions is adequate for the analysis in the EIR. Response # 149 above presents more information on this issue.

169. The County of San Luis Obispo, as Lead Agency, has complied with the following CEQA Guidelines requirements for the preparation of the Alternatives analysis, as outlined in Section 15126.6 (with emphasis added):

> *The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is <u>no ironclad rule governing the nature or scope</u> of the alternatives to be discussed other than the rule of reason.*
>
> *The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A <u>matrix</u> displaying the major characteristics and significant environmental effects of each alternative may be used to <u>summarize the comparison</u>.*

170. Project Objectives are presented in Section 1.3, Section 2.2 and, as noted, in Section 6.2. While these Objectives are multi-faceted, the County does not perceive them as "contradictory." Nor is the County required to adopt or accept all of the applicant's objectives. No changes have been made to the EIR.

171. This comment appears to express support for the No Project Alternative, and offers a different perspective regarding the need for additional aggregate. No changes are necessary in the EIR, as this comment furthers CEQA's goal to allow meaningful evaluation, analysis, and comparison with the proposed project.

172. This comment appears to express support for the No Project Alternative, and offers opinions on transportation planning, and the nature of the state highway. Some of the information in the comment simply repeats information from the Draft EIR. The comment also provides the operating rating for the Salinas River Bridge, and confirms that the legal loaded capacity for trucks is 80,000 pounds. Given the nature of the project, however, there is no reason to anticipate the need for routine overweight operations as stated in the comment. On February 24, 2014, Caltrans District 5 (Larry Newland) reported to Roy Reeves, Margarita Proud President: "Caltrans has determined that the Salinas River Bridge can accommodate the federal weight standards for all legal loads." The suitability of the Transportation Corridor for this project is ultimately a matter to be determined by the decision-makers for the project. No changes are necessary in the EIR.

173. This comment clearly expresses support for the No Project Alternative. No changes are necessary in the EIR.

174. This comment appears to express opposition to Alternative 6.8, and offers a different perspective regarding the suitability of the haul route described in that Alternative. No changes are necessary in the EIR, as this comment furthers CEQA's goal to allow meaningful evaluation, analysis, and comparison with the proposed project.

175. This comment is intended to be part of the discussion of the alternative access route proposed in Comment 174, and includes information apparently intended to demonstrate the feasibility of that access. The feasibility of any alternative or mitigation measure is ultimately a matter to be determined by the decision-makers for the project. No changes are necessary in the EIR.

176. This comment appears to reflect opposition to the project as proposed. As Lead Agency, the County of San Luis Obispo relies upon the CEQA Guidelines (Section 15364) for the definition of "feasible":

> *"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.*

O.17 Frederick J. Bartz, Clean Air Temecula

1. This comment makes a general statement about "deferral of mitigation measures." In general response, the following narrative from an Appellate Court decision is presented: *Deferral of the specifics of mitigation is permissible where the local entity commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan. (Sacramento Old City Assn. v. City Council (1991) 229 Cal. App. 3d 1011, 1028-1030 [280 Cal. Rptr. 478].)*

   The County of San Luis Obispo, as Lead Agency, believes that the development of the EIR's mitigation measures is in compliance with this and subsequent court decisions.

2. This suggestion may be feasible, and there may be other more restrictive requirements available by the time the project is approved and ready to begin operation. The wording of Mitigation Measure AQ-1a is intended to provide flexibility in applying the highest degree of control that is feasible. Thematic Response #3 provides more information regarding the mitigation of air quality impacts.

3. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's

guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

4. The project design includes the construction of three detention basins and a swale system that will collect and detain sediment onsite (EIR Project Description Section 2.3.4). This design measure, along with Mitigation Measures -1a, 1b, and 1c will minimize the potential for any pollutants to reach surface or ground water associated with the project. When water is used for dust control, the water is applied at rates sufficient only to wet the uppermost surface of the ground; this application does not cause percolation of water to the ground water table. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. This comment is apparently related to Mitigation Measure AQ-1b (fugitive dust control) and not AQ-1a. As currently proposed, the crushing and processing equipment would not reside at the project site but would be brought in several times per year. As such, the equipment would be registered with the California Air Resources Board under the Portable Engine and Equipment Registration Program (PERP). The regulations for this program are found in 13 CCR 2450. The specific requirements for "sand and gravel screening, rock crushing, and pavement crushing and recycling operations" are at 13 CCR 2457(b)(3):

   (A) no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity;

   (B) there shall be no visible emissions beyond the property line on which the equipment is being operated;

   (C) all transfer points shall be ducted through a fabric or cartridge type filter dust collector, or shall be equipped with a wet suppression system maintaining minimum moisture content unless there are no visible emissions;

   (D) particulate matter emissions from each crusher shall be ducted through a fabric dust collector, or shall be equipped with a wet suppression system which maintains minimum moisture content to ensure there are no visible emissions;

(E) all conveyors shall be covered, unless the material being transferred results in no visible emissions;

(F) all stockpiled material shall be maintained at a minimum moisture content unless the stockpiled material results in no visible emissions;

(G) as a part of application for registration, the applicant shall provide manufacturer's specifications or engineering data to demonstrate a minimum particulate matter control of 99 percent for the fabric dust collection equipment;

(H) except for vent filters, each fabric dust collector shall be equipped with an operational pressure differential gauge to measure the pressure drop across the filters;

(I) open areas and all roads subject to vehicular traffic shall be paved, watered, or chemical palliatives applied to prevent fugitive emissions in excess of 20 percent opacity or Ringelmann 1; and

(J) if applicable, the operation shall comply with the requirements of 40 CFR Part 60 Subpart OOO.

The dust control mitigation measures listed in the EIR are repeated from those published by the San Luis Obispo APCD. The above state regulations will apply through the PERP registration, or similar requirements will be imposed by the APCD in the event a separate permit is issued for processing equipment on the project. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

6. Watering frequency will obviously depend on weather conditions from day to day, as well as on features and operations at the project site. Rather than specify a watering schedule, the dust control performance standard involves avoiding a visible plume extending off of the property. This standard is easier to observe by monitors and the public, rather than the operation of a water truck.

7. The project description includes a schedule that identifies specific areas that will be reclaimed in a phased manner as the quarry progresses. “As soon as practicable” may be defined in terms of the relation between one phase and the next, rather than as an absolute time. Reclamation in one phase must be initiated in conjunction with the notice to proceed for a subsequent phase. State and County requirements also include a financial guarantee by the project to help ensure that reclamation is accomplished.

8. The identified noise impact is expected only during the earlier phases of the project. Based on the EIR discussion, it may be possible to achieve compliance with the County Noise Ordinance even in the early phases of the project. Due to the nature of the noise, however, and the concerns and values expressed by the community, the EIR conclusion identified project-generated noise as a significant and not mitigable impact, regardless of whether or not the numerical limit of the Noise Ordinance is achieved. This conclusion does not necessarily mean that the project must be denied.

9. This comment suggests an additional restriction on operating hours that would limit on-highway operation of heavy trucks associated with the project to 7:00 a.m. to 6:00 p.m. Since most construction projects are restricted to these same hours, and since there must be some allowance for material transport time, it is not feasible to impose this additional time restriction.

10. This comment suggests immediate shutdown of the quarry operations should occur in response to any complaints lodged regarding noise or air quality issues. The County Planning and Building Department, and the San Luis Obispo County APCD, will monitor and enforce project conditions and will have the authority to appropriately respond to complaints regarding these issues if necessary.

11. The applicant must notify the County (as well as nearby residents) ahead of time for each blast event, and maintain records for all blast events. Periodic inspection of records performed as part of the mitigation monitoring and surface mine inspections by the County will confirm that the number of blast events is consistent with the project conditions.

12. This comment does not suggest any deficiencies in the EIR analysis; no changes have been made in the EIR. The decision makers can elect to restrict the permit term as part of the Conditional Use Permit.

13. Response # 5 above addresses this issue. Based on the state requirements (13 California Code of Regulations 2457(b) (3) (E)), conveyors must be covered unless the material being transferred results in no visible emissions.

14. The use of "Passenger Car Equivalents" (PCE) in the analysis of traffic effects depends on the specific circumstances being analyzed. Response O.21-1 provides more information regarding this issue.

15. Most trucks bringing pavement material to the site for recycling would leave with recycled aggregate for use. If all pavement recycling were done in this type of operation, then the pavement recycling would not alter the estimate of 198

truck trips per day for full production of 500,000 tons per year, which includes both quarried aggregate and recycled pavement. The additional 75 truck trips per day estimated in the EIR is to account for the possibility that some pavement or concrete recycling truck trips would not be associated with specific contracts and involve loaded return trips.

16. Silica dust is a recognized hazard associated with mining and the use of aggregate products – particularly fine sand. The health risk assessment prepared for the project considered silica dust, but found that Diesel exhaust represented a more important and sensitive indicator of risk than silica dust or other air emissions. The control of silica dust, and all fine particulates, is achieved primarily through the use of water to avoid the suspension of fugitive dust from the project.

17. This comment does not suggest any deficiencies in the EIR analysis; no changes have been made in the EIR.

18. This comment does not suggest any deficiencies in the EIR analysis; no changes have been made in the EIR.

O.18 Robert Davis, SLO Bicycle Club

1. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

O.19 Terry Marshall, Hanson Aggregates

1. This comment agrees with the traffic analysis presented on page 4.3-37 of the Draft EIR. No changes are necessary.

2. This comment addressing the alternative access route reiterates the statements on page 6-15 of the Draft EIR that permission for this alternative would have to be obtained from the adjacent property owners. No change is necessary in the EIR. The comments expressed herein will be forwarded to the decision makers

through the Final EIR for their consideration during the decision making process.

O.20 John Beccia, SMART

1. The issue of including pavement recycling within the CUP for the project is not ignored by the EIR. Pavement recycling is explicitly identified in Section 1.4.1. The type of material allowed and other performance standards mandated by the state are identified in Section 2.0. Asphaltic concrete used in pavement recycling must be fully cured and meet other specifications noted in the recycling discussion in Section 2.0 of the EIR.

   Even though the amount of any recycled material is included within the maximum production limit of 500,000 tons per year, an upwards adjustment to overall traffic generation to account for recycling is included in Section 2.3.3. The traffic analysis, air quality analysis, noise analysis, and other topics addressing physical environmental issues all include this level of traffic. Impact and Mitigation Measure HAZ-2 explicitly address the recycled pavement component of the project. In summary, the EIR addresses potential effects on the physical environment related to the project, including its pavement recycling component.

   Interpreting the County Land Use Code for implementation of the project is a matter for the County as Lead Agency and the decision makers for the project. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The statement of project objectives is not determinative of impacts or mitigation measures in the EIR. Project Objectives will be considered by decision makers at the time the project is heard. No changes are necessary in the EIR.

3. Table l4.5-6 in the EIR shows that 2.1 acres of oak woodland will be impacted by the project, and that 9.21 acres will be preserved in open space (a preservation ratio of over 4:1). This comment disagrees with the adequacy of this mitigation. However, as noted in Thematic Response #6, *disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.* (CEQA Guidelines Section 15151). No changes are necessary in the EIR.

4. Fuel storage is not proposed on the site. Fuel for on-site equipment would be delivered by service trucks. Fuel storage by other businesses or property owners

is subject to state regulations, administered by the County. No changes are necessary in the EIR.

5. The state requirements for a streambed alteration agreement require that CEQA review and all local entitlements be completed prior to the streambed alteration agreement.

6. The equipment list provided, and all analyses in the EIR, are based on full production at a rate of 500,000 tons per year.

7. The value of 800 trips per day has been clarified in the Final EIR. For clarification, the reference to 800 trips per day is further discussed in Thematic Response #4.

8. The estimate for dust control is based on the area of the processing yard and stockpiles of the project. Other quarries in the area wash aggregate for concrete use, which is not proposed in this project (see Text Revision #8), and have much larger areas of operations and disturbed land exposed to wind erosion. Thus, a comparison of water use between quarries may not be informative.

9. The EIR represents one source of information to be used by decision makers in evaluating the project. It provides a preliminary review of plan and policy conformance in order to comply with Section 15125 (d) of the CEQA Guidelines: *"the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans."* The final determination of plan consistency will be made by decision makers based in part on this information.

10. This comment agrees with the EIR's description of SR 58 as a "Suggested Scenic Corridor." No changes are necessary.

11. The specific reference in the EIR cited in the comment related to adjacent residences in the RL category. The next paragraph in the EIR identified other residences in the vicinity in other land use categories.

12. This comment agrees with the EIR's description of SR 58 as a "Suggested Scenic Corridor." No changes are necessary.

13. There is no County policy in this planning area related to preservation of views from private land or other areas. The EIR analysis of visual effects is oriented towards addressing views of the project from SR 58, but is also representative of how views from nearby properties may be affected. The comment also suggests that nearby property owners should receive compensation for the

visual impact, but it does not change the assessment of impacts and mitigation measures in the EIR.

14. The conclusion in the EIR with respect to emissions of ROG+NOx are based on thresholds used by the San Luis Obispo APCD to evaluate projects in the context of regional attainment of national and state ambient air quality standards for criteria air pollutants. Thematic Response #3 presents the conclusion of the San Luis Obispo County Air Pollution Control District that Air Quality impacts related to ROG+NOx can be mitigated to a level below significance. The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency.

    The quote in the comment related to sensitive receptors is actually a quote in the EIR from the APCD CEQA handbook, related to developing and tailoring mitigation measures. The comment suggests that a "buy-out" of property owners who are the nearby sensitive receptors should be considered as a condition of approval. This suggestion does not change the assessment of impacts and mitigation measures in the EIR.

15. Using the inventory procedures published by the San Luis Obispo APCD, the project effect with respect to greenhouse gas emissions was found to be less than significant, and no mitigation was necessary or proposed. The EIR did not quantify present or future greenhouse gas contributions related to the regional or inter-regional transport of aggregate materials. The concept of meeting the need for aggregate with sources from within the region, however, is consistent with the state classification and designation of aggregate resource areas intended to implement the state policy to encourage the orderly and economic exploration, development, and utilization of the state's mineral resources. The degree to which the project contributes to this policy may be a factor considered by decision makers in their evaluation of the project. Information regarding bicycle use along SR 58 is found in Thematic Response #1.

16. Monitoring of water use was not proposed for the project, and in that respect it may be considered inconsistent with County policies directed towards monitoring groundwater and streamwater use. The more detailed assessment of water use in Appendix F and in Section 4.13 of the EIR, however, demonstrates that the project will have a less than significant effect on water supply. Table 4.5-1 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: "*The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans….*" The County of San Luis Obispo, as Lead Agency does not

believe that potential inconsistency noted in this passage inherently represent adverse effects on the physical environment. Rather, the ultimate determination of general plan consistency will be made by county decision makers in their discretionary review of this project.

17. This comment offers the opinion that the only mechanism to mitigate the loss of biological habitat is offsite preservation, specifically with respect to oak woodland. The County, as CEQA Lead Agency respectfully disagrees with this opinion. The project will provide a permanent open space easement over an area that would otherwise be subject to continued use for ranching purposes. The area to be preserved includes a larger and more diverse biological habitat than that which will be impacted by the project. The oak woodland area to be preserved is more than four times the area of that which would be removed by the project. The EIR concludes that this preservation will reduce the effect of the project to a less than significant level.

18. This comment does not suggest any deficiencies in the EIR analysis; no changes have been made in the EIR.

19. Should the project be approved, the appropriate opportunity to present "possible community benefits" is with the adoption of certain findings required by Section 21081 of the Public Resources Code.

20. Should the project be approved, the appropriate opportunity to present "possible community benefits" is with the adoption of certain findings required by Section 21081 of the Public Resources Code.

21. The value of 800 trips per day has been clarified in the Final EIR. For clarification, the reference to 800 trips per day is further discussed in Thematic Response #4.

22. Table 4.11-9 in the EIR shows that the effect of the project on morning peak hour traffic at the intersection of Estrada Avenue and El Camino Real would be to increase the delay time by less than three seconds. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

23. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

24. Most trucks expected to use the quarry would be "doubles" with KPRA lengths of less than 30 feet, as opposed to single large semi-trailer trucks which have KPRA lengths in excess of 30 feet. The EIR text discussion describes the location of the Caltrans advisory segment as extending on SR 58 "from J Street eastward," which is accurate.

25. Measurements of the distance from the stop line to the railroad tracks in the field and from aerial photographs give results from 70 feet to nearly 80 feet. "Doubles" (tractor, semi-trailer, full trailer) regularly use this intersection under the current conditions and do not extend into the railroad right of way. Mitigation measure TRAFFIC-1a requires the project to contribute towards intersection improvements at this location.

26. Table 4.11-9 of the EIR indicates that the project effect on traffic at the proposed driveway access intersection with Calf Canyon Highway (SR 58) would be less than three seconds and that the intersection would operate under LOS A during peak hour times. The comment suggests that a left turn lane be installed at this location.

    The requirement for a Caltrans Encroachment Permit is noted in the mitigation not because the permit itself is mitigation, but rather to emphasize that any improvements constructed must be reviewed and approved by Caltrans.

    Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

27. There is no discussion in the EIR about the weight of fully loaded aggregate trucks routinely crossing the Salinas River Bridge because such trucks would be within legal weight limits for California highways and would not exceed the operating capacity of the bridge. On February 24, 2014, Mr. Larry Newland, Planning Branch Chief for Caltrans District 5, reported that "Caltrans has determined that the Salinas River Bridge can accommodate the Federal weight standard for all legal roads."

28. The EIR did not conclude that safety concerns or off-tracking or staging and access of truck operations were significant impacts. Significant cumulative effects were identified in the EIR for peak hour traffic operations at the

intersections of Estrada Avenue at El Camino Real and at H Street. At both of these intersections, significant cumulative impacts are projected with or without the proposed quarry project (See Table 4.11-11 and related discussion). In considering the project, if decision makers act to approve the application they may need to adopt findings related to community benefits or other overriding considerations, separate from the EIR. CEQA does not require a presentation of community benefits within an EIR. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

29. The SunPower project is located 60 miles to the east of the project, and involved a large number of over-weight heavy truck loads requiring special permits from Caltrans. Most of the SunPower mitigation measures involved planning and coordination work, but no capital improvements to the highway or to intersections. Repairs to local roadways were required at the termination of the construction phase.

    The proposed quarry project includes planning and traffic coordination as Applicant Proposed Measure APM LU-1, discussed in Section 4.14 of the EIR, and also includes funding of capital improvements as part of Mitigation Measures TRAFFIC 1a, 2b, 4a, and 4b. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

30. This project will not affect the permit requirements associated with the operation of the Salinas Reservoir and dam.

31. The discussion in this comment is based on the premise that the nearby Hanson Quarry consumes 300 acre feet per year of water and the assumption that the proposed quarry should have similar water consumption. Both of these concepts are incorrect, and there is no need to reassess the analysis of water use in the EIR or water supply assessment for the project.

    The Hanson water use of 300 acre feet per year is discussed in the Notice of Preparation for that project, but the NOP also notes that most of this water is cycled through the pond system, and the actual consumed water is much less: about 5 acre feet per year. In addition, the Hanson operation involves washing of aggregate product, which is not proposed by the Oster-Las Pilitas quarry project. The following change has been made to the second paragraph under the section entitled "Brief Summary of Proposed Project," found on page ES-2 of the Draft EIR:

    The project will produce up to 500,000 tons per year of aggregate material~~ for use in Portland cement concrete (PCC) and asphaltic~~

~~concrete (AC)~~.. Aggregate products that will be sold include: rip rap, drain rock, landscape wall rock, decorative rock, decomposed granite for landscaping applications (trail pathways, etc.), road base, and non-expansive fill material. "Washing" (i.e., wet processing) is not required for any of these aggregate materials, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. The proposal does not include a hot plant for mixing asphaltic concrete, but it would include a storage area for recycled roadway ~~PCC and AC~~ pavement that will be crushed and sold as road base within the 500,000-ton-per-year permit limit. Depending on market conditions, the life of the quarry is estimated to range from 25 to 58 years. If the full production rate is achieved, then the average daily truck traffic associated with the project would range from 198 to 273 trips per day; this range is discussed further in Section 2.3.3.

32. The issue raised in this comment is identical to that raised in Comment # 1 in the same letter. Please refer to that response.

33. This comment suggests that the EIR needs to include research about water use at other quarries. This is the issue raised and addressed in previous comment Nos. 8 and 31 in this letter. Please refer to those responses.

34. This comment raises an issue that is identical to Comment # 9 from this same letter. Please refer to that response.

35. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about this discussion.

36. This comment is an apparent cross reference to Comment #3, above. No further response is necessary.

37. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about this discussion.

38. This comment appears to be a reference to Comment # 33, which repeated the suggestion to study water use at other quarries. That issue was in turn, raised and answered in comments # 8 and 31. No additional response is necessary.

39. The value of 800 trips per day is not proposed and was not analyzed in the EIR. Please note Thematic Response#4 for further information about this discusion.

40. The value of 800 trips per day is not proposed and was not analyzed. See Thematic Response #4.

41. The issue raised in this comment was raised and addressed in responses Nos. 8, 31, 33, and 38 for this same letter. No additional response is necessary.

42. This comment apparently expresses SMART's lack of support for Alternative 6.8. No changes have been made to the text of the EIR, in response to this comment.

43. This comment apparently expresses SMART's support for the No Project Alternative. In addition, should the project be approved, the appropriate time to present "possible community benefits" is with the adoption of certain findings required by Section 21081 of the Public Resources Code. No changes have been made to the text of the EIR, in response to this comment.

O.21 Dennis M. Pascua, Arch Beach Consulting/Margarita Proud

1. This comment offers a lengthy re-analysis of traffic and transportation effects, and suggests additional mitigation measures. Specific issues raised in the comment include (a) the use of Passenger Car Equivalents (PCEs) in making adjustments for the effects of heavy trucks, and (b) a review of effects and mitigation measures recommended in the EIR for the Santa Margarita Ranch Agricultural Residential Cluster Subdivision.

   With respect to the first issue, the County of San Luis Obispo respectfully disagrees with the suggestion that a PCE of 3.0 should be used for all aspects of the traffic impact analysis. The use of PCE depends on the specific method employed to analyze traffic flow through an intersection or along a roadway segment, and PCE values vary based on terrain, traffic volume, and other factors. The adjustment factor for heavy vehicles on a two-lane major street with a stop controlled intersection is 1.0 (i.e. no adjustment). When used, the PCE factors range from 1.0 to values between 2 and 3. It is incorrect to apply an adjustment factor of 3.0 to the total generation of truck traffic arbitrarily, and then use the resulting volume in all aspects of traffic analyses.

   With respect to the second issue referencing the analysis and results from the Santa Margarita Ranch EIR, the comment appears to rely extensively on the recommendations from the EIR for that project, but does not reflect the final decision or conditions that were applied by the Board of Supervisors in approving the project. The present EIR for the Las Pilitas Quarry project incorporated information and discussions from the Santa Margarita Ranch EIR. For some specific issues, the results were similar and the imposed mitigation

measure was similar (fair share contribution to signalization at El Camino Real and Estrada Avenue). For other specific issues, the nature of truck traffic (slower, lower volume, better views for drivers, differing peak trip distribution) when compared to automobile traffic led to differences in the conclusions of the two EIRs.

CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. More information responding to this perspective is presented in Thematic Response #6.

2. This comment presents a queuing analysis to demonstrate that morning peak hour traffic on Estrada Avenue turning left onto El Camino Real will back up from the stop sign to the vicinity of the existing railroad crossing. The comment also offers design details for the future improvement of this intersection. While providing a different method and level of detail, the comment does not contradict the conclusion in the EIR that the existing intersection does not meet signal warrant 9 related to intersections near railroad crossings (see Table 4.11-4 in the EIR). This is the reason for the identification of Impact and Mitigation TRAFFIC 1a in the EIR. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. Table 4.11-9 in the EIR includes analysis of the proposed driveway access at SR 58 and the project site (last two rows of the table). The comment also suggests that completion of improvements within the Caltrans right-of-way be made a condition of issuing any occupancy permit for the project. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

5. The comment points out that the accident rate shown for the SR 58 southbound onramp to US 101 in Table 4.11-6 is, in fact, higher than the statewide average for such ramps. The text of the discussion immediately following the table, however, clarifies that the rate is based only on two accidents during the three year period of the analysis. Neither accident involved a heavy truck, and one

involved a vehicle striking a fixed object on the side of the road. There is no need to correct or modify the discussion in the EIR.

O.22 Steve Souza/Mike Cole, Las Pilitas Resources, LLC

1. This letter refers to the letter from the Applicant's attorney, Sophie Treder, which follows.

O.23 Sophie Treder, Attorney for Las Pilitas Resources, LLC

1. In response to this comment, the third sentence of the first paragraph in the Executive Summary (Section ES.1) text of the EIR was changed as follows:

   The proposed quarry and related improvements would occupy 41~~48~~ acres within the 234 acre property which is located in the Las Pilitas Planning Area north of State Route 58 (SR 58) and east of the Salinas River, approximately three miles east of the community of Santa Margarita.

2. A number of changes have been made in the EIR text to clarify the project description noting that the project would not include the production of PCC and AC grade aggregate. These changes are presented in Text Revision #8.

3. Appropriate changes have been made to Tables in the Executive Summary, to correspond to the analysis presented in Section 4 of the EIR. The intent is to facilitate the preparation of findings required by Section 21081 of the Public Resources Code, should the project be approved.

4. A number of changes have been made in the EIR text to clarify the project description noting that the project would not include the production of PCC and AC grade aggregate. These changes are presented in Text Revision #8.

5. A number of changes have been made in the EIR text to clarify the project description noting that the project would not include the production of PCC and AC grade aggregate. These changes are presented in Text Revision #8.

6. In response to this comment, the text of the EIR (first bullet item on page 1.5 of the Draft EIR) has been changed as follows (EIR Text Revision # 22):

   The 50-year demand for aggregate resources in the region is approximately 263 million tons. Approximately 40 percent of this amount (126 million tons) will be for non-concrete grade material, such as rip-rap, drain rock, road base, and similar aggregate materials used in other construction activities.

7. The main point in this comment – that the project does not include the production of PCC and AC grade aggregate and does not propose to wash the rock material produced – has been addressed through several text revisions in the EIR as noted in Text Revision #8. Other suggestions in the comment involve a minor re-organization of the first paragraph on page 1.5 of the Draft EIR, which does not add or clarify any information. This suggested change was, therefore, not done. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

8. In response to this comment, the background information presented on page 1-2 of the EIR was intended to suggest that: "...there are market objectives associated with this application as well as the conservation goals noted above." Accordingly, a change similar to that suggested by this comment was made in the EIR Project Description, on page 2-1 of the Draft EIR. The change is as presented in Text Revision #23.

9. A number of changes have been made in the EIR text to clarify the project description noting that the project would not include the production of PCC and AC grade aggregate. These changes are presented in Text Revision #8.

10. An EIR text revision has been made to clarify the nature of the aggregate material to be produced. The particular text location noted in this comment has been addressed in EIR Text Revision #8g.

11. The comment provides additional contextual information related to the analysis of traffic effects related to the project, all of which indicate that the analysis in the EIR is conservative in the sense that it considers a worst case situation. There is no need to revise the EIR analysis since it indicates that in all issues the effects of the project traffic will either be less than significant or can be mitigated to less than significant levels. EIR Text Revision #10 was made to clarify that under all anticipated operating conditions the average truck traffic would be 273 trips per day.

12. References to 800 truck trips per day have been clarified in the EIR. See Thematic Response #4 and Text Revision #10.

13. In response to this comment, it should be noted that the projection of truck traffic volume used in the EIR is a theoretically calculated number, and that the actual number of truck trips may be lower, once the project is constructed. Since all traffic impacts can be mitigated, even assuming this theoretically calculated trip generation, no changes were made in the analysis and conclusions of the EIR.

14. The projection of truck traffic volume used in the EIR is a theoretically calculated number, and the actual number of truck trips may be lower, once the project is constructed. Since all traffic impacts can be mitigated, even assuming this theoretically calculated trip generation, no changes were made in the analysis and conclusions of the EIR.

15. The comment disagrees with the EIR suggestion that views of steep slopes and natural vegetation such as that on the subject property may have contributed to the County's inclusion of SR 58 within Table VR-2 of the Conservation and Open Space Element. Regardless of the specific reason for its inclusion, the specific language in Table VR-2 of the Conservation and Open Space Element reads as follows: "Highway 58 from the Santa Margarita urban reserve line to the Kern County line." Thus, the region along SR 58 that contains the project site, as well as other scenic resources associated with the Carrizo Plain, is intended to be included within the County's "Suggested Scenic Corridors." Although portions of the Hanson quarry are visible from SR 58, as noted in the comment, that project has also installed trees and landscaping along segments of the highway to reduce its visibility from the roadway.

16. The comment is correct in noting that the Hanson Quarry is visible from SR 58 and other areas in the project vicinity. From SR 58, the most visible portion of the Hanson Quarry is the southeast-facing cut slope in the current excavation pit. This slope is visible in Figure 4.1-2a in the Draft EIR, but it is behind roadside landscaping at the far left side of the photograph. This landscaping was installed by the Hanson Quarry operator to help reduce the visibility of the quarry from this portion of SR 58. The presence and visibility of the Hanson Quarry is discussed more in the section on cumulative aesthetic effects (page 4.1-13 of the Draft EIR), and it is one of the reasons that cumulative visual effects are considered to be a significant and not mitigable impact.

17. The areas from which the proposed quarry slopes would be visible are shown in Figure 4.1-1. As explained in the EIR, this mapping is based solely on topographic considerations, and does not consider the effect of intervening vegetation in blocking potential views. For this reason, it is very difficult to state a precise number of existing residences from which the quarry slopes may be visible. The discussion of potential views of the proposed quarry is divided into the two separate Rural Residential neighborhoods in the project vicinity (page 4.1-1 of the Draft EIR). With respect to the second neighborhood in the discussion (the area along Parkhill Road to the east of the project site) topography will block all of the potential views of the proposed quarry slopes. For the homes in the Rural Residential area to the south of the project, however, some, but not all, will have views of the future quarry slopes. Residences

accessed directly off of SR 58 and located relatively close to the highway would have some view to the quarry slopes. There are 3 or 4 residences in this category. Several residences along Digger Pine Road, farther to the south, may also have partial views to the quarry slopes. These include four residences located away from the roadway on hilltops, which may be able to view the upper elevations of the quarry slopes, and one located closer to the roadway with potential view somewhat like that shown in Figure 4.1-2 along the SR 58 corridor. Thus, there are approximately 9 residences with potential views of some portion of the quarry slopes. In all of these cases, intervening trees and/or hillsides will block a portion of the view. The views from these residences would be somewhat similar to those shown in Figures 4.1-2b and c. That is, they would see the quarry slopes associated with the completion of Phase 1 (lower elevations) and 3B (upper elevations). Three of these residences have very little or no view of the Hanson Quarry, while six others have varying degrees of view towards either the cut slopes or the disturbed low areas of the Hanson Quarry. Additional information regarding the views of the project site from nearby residences is included in the analysis of visual effects on page 4.1-7 of the Draft EIR. Additionally, the County analysis is limited to public views, including those from Highway 58. The County does not analyze or protect private views associated with public projects.

18. Appendix 9 of the Conservation and Open Space Element (COSE) is cited on page 4.1-2 of the Draft EIR as an example of policies and standards for scenic corridor areas, and to provide some context for how scenic resources may be described and considered in the impact analysis. While it is true that Appendix 9 contains some specific policies related to roadway design, as noted in the comment, it also describes 13 other "guidelines and standards…that should be considered in regulating development to protect visual resources." Again, these are not formal requirements but they were used as reference material in considering the aesthetic effects of the project. The explanation of how the DEIR determined that the appearance of the property was considered a scenic resource is provided in the three sentences preceding the one quoted in the comment. As noted in the DEIR, the COSE discussion includes more common features like rolling hills, open meadows, riparian corridors, and wetland areas, as scenic resources. In addition Caltrans (2003:15) describes the first two segments of SR 58 (those areas to the west of the project site) as offering "…spectacular views of the Santa Lucia mountain range around Santa Margarita with open ranchland and oak trees dotting the landscape." The comment offers an opposing view regarding the aesthetics of the views of rocky slopes covered with natural brush vegetation. The comment also argues that viewer sensitivity for drivers and passengers along SR 58 in this area may be lowered due to the presence and partial visibility of the Hanson Quarry. While

this opinion in the comment may be true for some drivers, it is also true that many of the drivers along this segment of SR 58 would be residents of the area, who may have a higher sensitivity to changes in views. In addition, many drivers and passengers are travelling on SR 58 for recreational purposes, either to enjoy the drive itself or to reach destinations such as Shell Creek Road (for spring wildflowers) or the Carrizo Plain and points east for other recreational activities.

19. As noted in the Draft EIR (page 4.1-2) and recognized by the comment, the segment of SR 58 under discussion is not designated as a scenic highway, but is included as a "suggested scenic corridor" in Table VR-2 of the Conservation and Open Space Element. That inclusion (in Table VR-2) provides evidence that the scenic resources associated with the highway are considered at least potentially of importance to the County. As noted in Response 18 above, Caltrans also considers the views associated with these segments of SR 58 as having some scenic resource quality. The analysis as presented in the EIR is based on the views and potential changes to those views, regardless of whether the highway is ever formally designated as a scenic highway, or whether the County prepares a scenic corridor study of the area.

20. The comment is correct in noting that the Conservation and Open Space Element provides no explanation why SR 58 was identified as a "suggested scenic corridor" in Table VR-2. It does, however, describe the nature of scenic resources as noted on page 4.1-2 of the Draft EIR. The fact that the roadway segment is included in Table VR-2 is the evidence that the County considers the scenic resources in the area of a value that at least warrants some consideration. The identification of the steep hillsides and natural vegetation, in the context of the Salinas River riparian corridor and the transition to the steeper rocky areas to the east, as contributors to this value is a reasonable inference in the EIR. The ultimate determination regarding the scenic value, and the significance of the project effects on it, is in the authority of the decision makers for this project based on information in the EIR and the public record, including the opinions expressed in the comment.

21. Most views from SR 58 and the adjacent land towards the north and northeast are not panoramic in nature – they are influenced by ridges and hillsides that occupy the mid-ground portions of views. The view presented in Figure 4.1-2 does include the Hanson Quarry to the northwest at the far left side of the photograph, but it is largely obscured by vegetation planted along the highway. The views selected in the EIR were chosen specifically to represent the greatest exposure of the proposed quarry, or a reasonable worst case presentation of its visual impacts. Additional photographs from difference vantage points, or in

different directions, would show much less effect from the proposed project, as implied in the comment.

22. The "Significance Criteria" specified throughout the EIR are intended to respond to Section 15064(b) of the CEQA Guidelines, which states: "*the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For an example, an activity which may not be significant in an urban area may be significant in a rural area.*"

    The County of San Luis Obispo, as Lead Agency, does not consider Significance Criteria to be synonymous with County-wide "Thresholds of Significance" as that term is presented in Section 15064.7 of the CEQA Guidelines.

23. CEQA provides no criteria or qualifications to define a "scenic vista" as implied in the comment. The evidence that the County considers views along SR 58 as having some degree of sensitivity is the fact that SR 58 is included in Table VR-2 of the Conservation and Open Space Element. It is not required or necessary to perform a scenic corridor analysis or larger evaluation of the highway and its environs in order to assess the potential effects of the project. As explained in Response 23, the conclusion in the EIR is not based merely on the fact that the project will involve a change. While the Hanson Quarry is located in the vicinity, and is visible from portions of SR 58 and other areas, it is only peripherally located in the views towards the proposed project from SR 58 and it is shielded by vegetation planted along the highway for that purpose. The EIR acknowledges that the ultimate reclamation and revegetation of the proposed quarry slopes will reduce the visual effects, but these measures will not take place for several decades and will result in an engineered appearance.

24. The County does not necessarily agree that, "were this an agricultural or residential project, such mitigation would not be required." Mitigation is required if there is a potentially significant impact associated with a discretionary action; evaluation of potential impacts for hypothetical projects is speculative. Supplemental methods such as changing the tank location and height, coloring the tank, or using a combination of these measures may be imposed by the County if they are considered effective in reducing the visual effect of the water tank. In any event, since the stated mitigation measures for

the project would reduce aesthetic impacts to a less than significant level, no changes in the EIR are necessary.

25. The analysis in the EIR is based on an average of 273 truck trips per day associated with the maximum production proposed by the quarry, with an allowance for extra trips associated with stockpiling recycled pavement, as explained in the Project Description Section 2.3.3.

    As noted in Response #14, the County does not agree with the suggestion for a lower number of daily truck trips.

26. Thematic Response #3 – "Air Quality Mitigation Strategy Accepted by the SLOAPCD" documents the result of the meeting with the applicant and APCD staff. The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency.

27. This comment is an apparent cross-reference to Comment 42.

28. The California Native Plant Society (CNPS) is a private organization that has no regulatory role or direct oversight of approval for this or other projects. The listings and other information provided by the CNPS, however, are commonly used by the California Department of Fish and Wildlife, other agencies, and the County to help judge the sensitivity of plant populations and the habitat associated with them in the process of evaluating potential impacts.

29. In response to this comment, EIR Text Change 24 has been made. This change does not alter any information presented in the EIR; it simply provides a brief summary and cross reference. The change occurs at the end of Section 4.6.1 (page 4.6-2 of the Draft EIR):

    The California Department of Conservation has classified the La Panza granitics region containing the project site as Mineral Resource Zone 2 (MRZ-2), which means that the State Geologist has identified these areas as containing significant deposits of aggregate material (San Luis Obispo County Las Pilitas Area Plan 2003: page 6-1). Additional information regarding this classification and the importance of aggregate mineral resources is provided in Section 1.3.2 of this EIR.

    4.6.2 San Luis Obispo County Plans and Policies

    The County of San Luis Obispo General Plan recognizes a variety of geologic and seismic hazards. As outlined in the County's Safety

Element, Goal S-5 (San Luis Obispo County 1999:17), the County's plans and policies are structured to minimize the potential for loss of life and property resulting from geologic and seismic hazards. Applicable policy statements from the Safety Element are summarized in Table 4.6-1 below.

Part of the County implementation of the state MRZ-2 classification is accomplished through the EX-1 Combining Designation in the Las Pilitas Area Plan, as explained in Section 1.3.2 of this EIR.

30. The EIR discusses policies related to mineral resources and mining contained in the Conservation and Open Space Element (Chapter 6) in Section 4.14.2 and 4.14.3 of the EIR addressing Land Use.

31. Reference to the Coastal Branch of the California Aqueduct is made in Section 4.7.1 for the purpose of describing the geographic location of the project in the regional setting. The reinforced aqueduct crossings constructed by the State are noted elsewhere in the EIR.

32. EIR Text Revision # 11 was made to clarify the reference to blasting noted in this comment.

33. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information. Additional voluminous material submitted along with this comment letter (O23), was also reviewed and provided in the EIR appendices.

34. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information. Additional voluminous material submitted along with this comment letter (O23), was also reviewed and provided in the EIR appendices.

35. The comment provides an explanation of how hourly equivalent noise levels (Leq) for daytime and nighttime periods are used to compute Day-Night Average Noise Levels (Ldn). The derivation of hourly traffic volumes from Annual Average Daytime Traffic data from Caltrans is presented in Table E-2-1 in Appendix E. The comment is correct in noting that the assumption of less reflective ground conditions would tend to reduce the computed noise levels at greater distances from the roadway. For the receiver points along SR 58 through Santa Margarita, however, the distances are relatively short and the ground is essentially paved between the highway and the locations of the adjacent homes – a reflective condition that is consistent with the assumption. Finally, in the generation of traffic data (hourly traffic volumes) for use in the noise modelling, the project generated truck traffic was added only to the daytime period. The nighttime assumptions merely retained existing (or projected future) traffic volumes. More information on this assumption is provided in Response 39 below.

36. The discussion on page 4.8-5 of the Draft EIR explains that the railroad noise levels contribute substantially to the 24-hour Ldn values in the downtown Santa Margarita area. Current railroad noise levels are slightly lower than those shown in the County Noise Element (on page A-15 and in Appendix E of the Noise Element). For this reason, and since railroad noise is not always perceived as objectionable as roadway traffic noise, the contribution of railroad noise to the overall noise environment was not considered in detail in the assessment of how the project-generated truck traffic would affect noise levels at residences.

    The specific locations at which the project truck traffic noise levels are considered significant are not those points in the downtown Santa Margarita area that are also subject to railroad noise. Rather, the truck traffic noise impact would be significant at those residences along SR 58 that are to the east of the downtown area along Estrada Avenue and J Street. Appendix E of the Noise Element, cited in the comment, contains a tabulation of distances to noise contours based on rail traffic at the time. The graphic display of those noise contours, on page A-15 of the Noise Element, shows that the areas along Estrada Avenue (south of I Street) and along J Street are not subject to excess noise from the railroad. The discussion in the EIR adequately considers railroad noise effects; and any more detailed update related to current (reduced) levels of rail traffic would not alter the analysis or conclusions. For these reasons, no changes are necessary in the EIR.

37. San Luis Obispo County is the CEQA Lead Agency preparing the EIR. Therefore, it is appropriate to use the County noise parameters and standards to

assess the noise effects of the project. The Caltrans procedures and standards referenced in the comment base the assessment of noise levels on the hourly Leq associated with peak hour traffic, and set a limit of 67 dBA Leq as the upper noise level before Caltrans will consider installing noise barriers or taking other steps to reduce noise from traffic associated with a Caltrans project. Since this is not a Caltrans project, it is not appropriate to use this noise criterion.

38. The "Significance Criteria" specified throughout the EIR are intended to respond to Section 15064(b) of the CEQA Guidelines, which states:

    "*the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For an example, an activity which may not be significant in an urban area may be significant in a rural area.*"

    The County of San Luis Obispo, as Lead Agency, does not consider Significance Criteria to be synonymous with County-wide "Thresholds of Significance" as described in Section 15064.7 of the CEQA Guidelines.

39. The comment is correct in noting that the Appendix E-2 calculation of project heavy truck noise, it was assumed that the project truck traffic of 11 trips per hour (273 truck trips per day divided by 11 hours per day of operation) would occur over the entire daytime period defined in the Ldn calculation period (15 hours). This simplification introduced a small error in the resulting Ldn value. As suggested in the comment, the project traffic could be distributed only across the operating hours of 6:00 a.m. to 5:00 p.m. (11 hours). In the Ldn calculation procedure, this correction would slightly reduce the project contribution to daytime noise, but would increase the project contribution to nighttime noise since the Ldn nighttime period is defined as 10:00 p.m. through 7:00 a.m. The single hour of project operation between 6:00 a.m. and 7:00 a.m. would be considered "nighttime" in the Ldn procedure. Because the "nighttime" period receives a 10 dBA penalty in the calculation, this correction actually results in a slightly larger overall contribution to noise levels from the project that what was presented in the EIR. The overall difference is minor (about 1.2 dBA) so this refinement was not made in the Appendix E calculation. The comment also notes that the noise calculation is based on the theoretically calculated truck traffic of 273 trips per day, and suggests that the average number of truck trips could be 144. A re-calculation using this lower number of project truck trips results in a slight reduction in the overall Ldn of less than 1 dBA. The analysis

for the project, however, is based on theoretically calculated truck traffic associated with the maximum production rate of 500,000 tons per year, as proposed by the project.

40. Based on the information in Responses 37, 38, and 39 above, there is no need to revise the conclusions or discussion of cumulative noise impacts in the EIR. The noise contours in Appendix D of the Noise Element are not intended to represent precise locations of noise levels under current conditions. The contours are based on traffic data from that period, and do not attempt to address variations in noise levels due to topography, building locations, or other factors. The noise contours serve as a guideline to County staff to help determine when it is appropriate to require more detailed analysis of roadway noise levels when development projects are proposed.

41. Table 4.10-1 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: *"The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…."* The County of San Luis Obispo, as Lead Agency does not believe that alleged deficiencies noted in this passage inherently represent adverse effects on the physical environment. Rather, the ultimate determination of general plan consistency will be made by county decision makers in their discretionary review of this project.

42. On March 5, 2014, the County Parks Department reviewed this comment, among others, and reconfirmed the importance and need for an offer of an easement to accommodate a trail, approximately 2,500 linear feet in length, within the project site. The purpose of this easement is to accommodate the future Salinas River Trail alignment through the project site. Elizabeth Kavanaugh, Parks and Trail Planner for the County Parks Department advised: "this small amount of land encumbered by the offer of dedication for an easement coupled with long life [25- to 58-year timeframe] of the requested use [Las Pilitas Quarry - disturbance of approximately 41 acres on two parcels that total approximately 234 acres in size] passes the nexus and rough proportionality test for government exactions." Acting upon the advice of the County Parks Department, County staff has conditioned the project (consistent with MM Rec-2) to require an offer of dedication for the Salinas River Trail.

43. As a condition of approval (consistent with MM Rec-2), the project applicant will be required to offer a future trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail. The land owner has provided consent to the applicant to apply for a "conditional" use permit for a quarry on

said property, therefore by providing this consent they are obligated to accept conditions that may be applied to the project (unless objected to during the public hearing process and overriding findings are made by the decision making authority).

If the applicant discussions with SLOCOG lead to additional applicant proposed measures associated with the proposed project, these measures can be introduced for consideration as conditions of approval or to support a statement of overriding considerations (as appropriate).

44. As a condition of approval (consistent with MM Rec-2), the project applicant will be required to offer a trail easement for dedication to the County, along the Salinas River Trail corridor, consistent with Mitigation Measure MM REC-2: Access to Future Salinas River Trail.

    The proposed project requires a discretionary approval (conditional use permit) prior to authorization. The nexus discussion provided above supports implementation of MM Rec-2. Not requiring the offer of dedication at this time when there is a nexus to require said easement would result in the potential fragmentation of the Salinas River Trail in the vicinity of the project site. Other properties to the north and south will be subject to similar requirements for dedication of a trail easement if and when an application for a discretionary permit is received.

45. The comment is correct in noting that the Santa Margarita Elementary School is not "just" east of Estrada Avenue as stated in the referenced section of the EIR. The school is actually located about one block to the east along H Street. There is no confusion in the EIR, however, since the only intervening use is the open grass area of Santa Margarita Park. Where the precise location of the school is important (such as in the Noise section on page 4.8-16), the location is described more accurately.

46. The "Significance Criteria" specified throughout the EIR are intended to respond to Section 15064(b) of the CEQA Guidelines, which states:

    "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An iron clad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For an example, an activity which may not be significant in an urban area may be significant in a rural area."

The County of San Luis Obispo, as Lead Agency, does not consider Significance Criteria to be synonymous with County-wide "Thresholds of Significance" as described in Section 15064.7 of the CEQA Guidelines.

47. The conclusion that cumulative traffic impacts are considered significant and unavoidable is based on the uncertainty associated with the implementation of future traffic improvements necessary to accommodate future traffic volumes. This is based in part on the limited funding available through Caltrans, and in part on the uncertainty associated with the future development of Santa Margarita Ranch. There are no other major development projects anticipated that would be capable of providing substantial funding for roadway and signal improvements needed in the community. Although the project can be conditioned to fund a fair share of the improvements, without certainty regarding additional funding the conservative conclusion is that the cumulative impacts may not be mitigated.

48. In response to this comment, it should be noted that the projection of truck traffic volume used in the EIR is a theoretically calculated number, and that the actual number of truck trips may be lower, once the project is constructed.

    A revision in the projected truck traffic volumes would not alter the conclusions of the EIR, since the project itself was found not to cause any direct significant traffic impacts. Its only significant effects are related to its contribution towards impacts at the intersections along SR 58 (Estrada Avenue) at El Camino Real (near the railroad crossing) and possibly near H Street in the future under cumulative conditions.

49. Additional Applicant Proposed Measures, such as traffic calming measures on I Street, may be considered by the County decision makers, but these measures do not relate to the impacts and mitigation discussions in the EIR.

50. The comment is correct. Text Revision #25 clarifies the status of the Santa Margarita Community Plan.

51. Although the State of California and County of San Luis Obispo recognize the need for and value of aggregate resources, the directives contained in the State Surface Mine and Reclamation Act (2 PRC 2770) are related to reclamation of mined lands and providing financial assurances to help guarantee that reclamation occurs. The importance of aggregate resources, the State designation of the region including the project site as MRZ-2, and the regional need to permit the mining of additional aggregate resources are discussed in the EIR Introduction (Section 1.2.3). This information, along with the other

supporting information submitted with this comment, will be considered by the County in making a decision with respect to this application.

52. The project is potentially consistent with state and local objectives related to providing aggregate resources, as discussed in some detail in Section 1.2.3 of the EIR related to supporting the County's objectives in considering the project application. The pages referenced in this comment, however, occur specifically under the heading of "Compatibility with Land Uses in the Santa Margarita Community." The EIR discussion accurately reflects the contents of County planning documents, and the sentiments of the community as reflected in comments received during the scoping process for the EIR. The EIR notes that the County has no authority over the roadway or traffic along SR 58, but the County and Caltrans do coordinate regarding improvements associated with the highway through the unincorporated community. The Caltrans Transportation Concept Report for State Route 58 includes specific reference to the community character of Santa Margarita and the Santa Margarita Design Plan (Caltrans 2003:14).

53. This comment is an apparent cross-reference to Comments 16–30 and 45–49. Please see Lead Agency response(s), above.

54. This comment is an apparent cross-reference to Comment 9. Please see Lead Agency Response(s), above.

55. In response to this comment, the following Significant Impact was added to Section 6.3 (see Text Revision#26), as follows:

    Impact Traffic-4a: Cumulative Contribution to 2030 Traffic Volumes. *Mitigation for the cumulative traffic impact, mainly for addressing the peak hour volume at Estrada Avenue and El Camino Real, requires a combination of efforts from different agencies. Although the proposed mitigation would reduce impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, and uncertainty regarding right-of-way acquisition, it cannot be assured that all improvements would be feasibly constructed prior to the time when they are needed. As a result, cumulative traffic impacts would remain significant and unavoidable.*

56. See Text Change #8. The following change has been made to the third from the last paragraph in Section 6.4 under the section entitled "Categories of Project Alternatives," found on page 6-4 of the Draft EIR:

> *These projects along the Salinas River have their own environmental issues and controversies and, in any event, could not supply the volume of angular granitic rock ~~best suited for use in asphaltic concrete pavement~~ desired by the project applicant.*

57. Please see Thematic Response #6. The County of San Luis Obispo does not necessarily agree that the environmental consequences of <u>not</u> approving this present project can be determined at this time. These consequences are speculative, and would be analyzed at the time another project is proposed in the future.

58. The County's EX1 Overlay presently applies to the project site, irrespective of any actions taken by the State of California. The permit process undertaken by the County for any subsequent project does not determine the physical environmental effects of the project itself.

59. As noted in Section 6.5 and consistent with Section 15126(e) of the CEQA Guidelines, future uses on this property under the No Project Alternative would be consistent with the Rural Lands designation, and would include continued agricultural use. It is possible that more intensive agricultural uses might occur in the pasture areas adjacent to SR 58, but this would not change the overall land use and appearance of the vicinity. Regarding any future development, the permit process undertaken by the County for any subsequent project does not determine the physical environmental effects of the project itself.

60. The ultimate feasibility determination of any project alternative(s) would be made by County decision makers, in their findings. This comment appears to agree with following statements, presented in Section 6.7.1 of the Draft EIR:

> *Depending on how the design along the Salinas River is handled, this alternative may also extend on to the neighboring property to the west, requiring that owner's permission. While not environmental in nature, both of these conflicts may reduce the feasibility of this alternative.*

61. The ultimate feasibility determination of any project alternative(s) would be made by County decision makers, in their findings. This comment appears to agree with following statements, presented in Section 6.8 of the Draft EIR:

> *The cost and feasibility of this alternative access route is not known. It would require obtaining permission from several property owners and/or easement holders who control the existing Hanson Quarry access road and the existing road that connects the Hanson Quarry south to SR 58 near the Salinas River.*

With regard to environmental constraints of Alternative 6.8, these consequences are speculative at this time, and would be analyzed at such time a specific project is proposed in the future.

O.24 Ken Johnston, Las Pilitas Resources, LLC (May 1, 2013)

1. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

2. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

3. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

4. This comment provides additional information related to dust control. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. This comment provides additional information describing how the project will comply with dust control regulations imposed by the County and the San Luis Obispo County Air Pollution Control District. No changes are necessary in the EIR.

6. The San Luis Obispo County APCD maintains a list of suggested dust suppressants, from which any product used by the project should be selected. Response O.14-6 provides more information on this topic. No changes are necessary in the EIR.

7. This comment describes practices and implementation of compliance with San Luis Obispo APCD rules related to dust control. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. No changes are necessary in the EIR.

8. This comment from the applicant confirms estimates in the EIR that on average, approximately 4,000 gallons per day would be used for this purpose.

9. This comment appears to agree with Mitigation Measure MM AQ-1b: Emissions of PM10 Fugitive Dust, which states in part: *All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.* No changes are necessary in the EIR.

10. This comment expresses the applicant's commitment to comply with all applicable and adopted codes and regulations. No changes to the EIR are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

11. This comment refers to Mr. Reeves' letter (I.156). EIR Text Revision # 8 clarifies that there will be no Portland cement concrete or concrete grade aggregate washing as part of this project. The total estimate for water use by the project <u>for all purposes</u> is 5,500 gallons per day, of which the EIR assigns 4,000 gallons per day for dust control.

12. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

13. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

14. This comment expresses general support for the EIR, and the Water Supply Assessment, presented as Appendix F of the EIR. No changes have been made to the text of the EIR, in response to this comment.

Responses from Individuals

I.01 Lori Treder

1. This comment presents generalized concerns for traffic, including speed and pedestrian/student safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR and appears to support an alternative that routes traffic around downtown Santa Margarita. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

I.02 Tim and Shari Bone

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.03 Stephen Gonzalez

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

2. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

3. This comment presents generalized concerns for long term water supply, as presented in Section 4.13 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.04 John Eddie Cosko

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.05 Jeannie MacDougal

1. This comment expresses general opposition to the project, but does not indicate any deficiencies in the information presented in the EIR. Accordingly, no changes have been made in the text of the EIR.

2. This comment presents generalized concerns for traffic and the access road entrance associated with the existing Hanson Quarry and the proposed quarry entrance. Section 4.11 of the EIR for this proposed project (Las Pilitas Quarry) indicates that the location of the entrance for this project was changed from that shown in the original submittal to provide better sight distance and operations. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.06 Greg MacDougal

1. This comment appears to express opposition to the project as proposed, as well as support for Alternative 6.8 ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY. The comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.07 David and Tina Ballantyne

1. The sentence regarding potential dust effects on agricultural operations cited in the comment is from Section 4.2 Agriculture, and is only a general statement. Additional details regarding dust generation are found in the Air Quality section, starting on page 4.3-25 of the Draft EIR. The specific issue raised in the comment is: how does one determine if dust carries beyond a property line. A more direct response to this question is found in Comment and Response # R.02-17. In this comment, APCD provides information about its Rule 401,

explaining that the release of fugitive dust from any source (except agricultural operations) that exceeds 20% opacity at the property line is prohibited. PM10 is included with fugitive dust, but the principle does not apply to emissions of ROG and NOx, which are invisible. Thematic Response #3 presents more information on Air Quality impacts, including ROG and NOx. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.08 Polly Cooper

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. The comment indicates support for Alternative 6.5. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.09 Jon P. Treder

1. This comment presents general opposition to the project as proposed including noise and traffic impacts, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for traffic, including speed and pedestrian safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment appears to express opposition to the project as proposed, as well as support for an alternative not included in the analysis (a tunnel to bypass downtown Santa Margarita). The comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.10 Brenda McAdams1

1. This comment presents generalized concerns for traffic, including speed and pedestrian/student safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. This comment appears to express opposition to the project as proposed, and appears to support an alternative that routes traffic around downtown Santa Margarita. The comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.11 Kenneth Lloyd Haggard

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.12 David and Rochelle Wagner

1. The comment notes that there are other residences in the vicinity besides those specifically identified in Figure 4.8-1 in the noise analysis. The discussion in the Draft EIR on page 4.8-3 recognizes that there are other residences in the vicinity, but explains these other residences are farther away than the ones identified in the figure. For some residences in the area, intervening topography will reduce project-generated noise levels. The specific residences identified in Figure 4.8-1 were chosen as those most likely to be affected by noise from the project, and do not represent an exclusive list.

2. This comment presents generalized concerns for traffic associated with trucks at the quarry entrance, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents generalized concerns for traffic around the park and elementary school, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional

CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

I.13 Brenda McAdams2

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment appears to support an alternative that routes traffic around downtown Santa Margarita. No changes are necessary in the EIR.

I.14 Thomas Becker

1. This comment presents generalized concerns associated with road width and sight distance, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.15 Nancy and James Vengel

1. This comment presents generalized concerns associated with change in traffic conditions including safety and increased traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.16 Karen Becker

1. This comment presents generalized concerns for traffic, including student safety, as presented in Section 4.11 of the Draft EIR and suggests mitigation. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for traffic, including traffic noise and the SR59/El Camino Real intersection, as presented in Section 4.11 of the

Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment appears to express support for Alternative 6.8 – ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY, as presented in Section 6.0 of the EIR. No changes are necessary in the EIR.

4. This comment presents generalized concerns for traffic, including truck traffic through Santa Margarita, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.17 Jim and Eileen Robinson

1. This comment presents generalized concerns for traffic, including pedestrian safety and roadway wear, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.18 Janet Carnegie

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.19 Barbara Ahern

1. The discussions of biological impacts and mitigation in the EIR are not organized according to the topics presented in the Notice of Preparation/Initial Study. The following list helps to show which specific issues discussed in the biology section fall under the indicated criteria:

   Criteria a. Result in a loss of unique or special status species or their habitats;

BIO-1 Effect on rare plants

BIO-2 Effect on Wildlife Species (general habitat)

BIO-3 Effect on Ringtail Cat

BIO-5 Effect on Bats

BIO-6 Effect on California Red Legged Frog

Criteria b. Reduce the extent, diversity or quality of native or other important vegetation native or other important vegetation

BIO-7 Effect on Oak Trees

BIO-9 Effects on Vegetation and Habitat

With respect to all of the above issues, the EIR discussion concludes that impacts will be avoided or mitigated to a less than significant level.

The comment further notes that assessment of potential wetland or riparian effects did not rely on field surveys conducted during rainy weather. All of the streambeds located within the proposed quarry site are ephemeral in nature and the assessment of potential wetland habitat areas was based on vegetation and other factors. The project includes a permanent conservation area that will preserve a larger area of wetland habitat than that removed by the quarry. This feature, in conjunction with the other mitigation measures identified, will reduce potential impacts to a less than significant level. No changes are necessary in the EIR.

2. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information. Treatment for silicosis would be similar; i.e., not a CEQA impact per se but rather an occupational health issue.

3. This comment presents generalized concerns for noise, including stress and exposure levels, as presented in Section 4.08 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments

expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. This comment appears to support Mitigation Measure Traffic – 3b, which states:

   MM TRAFFIC-3b: Internal Traffic and Parking. The applicant/quarry operator shall designate and publicize to customers and haulers, off-site limits within which trucks should not operate or park while awaiting for the quarry gates to open in the morning. Prior to issuance of the Notice to Proceed for any offsite sale and transport of aggregate material, the applicant/quarry operator shall provide the Department of Planning and Building with documentation identifying these off-site limits and how they will be communicated to truck operators and to residents in the community. The documentation shall also identify by name and telephone number, where complaints may be made regarding unacceptable truck parking.

   No changes have been made to the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.20 Dale and Janice Carr

1. The San Luis Obispo County Air Pollution Control District (APCD) has indicated off-site mitigation of air quality impacts (including NOx+ROG, as well as PM10) can and should be incorporated into the project, to reduce the project emissions below a level of significance. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

   The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #27 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II. Please see Thematic Response #3 for further details regarding Air Quality.

2. As stated in Thematic Response #3, the County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #27 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

3. The comment is correct in noting that Diesel Particulate Matter (DPM) is a source of carcinogenic compounds and is linked with cancer. For this reason, the EIR included a health risk assessment to evaluate the potential carcinogenic effects within Santa Margarita as well as in the immediate project vicinity. The results are summarized in Table 4.3-9, which indicate that at the worst case point of exposure within Santa Margarita the potential increase in cancer rates would be well below the threshold used to identify a significant impact (less than 2, versus 10). This impact will be addressed as part of the "Activities Management Plan" defined in Thematic Response #3.

   More information on this issue is contained in Appendix D including Figure 9 in that appendix, which shows the worst case exposures are limited to the areas immediately adjacent to SR 58. Please see Thematic Response #3 for further details regarding Air Quality.

4. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

5. Examination of Table 4.8-7 in the EIR shows that from a quantitative viewpoint the effect of truck traffic noise when compared to existing noise levels in Santa Margarita (the lower portion of the table) is relatively small. The largest increases in the Day-Night Average Noise Levels (Ldn), which is the Noise Element standard by which traffic noise levels are evaluated, are 1.9 dBA. An increase this small is generally not perceived. In addition, at most residences along SR 58 through Santa Margarita the Ldn values would remain below 60 dBA and would not be considered an impact. For this circumstance, however, the EIR concluded that the effect would be significant because there were two locations where the Ldn values would exceed 60 dBA, and because the nature of truck noise is episodic and likely to be perceived by some as very negative.

Even with significant and not mitigable impacts, however, it is appropriate for the County to identify and require all feasible mitigation measures. This is why, for this issue and others, there are mitigation measures identified even if the EIR conclusion is that the impacts cannot be entirely mitigated.

The truck route along SR 58 does pass "right next" to the elementary school property. The school building itself, however, is located 600 feet from the roadway and will not be adversely affected by truck noise. Relative to background traffic noise, the noise from trucks idling at a stop sign or at the railroad crossing will not be significant. Particularly at the railroad crossing – if a truck is stopped by a passing train, clearly the train will be the dominant noise source.

6. A description of the pedestrian facilities, or lack thereof, in Santa Margarita is provided starting on page 4.11-12 of the Draft EIR. The discussion of impacts regarding this issue begins on page 4.11-21. The issue of the elementary school crossing was considered carefully in the EIR, and the conclusion was that the project effects would be less than significant. This conclusion was based on several factors: (1) subsequent to the earlier EIR on the Santa Margarita Agricultural Residential Cluster Subdivision, additional warning signs and lights were installed at this location, (2) truck drivers have a greater visibility over the sloping roadway than passenger vehicle drivers, and (3) trucks generally have a slower speed on the approaches to this school crossing area. Although the impact was considered less than significant, the concern of residences regarding truck traffic was acknowledged in the Land Use discussion in the EIR (Section 4.14.6), and Applicant Proposed Measures to help reduce potential conflicts or concerns are described there.

   The other issue of pedestrian safety involved the crossing of SR 58 at Encina Street in downtown Santa Margarita. Mitigation measure TRAFFIC-2b includes improvements for the pedestrian crossing at this point.

7. This comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita in the event that "traffic backs up on Highway 58" (Estrada Avenue). The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El

Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

8. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

9. This comment presents general opposition to the project as proposed. All mitigation measures adopted in the EIR, including for Air Quality impacts, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

   No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.21 Unnamed

1. This comment presents general opposition to the project as proposed, including noise, air pollution, public health and property values, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.22 Robert Meek

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors, identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. This comment presents general opposition to the project's biological impacts, but does not indicate any deficiencies in the EIR. Table 4.5-6 in the EIR shows that the total area of oak woodland of all types that would be impacted by the project is approximately 2.1 acres, and the area of oak woodland to be preserved is 11.3 acres. As Lead Agency, the County believes that this preservation, which

is at a ratio of over 5:1 (as calculated from Figure 4.5-1: "Plant Communities Identified in LFR Survey"; 7.75 acres ÷ 1.55 acres = 5) for the area of oak woodland habitat being lost, is adequate mitigation. This preservation is consistent with Section 21083.4(b) (1) of the Public Resource Code (i.e., the "Kuehl bill") which authorizes mitigation of impacts to oak woodlands including: *"Conserve oak woodlands, through the use of conservation easements"*. No changes have been made to the text of the EIR, in response to this comment.

3. This comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita in the event that "traffic backs up on Highway 58" (Estrada Avenue). The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

4. This comment presents general opposition to the project as proposed and suggests existing quarries can meet the aggregate needs of the area, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

5. This comment presents general opposition to the project as proposed and suggests that significant impacts of the project should result in denial of the project, but does not indicate any deficiencies in the EIR. Approval or denial of the project will be determined by the County decision makers. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.23 Peter Kinkade

1. This comment presents generalized concerns for traffic, including noise, pedestrian safety and roadway wear, as presented in Section 4.11 of the Draft

EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.24 Peggy Lipe

1. This comment presents generalized concerns for traffic and land use compatibility issues, as presented in Sections 4.11 and 4.14 of the Draft EIR. However, the comments do not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to these comments. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.25 Marla Lipshin

1. This comment presents generalized concerns for traffic and land use compatibility issues, as presented in Sections 4.11and 4.14 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.26 Joe A. Lipe

1. This comment presents generalized concerns for traffic and the need for an additional quarry in this area, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.27 James Millenaar

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. This comment presents general opposition to the project's impacts on aesthetics and water supply, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.28 James L. Dick

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Please refer to Thematic Response #1 for further information regarding bicycle safety. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.29 James Ahern

1. This comment presents general opposition to the project as proposed and supports the alternative for alternative access through the existing Hanson quarry. The comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.30 David E. Martini

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.31 Roy Cinowalt

1. This comment expresses general support for the project and the Draft EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.32 Richard B. Walsworth

1. This comment expresses general support for the project. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.33 Paul V. Boe

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR, and supports an alternative access route. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment expresses concern about maintaining the groundwater table, and specifically mentions the use of "20,000 gallons per day for dust control" and potentially more water use if the project includes washing of aggregate. No information submitted with the project application, or presented in the Water Supply Assessment (Appendix F of the EIR), or in the EIR itself, indicates that dust control would require 20,000 gallons of water per day. The total estimate for water use by the project <u>for all purposes</u> is 5,500 gallons per day, of which the EIR assigns 4,000 gallons per day for dust control. The statement in the comment indicating use of 20,000 gallons per day for dust control does not appear to be supported by any evidence in the record on file with the County. The EIR concludes that the project use of shallow subsurface flow associated with the Salinas River will have a less than significant effect on groundwater (see the discussion associated with IMPACT WQ-3). The project does not propose use of water for washing or sorting aggregate material. This point is clarified in EIR Text Revision #8. No other changes are necessary in the EIR relative to this comment.

3. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

I.34 Kevin Christian1

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's and other commentors' concerns about bicycle operations along the proposed haul route. Please refer to Thematic Response #1 for further information regarding bicycle safety. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.35 Eric Booker

1. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for traffic safety, including sight distance, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.36 Carol Whitaker1

1. This comment presents generalized concerns for traffic, including roadway wear and pedestrian safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.37 Liliane Ganster

1. This comment presents generalized concerns for traffic, water and public health issues, as presented in the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.38 Alfred Sanchez

1. This comment presents general opposition to the project as proposed, including noise and dust, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.39 Bonnie J. Reeves1

1. Section 4.13 of the EIR states: *In summary, due to the reliable water supply provided by the Salinas River, and the nature of the topography and land uses within the La Panza Granitics region, potential cumulative impacts related to Water Quality and Supply are less than significant*.

   All mitigation measures adopted in the EIR, including Mitigation Measures MM WQ-1a and MM WQ-1a for water supply impacts, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The applicant will be required to maintain a truck log, available for review by the County. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

3. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.40 Sally Speers

1. This comment presents generalized concerns for traffic, including pedestrian and bicycle safety, as presented in Section 4.11 of the Draft EIR, as well as other issues documented in the EIR. However, the comment does not indicate

any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment."

The comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.41 Ted Mathiesen

1. The Draft EIR analysis of traffic effects related to trucks passing along SR 58 concluded that the effects relative to school traffic along Encina Avenue would be less than significant, and would not require any specific mitigation (see Impact 2a and related discussion). The Traffic Control Management Plan is a separate measure proposed by the applicant in response to expressed concerns from the community, as described in the Section 4.14 Land Use. That plan would include coordination with the Santa Margarita Elementary School to minimize truck traffic during school arrival and dismissal times, and would require annual revisions.

   Additional field observations were made by ATE as part of their peer review of the earlier work by TPG for the traffic analysis. The comment is correct in noting that rain or inclement weather may affect traffic operations. No changes are necessary in the EIR.

2. The County of San Luis Obispo, as Lead Agency, acknowledges that the San Luis Obispo Regional Transit Authority, as a separate public agency, may change its routes and schedules from time to time, to accommodate ridership patterns. The information presented on page 4.11-10 of the Draft EIR, as cited in this comment, was intended to provide background information only. The traffic analysis in general and traffic safety conclusions in particular, project certain growth in traffic on local roads, in accordance with regional traffic models. This analysis and these conclusions are unchanged by projected increases in transit levels. No changes in the EIR text have been made as a result of this comment.

3. This comment questions the ability of truck drivers, whose cabs are at a higher elevation, to see farther than drivers in automobiles. The descriptions in the EIR are based on field observations, discussions with trucking professionals,

discussions with crossing guard managers, and a review of the roadway and signage improvements installed along Estrada Avenue. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. Private operator trucks that may haul material from the quarry will be advised of any traffic flow restrictions that may be in place. Complaints about illegal parking by quarry trucks (see California Vehicle Code Section 22500 et seq) should be referred to the quarry operator if identifiable, or to the California Highway Patrol.

5. This comment presents generalized concerns for traffic and pedestrian safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

I.42 William York

1. This comment presents general opposition to the project as proposed, including water availability and traffic safety, but does not indicate any deficiencies in the EIR. With regard to water availability, Section 4.13 of the EIR states: *In summary, due to the reliable water supply provided by the Salinas River, and the nature of the topography and land uses within the La Panza Granitics region, potential cumulative impacts related to Water Quality and Supply are less than significant*. With regard to traffic safety, Section 4.11 of the EIR states: *Although trucks and truck drivers may not directly affect the safety of the school crossing, the presence of additional truck traffic might interfere with pedestrian views and the ability of crossing guards to see and take note of oncoming traffic. This potential interference with visibility at the school crossing is considered a less than significant impact, since the crossing is on a state highway and is consistent with the applicable Caltrans guidelines and standards.*

   No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.43 Fritz Carroll

1. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed this comment and reported

that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.44 Todd Beights

1. This comment presents generalized concerns for traffic safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. This comment appears to express support for Alternative 6.8 – ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY, as presented in Section 6.0 of the EIR. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.45 Pat Zimmerman

1. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed this comment and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy.58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. To amplify the point raised by this comment, which was also requested by the California Public Utilities Commission, the following paragraph is added to the end of the "California Regulations" narrative on page 4.11-14 of the Draft EIR:

   State Public Utilities Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. Completion and submittal of a General Order (GO) 88-B Request for Authorization will be required for any proposed work to the crossing along with appropriate project environmental documents per CEQA. The proposed mitigation measure of installing traffic signals at the El Camino Real/Estrada Avenue intersection falls under the criteria requiring a GO 88-B Authorization. Information on filing a GO 88-B

Request for Authorization can be found on the Commission's website: http://www.cpuc.ca.gov/PUC/safety/Rail/ crossings/go88b.htm.

I.46 Janet Bettencourt

1. This comment presents generalized concerns for traffic and cumulative traffic impacts, as well as noise and vibration, as presented in Sections 4.11 and 4.8 of the Draft EIR. However, the comments do not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to the comments. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.47 Richard Bettencourt1

1. This comment presents generalized concerns for traffic from Hanson Quarry during night hours. However, the comment does not indicate any deficiencies in the EIR itself. Section 2.0 – Project Description of the EIR states: *Operations and sales would take place between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday, which is approximately 250 days per year (excluding weekends and common holidays). During early morning hours (6:00 a.m. to 7:00 a.m.), activities would be limited to daily start-up activities and maintenance. There would be no blasting, operation of heavy earth moving equipment, rock processing, loading, or similar noisy activities during the early morning period.*

   These hours of operation will be enforced by the County through the Conditional Use Permit process.

   No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.48 Richard Bettencourt2

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the

CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment."

I.49 Peter Canvel1

1. This comment presents general opposition to the project as proposed, including impacts to traffic safety, noise, dust and water, but does not indicate any deficiencies in the EIR. Thematic Response#8 describes the Project Impacts to State Route 58 and County Roads. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.50 Michael C. Blank

1. This comment presents generalized concerns for traffic, including pedestrian safety and roadway maintenance, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Thematic Response #8 describes the Project Impacts to State Route 58 and County Roads. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicates very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

I.51 Ron McDonald

1. This comment presents generalized concerns for traffic, including roadway maintenance, as presented in Section 4.11 of the Draft EIR, and it expresses

support for alternative access though Hanson Quarry. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Reponses#8 describes the Project Impacts to State Route 58 and County Roads. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.52 Kelley Sutherland

1. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.53 Jeannette Watson

1. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.54 Gail Vanderlinde

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.55 Bill Kengel

1. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.56 Steve and Gena Sager

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Although "quality of life" is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

   No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Further information regarding the "800 Trips per day" calculation is presented in Thematic Response #4. No changes have been made to the text of the EIR, in response to this comment.

3. The address of the commenter is over one mile upstream along Moreno Creek from its confluence with the Salinas River. The well proposed for use by the project is along the Salinas River another 200 feet downstream from this confluence. The exact location or depth of the commenter's well is not public information, and there is no Statement of Diversion or Use on file with the State Water Resources Control Board for this area. Their well is presumably either near Moreno Creek drawing groundwater from shallow alluvium, or in a smaller drainage drawing groundwater from deeper fractured granitic rock. In either case, the removal of small volumes of riparian water from the Salinas River, which is supplied overwhelmingly by the watershed in the upstream Salinas River basin and not by Moreno Creek (as illustrated in Figure 4.13-3 of the EIR) will have no effect on groundwater at the upstream Moreno Creek location. The project would use approximately 5,500 gallons of water per day (including approximately 4,000 gallons for dust control), not the 20,000 gallons of use per day as stated in the comment. For these reasons, no project-related effects are anticipated; it is speculative to assign responsibility in the event that groundwater levels at the commenter's well decline. The limited capability of groundwater in the Parkhill Road area is noted in the Draft EIR on pages 4.13-5 and 6. No changes are necessary in the EIR.

I.57 Unnamed

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR, as well as numerous other issues documented in this EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.58 Margaret Graves

1. Distribution of Draft EIRs to State Agencies is administered by the State Clearinghouse, a division of the Governor's Office of Planning and Research. The County recommended distribution of the Draft EIR to the California Highway Patrol. The County of San Luis Obispo did not receive a response from the California Highway Patrol.

2. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed this comment and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. Construction of both solar projects in the Carrizo Plain will be completed before the quarry project is initiated.

4. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information. Treatment for silicosis would be similar; i.e., not a CEQA impact per se but rather an occupational health issue.

5. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA

Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

6. This comment presents generalized concerns for water supply, as presented in Section 4.13 of the Draft EIR. Please note Text Revision #8, which clarifies that aggregate washing is not proposed for this project. However, the comment does not indicate any deficiencies in the EIR itself. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

7. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR, and suggests that County decision makers drive Highway 58 at the proposed project site. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.59 Marie F. Tomasini

1. This comment identifies residences within 2 miles of the proposed quarry and presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note Thematic Response #5 in response to the comment about property values. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.60 Celeste Wilson

1. This comment presents generalized concerns for traffic, air pollution and public health issues, as presented in the Draft EIR. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

   The comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The

comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.61 Kelso Vidal

1. This comment suggests that if a project is approved it should adequately address project impacts, but the comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

2. The site is theoretically visible from US Highway 101 – that is, it is possible to show a line of sight from some segments of the highway to the highest elevations of the most northern ridgeline in the proposed quarry in its Phase 3 operations. The distance, however, is over 3.5 miles and the portion of the site that is visible occupies a subtended angle of only a fraction of a degree below a broad panoramic series of ridgelines with the same general appearance. For this reason, a photo simulation of a view from US Highway 101 would show little or no discernable change in the appearance of the ridgelines and hillsides. This description is also true for views from the public recreation areas along Cuesta Ridge, and from the residential development in the highest portions of the Garden Farms community. Distant, intermittent views are possible from these areas, but the project site occupies a very small area backdropped by a higher continuous line of vegetated hillsides. Given the very small relative area occupied by the project when viewed from these distances, photosimulations would show no substantial change in the views and the aesthetic effects of the project would not be considered significant from these locations. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

3. The Reclamation plan includes rounding and reducing slopes adjacent to the flat central area of the quarry, and revegetation of all slopes.

4. Figure 2.11 shows the final site configuration, describing erosion control procedures and indicating that all disturbed slopes and the flat central portion of the quarry would be revegetated with local native plant species. The effect of revegetation in reducing the visual contrast of the quarry slopes is illustrated in Figures 4.2-2d and 4.2-3d.

5. Consideration was given to the use of trees and taller vegetation offsite as a way to reduce visual impacts. Given the orientation of the property, and with an emphasis on views from SR 58, the most effective and feasible location for this location was found, and Mitigation Measure AES-1b and 1c require offsite landscaping.

6. The operation of trucks on the state highway was not considered to be a visual impact in the EIR. There are no County policies or Caltrans programs related to aesthetic impacts due to trucks or any other vehicles. The project would be required to contribute funds towards some traffic and pedestrian crossing improvements, which are consistent with the Santa Margarita Design Plan, but these funds are not intended for aesthetic purposes.

7. In addition to the eight local residential receiver locations in the project vicinity, the health risk assessment in the Air Quality section considered the effect of truck traffic through the town of Santa Margarita, and concluded that the potential effect would be less than significant. Please see Thematic Response #3 for further details regarding Air Quality.

8. Consideration was given to requiring the planting of additional oak trees to offset the loss of 44 trees by the quarry construction. The open space to be provided by the project, however, already has a substantial population of oak trees (estimated at 200) occupying suitable habitat present. The planting of additional oak trees in this area would not increase the habitat value, and would likely not increase the overall oak tree population. For this reason, the planting of replacement oak trees was not considered appropriate for this project.

9. Section 4.5-6 of the EIR states: 'The loss of habitat and indirect effects related to night-lighting, noise, and increased activity are the primary indirect impacts to wildlife. Preservation within permanent open space of 69 acres of habitat similar to that which will be lost by the proposed project, including areas well-removed from quarry activities, will provide mitigation of these effects.' No changes to the EIR are necessary.

10. Since noise is measured in decibels, which are on a logarithmic scale, noise levels do not increase linearly in proportion to the number of trucks present. Therefore, a doubling of the number of trucks does not represent a doubling of noise levels. For more detailed information on the numbers and types of trucks assumed on each roadway segment (based on Caltrans estimates of truck percentages) see Table E-2-2 in Appendix E of the EIR.

11. The statement questioned in the comment occurs in Section 4.8.5 of the EIR. It relates to noise levels from roadways and how they affect residential uses. The specific statement--if existing noise levels exceed the general standard of 60 dBA Ldn, then higher noise levels may be allowed as long as interior noise levels meet the applicable standard--is found in footnote 3 of Table 3-1 in the Noise Element. That entire table, including the footnote, is repeated in the EIR as Table 4.8-3.

Several of the additional mitigation measures suggested in this comment will have little or no effect in reducing noise levels from heavy trucks. These include the use of softer pavements and vegetative screening. The most important source of heavy truck noise is exhaust, not tire-roadway noise. Narrow strips of vegetative screening do little to reduce noise levels. The EIR considers an alternative access route (Alternative 6.8), which would reduce roadway noise levels at some locations, but not through the downtown area of Santa Margarita.

The areas in downtown Santa Margarita affected by noise levels in excess of 60 dBA Ldn are described as two locations, not two residences. There are a few (one to three) single family residences so affected, and approximately eight apartments. In practice, people cannot distinguish increases in noise levels less than about 3 dBA. Noise levels are continuously variable and influenced by distant sources, as well as wind and other factors. For this reason, increases of 2 dBA are frequently considered less than significant, although the County has determined that this is a significant impact due to the exceedance of the established threshold.

Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

12. Figure 4.8-1 shows the locations of the noise receptors analyzed in the project vicinity, and Figure 4.8-2 shows the typical residential locations in Santa Margarita that were analyzed. As explained in the text of the EIR, these locations are representative of worst case noise effects that will be caused by the project. Limited noise measurements were made by Dubbink and Associates, as described in their report in Appendix E of the EIR (on pages 14 and 21). These measurements were not used directly in any of the analysis, however, so they were not included within the EIR section. Existing and future noise levels at representative locations in Santa Margarita along SR 58, including J Street and Estrada Avenue (as shown in Figure 4.8-2), are provided in Table 4.8-7. Locations R8 and R9 were specifically chosen because they are residences closest to SR 58 and representative of homes at the east and west ends of the village area. The noise levels in Table 4.8-7 were computed at the yard or building edge locations for each receiver location, some of which were closer than 50 feet from the centerline of the roadway. The noise modeling for the village area assumed a speed of 45 miles per hour, which was chosen to represent a conservative (high) assumption in this area where the posted speed limit is 35 miles per hour.

With respect to the neighborhood park, no additional analysis is required. As shown in Table 4.8-3 of the EIR, the noise standard for outdoor recreation areas

is higher (70 dBA) than that for residential uses (60 dBA). None of the resulting noise levels at distances closer to SR 58 in Santa Margarita would exceed 70 dBA, so no impacts would occur at the park. No changes are necessary in the EIR.

13. The comment suggests that noise readings be revised to reflect a 50 foot distance from the edge of the travel way rather than from the centerline of the roadway. All of the common roadway noise model procedures are based on Reference Energy Mean Emission Levels published by the Federal Highway Administration and/or Caltrans, which analyze noise readings measured at a distance of 50 feet from the centerline of travel. (For example, see Caltrans, *Technical Noise Supplement*, November 2009: page 5-42). The procedures used in the EIR follow standard professional practice for roadway noise analysis. No changes are necessary in the EIR.

14. The EIR discussion mentions train noise as appropriate, but does not discount or reduce the consideration of traffic noise because of it. In fact, the train noise is substantial and important because it can occur at nighttime and interrupt sleep.

15. See Thematic Response #5 for a discussion of the CEQA requirements of EIR Recirculation.

16. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please note that Applicant Proposed Measure (APM) LU-1, in Section4.14 of the EIR addresses public safety concerns near Santa Margarita Elementary School. Please refer to Thematic Response #1 for further information regarding bicycle safety.

17. The project will be required to improve the pedestrian crossing at Encina Avenue in a manner that is consistent with the Santa Margarita Design Plan, but this mitigation measure is not intended to implement major components of that plan. While additional landscaping and improvements may be desirable, they would not reduce the physical changes or impacts caused by the project.

18. The health risk assessment considered a range of possible toxic air contaminants and health effects, including fine particulates, and determined that the most important and sensitive effect was the carcinogenic potential posed by Diesel exhaust. This "worst case" health effect was then analyzed in detail, and the assessment concluded that the effects through the Santa Margarita town area would be less than significant.

19. The County of San Luis Obispo, as lead agency, considers community reinvestment estimates to be too speculative for inclusion into the EIR. According to Section 15131 of the CEQA Guidelines, "economic or social information may be included in an EIR or may be presented in whatever form the agency desires...economic or social effects shall not be treated as significant effects on the environment…"

20. Since the overall market for aggregate material is dependent on general economic conditions and the demand for material, as opposed to the supply of material, the project is expected to have little or no effect on existing quarries. Since there are existing sources of aggregate nearby, it is unlikely that this project would attract new contractors or businesses to the area to any substantial degree.

I.62 Simone Smith

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. The comment suggests various reasons for the project to be denied. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents generalized concerns for traffic and pedestrian safety, as presented in Sections 4.11 and 4.14 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents generalized concerns for water supply, as presented in Section 4.13 of the Draft EIR. As noted in Text Revision #8, washing of aggregate is not proposed for this project. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

4. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

I.63 J. Olejczak, MITS

1. This comment presents concerns about impacts to Highway 58 (SR 58), as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please note Thematic Response #8 regarding impacts to Highway 58 (SR 58). Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.64 Kevin Gotchal

1. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment.

2. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment.

3. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. The project requires a discretionary approval (Conditional Use Permit) to allow the proposed use. This use may be approved or denied by the local decision making authority. No changes have been made to the text of the EIR, in response to this comment.

4. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.65 Dan Rich

1. This comment identifies concerns with traffic safety, noise levels, air quality and water use, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.66 Craig Kincaid

1. This comment presents general opposition to the project as proposed, including impacts to the natural landscape, but does not indicate any deficiencies in the

EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.67 Kristin Nibbe

1. This comment presents general opposition to the project as proposed, and expresses concerns about several items related to traffic safety, including the school zone, and the amount of water used for dust control. The specific issue related to the loads of heavy truck traffic on SR 58 is addressed in Thematic Response No. 8. All of the other traffic related items mentioned in the comment are addressed throughout Section 4.11 in the EIR. The project applicant will be required to provide fair-share funding towards intersection improvements at El Camino Real/SR 58 and Estrada Avenue (MM TRAFFIC-1a); to install pedestrian improvements on SR 58 at Encina Avenue (MM TRAFFIC-2b); and to provide fair-share funding towards improvements in the vicinity of the school crossing (Estrada Avenue and H Street – MM TRAFFIC-4). With respect to other issues mentioned (crossing yellow lines, and slow truck traffic) the project was found not to have any significant impacts.

   There is no record of planned use of 20,000 gallons per day as stated in the comment—the estimated water use <u>for all purposes</u> by the project is 5,500 gallons per day, and this use is not considered a significant impact. No changes are necessary in the EIR. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.68 Charles Kleemann

1. References to 800 truck trips per day have been clarified in the EIR. See Thematic Response #4 and Text Revision #10.

2. Receiver locations chosen for both the air quality and noise analyses were residential locations nearest the project site that were most likely to be affected by the proposed quarry operations. The locations of additional residences, farther south along SR 58 and farther east along Parkhill Road, is recognized in the EIR but environmental effects at those locations will be less than those identified at the identified receiver locations. A "more comprehensive" mapping, as suggested by the comment, would not alter the conclusions in the EIR. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.69 Scott Dubrul

1. This comment presents generalized concerns for traffic, including the safety of trucks on Highway 58, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.70 Guy Rathbun

1. This comment presents generalized concerns for air quality, as presented in Section 4.3 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.71 David Edwards

1. This comment presents general opposition to the project as proposed and supports the No Project Alternative, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.72 Bonnie Reeves2

1. This comment expresses general opposition to the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.73 Annette Rathbun

1. This comment presents generalized concerns for traffic, including potential conflict with trucks and other highway users, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please see Thematic Response #1 for further discussion on interactions with bicyclist on SR 58.

2. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The project requires a discretionary approval (Conditional Use Permit) to allow the proposed use. This use may be approved or denied by the local decision making authority. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.74 Julie Dubrul

1. This comment presents generalized concerns for traffic, including trucks on Highway 58, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.75 Tor Swanson

1. All of the assumptions, input data, and calculations used to prepare the Air Quality Appendix (Appendix D) were provided within an Excel Workbook.

   Please see Thematic Response #4 and Text Revision # 10 for clarification of the 800 trips per day assumption, and Thematic Response #3 for more information about Air Quality analysis and mitigation.

2. This comment expresses general concern for cumulative effects of the project; but no deficiencies in the Draft EIR are noted. A discussion of cumulative impacts of the proposed project is presented in Section 5.0 of the EIR as well as part of the individual impact discussions. No changes have been made to the text of the EIR, in response to this comment.

3. This comment appears to express opposition to the magnitude of the project but no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.76 Thaddeus Chapman

1. This comment presents general opposition to the project as proposed, including economic impacts and other impacts to the land, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to

the decision makers through the Final EIR for their consideration during the decision making process.

I.77 Leslie Donahue

1. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

   The amount of water estimated for dust control is 4,000 gallons per day. As explained in some detail in the Water Supply Assessment (Appendix F of the EIR), and in the discussion associated with IMPACT WQ-3 in Section 4.13.6 of the EIR, the project will not impact groundwater supplies that support local businesses and residents. No changes are necessary in the EIR.

2. This comment presents generalized concerns for traffic safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

   No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.78 Baxter Trautman

1. This comment presents generalized concerns for traffic, and the use of Highway 58 by large trucks, as presented in Section 4.11 of the Draft EIR. The comment also expresses concerns for the economy of Santa Margarita. In response, although Santa Margarita economy is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Overall, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. This comment appears to support Alternative 6.8 ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY and Alternative 6.7.3 ALTERNATIVE QUARRY DESIGN – NARROW CUT ALTERNATIVE. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.79 Sharon Drake

1. This comment presents generalized concerns for traffic, including traffic safety at the school crossing, and at El Camino Real/SR58. The analysis for these issues is presented in Section 4.11 of the Draft EIR (pages 4.11-21 and 4.11-22), and the comment does not indicate any deficiencies in this analysis. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.80 Don Lampson

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Information regarding bicycle use along SR 58 is found in Thematic Response #1. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.81 Hal Wilson

1. This comment presents generalized concerns for water supply, as presented in Section 4.13 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment expresses general opposition to the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment.

I.82 W. Patrick Edwards

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. There is no proposal to change the zoning. This use is allowable in the current zoning designation subject to approval of a Conditional Use Permit and a Reclamation Plan. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.83 Gregg and Candice Rolfsmeyer

1. This comment presents general opposition to the project as proposed and support the No Project Alternative, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.84 Karen Lisi

1. This comment presents general opposition to the project as proposed and support of the No Project Alternative, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.85 Mark Elliott

1. Please see Thematic Response #4 and Text Revision #10 for clarification of the 800 trips per day discussion.

2. The effect of traffic being diverted along I Street through Santa Margarita was not evaluated in the EIR. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicates very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn

along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

3. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. The health risk assessment was expanded to cover the Santa Margarita village area, and the results were summarized by presenting the worst case point from this area, along with receptor points closer to the project site in Table 4.3-9 of the EIR. Additional information is available in the Air Quality Appendix (Appendix D), and Figure 9 in Appendix D shows the results of the health risk assessment from diesel exhaust emissions in the Santa Margarita village area.

5. The paragraph under Operational Details in Section 2.3.1 explains that crushing would occur with portable equipment brought onto the site up to four times per year, with a maximum use of four weeks per quarterly event up to 100 days per year. These were the assumptions used in the Air Quality analysis. Please see Thematic Response #3 for further details regarding Air Quality.

6. The project is not electrified. Appendix D includes non-road emissions from an 800 hp portable generator under the assumption that both recycle and aggregates processing plants would not operate concurrently (i.e., there is only one generator on-site at a time). If the recycle and aggregates processing plants are eventually electrified, then the emissions would be less than those in the DEIR which is a conservative approach. Finally, the GHG emissions are not a significant impact of the project. Therefore, there is no need for electrifying the plants solely on the basis of GHG impacts and no change to the text of the DEIR is necessary. Please see Thematic Response #3 for further details regarding Air Quality. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

7. The project application made no mention of a railroad spur; the EIR does not address a railroad spur.

I.86 Teresa Harback

1. This comment presents generalized concerns for traffic safety and the industrial character of the project, as presented in the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The project requires a discretionary approval (Conditional Use Permit) to allow the proposed use. This use may be approved or denied by the local decision making authority; they will base their decision, in part with consideration of compatibility with the surrounding land uses as well as traffic safety. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment presents generalized concerns for noise impacts, including blasting and transportation noise, as presented in Section 4.08 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents generalized concerns for respiratory ailments related to air quality, as presented in Section 4.03 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. In addition, please note Thematic Response #2, which relates to Valley Fever. No changes have been made to the text of the EIR, in response to this comment.

4. The existing regulatory requirements that address the maintenance of water quality are presented in Section 4.13.3 of the EIR. Potential water quality impacts due to the proposed mining activities are specifically addressed as IMPACT WQ-1 in Section 4.13.6 of the EIR, which includes mitigation measures MM WQ-1a, WQ-1b, and WQ-1c. Aggregate washing is not proposed as part of the project (see EIR Text Revision No. 8), and the amount of water estimated for dust control is 4,000 gallons per day, not the 20,000 gallons per day stated in the comment. As explained in some detail in the Water Supply Assessment (Appendix F of the EIR), and in the discussion associated with IMPACT WQ-3 in Section 4.13.6 of the EIR, the project will not impact groundwater supplies that support local businesses and residents. No changes are necessary in the EIR.

5. This comment presents general opposition to the project as proposed and its industrial nature, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.87 Hal and Cindy Wilson

1. This comment presents general opposition to the project as proposed, including traffic, pedestrian and bicycle safety as presented in Section 4.11 of the Draft EIR, but does not indicate any deficiencies in the EIR. Thematic Response#1 addresses bicycle safety issues. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.88 Mary and Harry Harlow

1. This comment presents generalized concerns for blasting and truck traffic related noise, as presented in Section 4.8 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response#1 addresses bicycle safety issues. The 90 degree turn at J Street is addressed in Section 4.11 of the EIR. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents general opposition to the project as proposed due to their experience with the existing Hanson Quarry, but the comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.89 Mary Burkhardt, R.N.

1. This comment presents general public health concerns associated with the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

   As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the

environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the San Luis Obispo County Air Pollution Control District. Further, this Appendix states:

   Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.

3. This comment presents generalized concerns for noise impacts associated with blasting, heavy equipment and gravel trucks, as presented in Section 4.08 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

I.90 George Sullivan

1. This comment appears to relate to the implications of denying the proposed project. The analysis of the "No Project Alternative" is presented in section 6.5 of the EIR.

2. This comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.91 Louis Vetter

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors' identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety. Please note the comments expressed herein will be forwarded to the

decision makers through the Final EIR, for their consideration during the decision making process.

I.92 Michelle Edwards

1. This comment presents generalized concerns for traffic and bicycle safety, as presented in Section 4.11 of the Draft EIR, and supports the No Project Alternative. With regard to emergency vehicle access, on February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site."

   The comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.93 Larry and Mary Dubrul

1. This comment presents general opposition to the project as proposed, including increased traffic in their neighborhood and water usage, but does not indicate any deficiencies in the EIR. Aggregate washing is not proposed as part of the project (see EIR Text Revision No. 8), and the amount of water estimated for dust control is 4,000 gallons per day, not the 20,000 gallons per day stated in the comment. As explained in some detail in the Water Supply Assessment (Appendix F of the EIR), and in the discussion associated with IMPACT WQ-3 in Section 4.13.6 of the EIR, the project will not impact groundwater supplies that support local businesses and residents. No changes have been made to the text of the EIR, in response to this comment.

2. This comment appears to express support for 6.8 ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY, but also suggests all trucks should head north to Santa Barbara Road. No changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.94 Brent R. Sheffler

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself.

With regard to monitoring, all mitigation measures adopted in the EIR, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code.

Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.95 Maritza Almquist

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.96 Nancy Greene

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

2. There are two components related to the monitoring of emissions from heavy trucks associated with the project. First, the composition of the vehicle fleet used by the quarry must include modern (post 2007) engines, even if not required by other regulations. This is part of mitigation measure MM AQ-1a, and would be part of a broader program of emissions control and offsets developed by the applicant, to the satisfaction of the San Luis Obispo APCD, and reported to the County Planning and Building Department prior to issuance of a notice to proceed. Second, is the issue of whether or not the trucks comply with the emissions controls applicable to them, based on their size, year of manufacture and other requirements. Just as automobiles are subject to smog check requirements, heavy duty trucks must also pass periodic inspections and are also subject to spot checks. The requirements for these inspections are found

in the California Code of Regulations at 13 CCR 2190-2194 (for periodic inspections) and 13 CCR 2180-2189 (for spot checks).

3. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. If a project is approved where significant impacts exist, a statement of overriding considerations must be made by the decision makers. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.97 John Capela

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.98 Ralph Argano

1. This comment presents general opposition to the project as proposed, including noise and traffic related impacts, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. With regard to Valley Fever health issues, please note Thematic Response #2.

   Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. Although SR 58 does handle a steady volume of truck traffic related to local activities and the truck service centers located in the town, this route will not become a major regional truck route as suggested in the comment. SR 46 through Paso Robles is the major east-west highway and truck route connecting San Luis Obispo County with the Central Valley.

3. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Although tourism is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects

on the environment." Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. As the comment notes, although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

5. Measures to control dust generation at the quarry site itself are outlined in mitigation measure MM AQ-1b. The San Luis Obispo APCD has also commented that the project will be subject to Rule 401, which addresses fugitive dust generation from any source, and Rule 402, which relates to causing a nuisance in general (see comment and response Number R.02-17). Further, California Vehicle Code Section 23114 contains certain requirements for covering vehicles hauling aggregate materials.

   The Santa Margarita Elementary School mentioned in the comment is located over two miles to the southeast of the project. The school itself is located about 600 feet from Estrada Avenue (SR 58).

6. This comment presents generalized concerns for traffic, and safety of other users of Highway 58, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

I.99 Rebekah Ray (Hathorn)

1. This comment presents general opposition to the project as proposed, including increased truck trips and the resulting increased pollution, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.100 Kathleen Douglas

1. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed this comment and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for traffic, including off-tracking and sight distance at the quarry entrance, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response#1 discusses bicycle compatibility issues. No changes have been made to the text of the EIR, in response to this comment.

3. As the comment notes, although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.101 Rob Zeszotarski

1. Assuming the maximum quarry production of 500,000 tons per year, results in a truck passing a given point in one direction along the route approximately once every 4.4 minutes. The existing traffic volume along the segment of SR 58 mentioned in the comment (between the project driveway location and Santa Margarita) is listed in Table 4.11-1 of the EIR as 925 vehicles per day. At the proposed project driveway, the estimated delay time for the morning peak hour would be 9.2 seconds (EIR Table 4.11-9). In the same table, the existing morning peak hour delay time at the intersection of SR 58 and West Pozo Road is 9.3 seconds. On average, this delay time will increase to 9.4 seconds with the project. The distance from the project site to Estrada Avenue along SR 58 is 3.2 miles, and the driving time is approximately 5 minutes. If a car remained behind a slower moving truck along this route, the driving time would increase to 6-7 minutes. The traffic impact analysis prepared for the project used standard methods prescribed by Caltrans and the County Department of Public Works, and based its conclusions on the increased intersection delay times (for surface streets) and traffic density (for US Highway 101). Based on these procedures, the effects of the increase in truck traffic from the project would be less than significant.

   No changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The traffic impact analysis prepared for the project used standard methods prescribed by Caltrans and the County Department of Public Works, and based its conclusions on the increased intersection delay times (for surface streets) and

traffic density (for US Highway 101). Based on these procedures, the effects of the increase in truck traffic from the project would be less than significant.

3. This comment appears to disagree with the Project Objectives listed in Section 1.3 of the EIR. Please note that Section 6.6 of the EIR analyzes Alternative 6.6.1 "Expansion of Existing Quarries." No changes are necessary in the EIR.

I.102 Anne and Don Wheeler

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.103 Al Martinez

1. Traffic generation is addressed in Section 4.11 of the EIR. For the specific traffic issues where the project will cause a potential significant impact, as determined by standard procedures in use by Caltrans and the Public Works Department, mitigation in the form of improvements or a fair share contribution towards improvements is required. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

2. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

3. This comment presents generalized concerns for water supply, as presented in Section 4.13 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.104 Barbara Cully

1. This comment expresses general support for the project; no deficiencies in the Draft EIR are noted. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.105 Steve Williams

1. SR 58 can handle the addition of 273 truck trips per day because it is a two lane prime arterial roadway capable of handling approximately 2,000 passenger cars per hour per lane (2010 Highway Capacity Manual, page 4-10). Peak hour traffic counts on SR 58 through Santa Margarita showed a maximum of 475 vehicles per hour in the morning peak hour during 2009. Thus, there is substantial unused capacity in the roadway. Since the actual capacity of a roadway system is determined more by the function of intersections, the traffic analysis for the project focused on the analysis of delay times at intersections. In all instances, the addition of the project generated traffic to existing volumes did not result in a significant effect, based on the level of service criteria used by the County and Caltrans. Impacts under future conditions were identified, however, and it is recognized that the existing configuration of the intersection of Estrada Avenue and El Camino Real requires signalization regardless of the traffic volume through it. For this reason, the project will be required to provide fair share funding towards improvements at this intersection.

   Issues of safety and potential interference with other modes of transportation are addressed independently of the roadway capacity issue.

2. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed this comment and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy.58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment.

3. The actual measured distance from the stop sign and line to the nearest rail on the railroad tracks is over 70 feet – adequate for an aggregate truck (a "double") to be stopped without extending onto the tracks.

4. Addition of truck traffic is not expected to adversely affect operations along Estrada Avenue, based on standard measures for the level of service. It is recognized, however, that public concerns regarding safety are valid and this

issue is addressed in section 4.14 of the EIR as a topic of land use compatibility. The applicant has proposed several measures to address this issue, including coordination with the elementary school operations to avoid truck traffic along Estrada Avenue during times then students are arriving and departing the school.

5. The traffic analysis included the intersection of the access driveway and SR 58, and indicated during the morning peak hour the delay for eastbound traffic would be three seconds, which is considered LOS A. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

6. Section 4.11 of the EIR clearly identifies Caltrans as the agency responsible for traffic safety along State Route 58. Caltrans has not identified this corridor as "unsafe"; in fact, a number of measures are identified in the EIR to ensure this safety. For example, the EIR provides the following information:

California Regulations

The California Vehicle Code (starting at Section 1500 Commercial Motor Vehicle Safety Program, and starting at Section 34600 Motor Carriers of Property Permit Act) adopts federal standards and requirements related to the safe operation of heavy trucks. Hazardous material transport is addressed in Section 32000. Size, weight, and load requirements start at Section 35400. California cannot prohibit trucks that meet federal standards for size and weight from traveling on state highways. The state identifies and publicizes "advisory routes" (also called yellow routes) where trucks with a KPRA length over a specified limit (typically 30 feet) may not be able to stay within the defined travelled lane through curves on the highway segment. Caltrans and the California Department of Motor Vehicles oversee the state permit and licensing requirements for heavy trucks, and the California Highway Patrol inspects and enforces regulations.

The specific issue of hauling aggregate loads and their enclosure requirements is addressed in Vehicle Code Section 23114. This section includes a general prohibition against allowing any part of a load to be lost, and include covering requirements. For aggregate loads, a top covering or tarp is not required if the load meets specified freeboard requirements (no part of the load may extend to within six vertical inches of the top of the enclosure).

The California Streets and Highways Code, starting at Section 670, establishes the permit procedure to allow encroachments into the state highway right-of-way. Such permits are necessary for the construction of driveways or any other improvement that will affect the right-of-way, and are obtained from Caltrans.

SR 58 Curve on J Street. *The issue of truck traffic from the proposed Oster/Las Pilitas Quarry, and its potential effect on the SR 58 and other roadways, was considered by reviewing agencies during the scoping period for this EIR and during preparation of the EIR itself. Although residents and others have raised a concern about the safe operation of trucks through the 90-degree curve, for several reasons the quarry related truck traffic represents a less than significant effect relative to traffic operations at this curve location. These reasons are as follows:*

- *The radius of curvature for the roadway at this location is adequate to accommodate large trucks within the travelled lanes, with possible use of the paved shoulder by some trucks, without "offtracking" outside of the travelled lanes (see Figure 4.11-5).*
- *The truck traffic volume from the proposed quarry would contribute approximately 38 peak hour truck trips.*
- *Truck traffic is generally slower than the passenger vehicles from residential uses.*
- *Truck drivers have an elevated driving position providing better forward vision when compared to most passenger vehicles.*

For these reasons, the effect of the project related truck traffic on the safe highway operations at the 90-degree curve are considered less than a significant impact.

No changes have been made in the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

7. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

8. The County has coordinated analysis with Caltrans throughout the preparation of the EIR. Please note Comment Letter #S.02 from Adam Fukushima, CALTRANS District 5, as well as the County's response to Mr. Fukushima's letter.

I.106 Brian Wilkinson

1. This comment presents generalized concerns for traffic along the Highway 58 corridor, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.107 Breezy Martin

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.108 Peg Grady

1. This comment identifies numerous local businesses and presents generalized concerns for traffic and noise, as presented in Sections 4.11 and 4.08 of the Draft EIR. The comment makes references to numerous other potential impacts including air, water and the beauty of the countryside. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.109 Kevin Dowling

1. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

Treatment for silicosis would be similar; i.e., not a CEQA impact per se but rather an occupational health issue.

2. The EIR discusses the use of water for dust control and other purposes on pages 4.13-11 through 12, and the Water Supply Assessment (Appendix F) provides additional information. The project would use shallow groundwater adjacent to the Salinas River for dust control, and this use will not affect groundwater levels along Parkhill Road or in other areas in the project vicinity. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. The project would be subject to San Luis Obispo APCD Rule 401, which prohibits the release of visible plumes of dust. Monitoring of compliance with this rule, as well as with all of the mitigation measures and conditions placed on the project, will occur through a combination of operator reports to County staff, inspections by County staff, and responses to any complaints received. Response No. R.02-17 and Thematic Response #3 contain more information regarding the APCD requirements.

I.110 Paul and Shelley Boe

1. The comment identifies concerns about traffic near the school, and appears to express support for Alternative 6.8 – "ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY," but does not indicate any deficiencies in the EIR's analysis. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. Water estimated for dust control is approximately 4,000 gallons per day, not 20,000 as stated in the comment. The project will not have a significant effect on the water table used by the community of Santa Margarita, which is discussed in the Draft EIR on page 4.13-5.

3. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

I.111 Jon Minnick

1. This comment appears to express support for Alternative 6.8 – "ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY," including the construction of a bridge over the Salinas River, but does not indicate any deficiencies in the EIR's analysis. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed, including traffic, health hazards and water shortages, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.112 Greg and Michelle Jenkins

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR and air quality, as presented in Section 4.03. However, the comment does not indicate any deficiencies in the EIR itself. Bicycle safety issues are presented in Thematic Response #1. Air Quality impacts and mitigation measures are described in Thematic Response #3. No changes have been made to the text of the EIR, in response to this comment.

2. Water use by the project is estimated at 4,000 gallons per day for dust control, plus 1,500 gallons per day for irrigation and other uses, not 20,000 gallons per day as stated in the comment. Additional information related to the basis for the estimates is provided in Response O.14-4. No significant effect is expected on the Salinas River, as discussed on pages 4.13-11 and 12 of the Draft EIR. The minimum surface flow in the Salinas River of 800 AFY which is an average of over 700,000 gallons per day. No changes are necessary in the EIR.

3. The traffic analysis does not use the term "acceptable fatalities." This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR and air quality, as presented in Section 4.03. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

4. The County acknowledges that the project site is within the region occupied and used by the Chumash. Based on the results of the cultural resource survey report (Heritage Discoveries Inc., 2009), on file at the County Department of Planning and Building, the proposed quarry location does not contain an archaeological site or resource as the terms are used in the CEQA Guidelines (Section

15064.5(c)). The cultural resource survey report indicates that the project site is not an area likely to contain Native American resources – no artifacts or other evidence of Native American occupation were found and the quarry site itself includes very steep topography covered mainly with chaparral vegetation (see Section 4.15.1 of the EIR).

5. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.113 Tamra Harvey

1. This comment presents general opposition to the project as proposed, including health concerns traffic and emergency response, but does not indicate any deficiencies in the EIR. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.114 Gustavo Prieto

1. This comment presents generalized concerns for traffic, including cumulative impacts from solar projects on the Carrizo plain, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Thematic Response#1 addresses bicycle safety issues. The solar projects being constructed on the Carrizo Plain will be complete before the project is implemented. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.115 Deborah Serra

1. This comment presents generalized concerns for traffic safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself.

As noted in Section 4.11 of the EIR:

> *Caltrans lists SR 58 from J Street eastward as a 30-foot kingpin-to-rear-axle (KPRA) advisory route. This listing means that trucks with a longer KPRA length may not be able to remain within their travel lane. Such trucks may still legally use the highway, but their drivers may be subject to ticketing by the Highway Patrol if the trucks move outside of their travel lanes ("offtrack").*

This EIR narrative summarizes information from a Caltrans publication, "Truck Sizes and Routes", which states:

> ***California Legal (State) -- Yellow Routes:*** *Some California Legal routes are called "advisory routes." Ca Legal Advisory routes are illustrated as yellow routes on the State Truck Route Map. These routes allow California Legal trucks, which are allowed a maximum KPRA length of 40 feet; however, truckers are advised not to use advisory routes unless their KPRA is less than 40 feet. The advised length is posted on the sign, and could be 30, 32, 34, 36, or 38 feet. The most common KPRA advisory is 30 feet. The "Advisory" route sign (SW48(CA)) is illustrated below:*[sign illustration presented here]
>
> *The advisory system was created because Caltrans is prohibited from restricting the KPRA on these routes. A truck with a KPRA longer than that posted may not be able to stay in its lane. <u>Although California Legal trucks may legally travel on advisory routes, the driver is still legally responsible for unsafe offtracking, such as crossing the centerline or driving on shoulders, curbs and sidewalks</u>*. (emphasis added)

In other words, whether or not a particular truck actually crosses the double parallel solid yellow line is a function of driver action, and a matter for law enforcement of the California Vehicle Code. The potential for this action is not considered to be a substantial adverse change in the physical environment, and is not considered a significant impact in the EIR for this reason.

No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.116 Natalie Birkhahn

1. This comment presents general opposition to the project as proposed, including impacts to quality of life, water, and safety, but does not indicate any

deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.117 Jeffrey Goldenhersh

1. This comment presents general opposition to the project as proposed, including quality of life and increased truck traffic, but does not indicate any deficiencies in the EIR. Air Quality impacts and mitigation measures are described in Thematic Response #3. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for respiratory ailments and general health concerns related to air quality, as presented in Section 4.03 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Air Quality impacts and mitigation measures are described in Thematic Response #3.

   According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "<u>significant but mitigable</u>" or "less than significant" – Class II.

   The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency.

   In addition, please note Thematic Response #2, which relates to Valley Fever. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.118 Vance L. Ray

1. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety. The comments expressed herein will be

forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.119 Carolyn Le-Fort

1. This comment presents general opposition to the project as proposed, including traffic, pedestrian safety, noise and dust, but does not indicate any deficiencies in the EIR. Mitigation Measure MM TRAFFIC-2b requires a pedestrian crossing at Encina Avenue. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.120 Gary Havas

1. This comment presents general opposition to the project as proposed, including noise dust, traffic and impacts to bicyclists, as presented in the EIR but does not indicate any deficiencies in the EIR. Thematic Response #1 addresses bicycle safety issues.

   With regard to the Wildflower ride, Section 4.14 of the EIR presents an "Applicant Proposed Measure", which will be required through the Conditional Use Permit process, as follows:

   APM/LU-1a: Prior to any commercial production or sales at the quarry, the Applicant shall prepare and submit a Traffic Control and Management Plan (TCMP) which be updated and resubmitted annually no later than July 1 of each year. The TCMP shall ensure that trucks arriving at or leaving the quarry reduce conflicts with peak pick-up and drop-off and bus arrival/departure times at Santa Margarita Elementary School, and also that truck traffic will not be active on the day of the annual Wildflower Ride. The Applicant shall obtain school start and end times from the Atascadero School District prior to July 1 of each year and shall coordinate with the San Luis Obispo Bike Club to determine the date of the Wildflower Ride for each year.

   No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.121 Sally Speers

1. This comment presents general opposition to the project as proposed, including community character, noise, traffic safety, and air quality, as presented in the

EIR. Refer to response I.115 above for additional information about the SR 58 advisory. The local decision makers will determine compatibility with the character of the community as part of the public hearing process. However, the comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.122 Sharon Sutliff

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety. The comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.123 Kirk and P.J. Robertson

1. This comment presents general opposition to the project as proposed, including impacts to Santa Margarita, railroad safety pedestrian safety, bicycle safety, emergency access and increased traffic. All of these issues are addressed in this EIR; the comment does not indicate any deficiencies in this analysis. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.124 Lisa Langers

1. This comment appears to express concern for the reclamation of the Site, once aggregate mining has been concluded. Please be advised that the Reclamation Plans for the quarry, including effective landscaping, are comprehensively governed by State law and regulations (Sections 2710-2795, California Public Resources Code). Further, In accordance with Sections 22.01.050 (D) (4) and 22.01.070 of the San Luis Obispo County Land Use Ordinance, all revegetated areas shall be permanently maintained in perpetuity. The applicant/quarry operator shall provide a financial guarantee to ensure completion of the reclamation plan, including monitoring and maintenance to demonstrate that vegetation has been self-sustaining without irrigation for a minimum of two years prior to release of the final assurance. These requirements are presented in

Section 4.01 of the EIR (Mitigation Measure AES-1a); no changes to the EIR are necessary.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. Cumulative impacts are discussed in Section 5.0 of the EIR as well as the individual impacts discussions found in Section 4.01 to 4.13. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. As stated in Section 4.11 of the EIR, "the specific issue of hauling aggregate loads and their enclosure requirements is addressed in Vehicle Code Section 23114. This section includes a general prohibition against allowing any part of a load to be lost, and include covering requirements. For aggregate loads, a top covering or tarp is not required if the load meets specified freeboard requirements (no part of the load may extend to within six vertical inches of the top of the enclosure)."

   In other words, "loose rock coming off trucks," as mentioned by the comment, appears to be a violation of state law, and not a direct result of the proposed quarry itself. No changes have been made to the text of the EIR, in response to this comment.

4. This comment presents generalized concerns for water quality and water supply, as presented in Section 4.13 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

5. These comments present general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Significant impacts have been identified for numerous issue areas including visual resources. Impacts associated with wildlife are discussed in Section 4.05 of the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.125 Peter Canvel2

1. This comment presents general opposition to the project as proposed, and identifies numerous concerns with the proposed project, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.126 James Patterson

1. Upon further discussion with County staff, the applicant has clarified that washing (i.e., wet processing) is not required for any of the aggregate materials produced by the Quarry, and this process is therefore not evaluated in this EIR. In the event that aggregate material washing is proposed in the future, additional CEQA review would be required. Text Revision #8 clarifies this issue throughout the EIR.

2. This comment presents generalized concerns for impacts to Highway 58, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please note Response #8 – Project Impacts to State Route 58 and County Roads. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

3. This comment presents generalized concerns for bicycle safety along the proposed haul route, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. The Santa Margarita Ranch project is mentioned throughout the EIR, particularly in the Traffic analysis presented in Chapter 4.1. As just one example, on page 4.11-34, IMPACT TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes states: "*The project will contribute towards future (2030) traffic volumes including trips associated with the development of the Santa Margarita Ranch Agricultural Residential Cluster Subdivision, that will degrade the LOS at the intersection of Estrada Avenue (SR 58) and El Camino Real, and at the intersection of Estrada Avenue and H Street (location of the Santa Margarita Elementary School pedestrian crossing).*"

5. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. Please refer to Thematic Response #1 for further information regarding bicycle safety.

6. All mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, will comply with this requirement, through incorporation of these measures as conditions placed on the Conditional Use Permit. According to Section 22.62.060 of the County Land Use Code, non-compliance with the conditions

placed on a Conditional Use Permit is a violation of the County Code, and the permit is subject to revocation.

7. This comment presents generalized concerns for air quality, as presented in Section 4.03 of the Draft EIR. The San Luis Obispo County Air Pollution Control District (APCD) has indicated off-site mitigation of air quality impacts (including NOx+ROG, as well as PM10) can and should be incorporated into the project, to reduce the project emissions below a level of significance. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

   The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #27 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable".

   No changes have been made to the text of the EIR, in response to this comment.

8. The total estimate for water use by the project for all purposes is 5,500 gallons per day, of which the EIR assigns 4,000 gallons per day for dust control. As noted in Chapter 4.1 and Thematic Response #3, the County of San Luis Obispo defers to the San Luis Obispo County Air Pollution Control District to determine best management practices for dust control measures. This information is presented in detail in Section 2.4 of the "SLOAPCD CEQA Air Quality Handbook" referenced in Chapter 4.1 of the EIR (reference: SLO APCD. 2012. CEQA Air Quality Handbook, A Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review. Air Pollution Control District, San Luis Obispo County, San Luis Obispo, CA).

   Appendix 4.3 of the SLO County APCD CEQA Air Quality Handbook (April 2012) lists a number of Dust Suppressants approved by the Air Pollution Control District. Further, this Appendix states:

   > *Suppressants are often used in combination with other APCD recommended control methods to minimize fugitive dust emissions. Other methods include:*

1) *Paving and then maintaining to applicable standards thus replacing need for suppressants and other control methods;*

2) *Implementing and maintaining design standards to ensure vehicles speeds on unpaved areas are physically limited to a posted speed limit of 15 mph or less; and*

3) *For special events, site parking areas in grass or low cut dense vegetative areas that are adequately irrigated to minimize fugitive dust emissions.*

SLO County APCD used a 2002 San Joaquin Valley APCD list of dust suppressants as the starting point for the list presented below. Products that could not be readily found were removed from the list. This SLO County APCD list also streamlines the SJVAPCD list by removing hygroscopic products and all but one of the petroleum based products from the SJVAPCD list. A petroleum based method (chipseal) and three polymer products (Dust Binder, Gorilla-Snot, and Soiltac) were added to the list.

Any chemical or organic material used for stabilizing solids shall not violate the California State Water Quality Control Board standards for use as a soil stabilizer. Any dust suppressant must not be prohibited for use by the US Environmental Protection Agency, the California Air Resources Board, or other applicable law, rule, or regulation.

Please see Thematic Response #3 for further details regarding Air Quality. Since no deficiencies in the EIR's analysis were noted by this comment, the EIR has not been changed.

9. All mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, will comply with this requirement, through incorporation of these measures as conditions placed on the Conditional Use Permit. According to Section 22.62.060 of the County Land Use Code, non-compliance with the conditions placed on a Conditional Use Permit is a violation of the County Code, and the permit is subject to revocation.

10. The Reclamation Plans for the quarry, including effective landscaping, are comprehensively governed by State law and regulations (Sections 2710-2795, California Public Resources Code). The applicant's Reclamation Plan

application proposes "local native plant species" to be planted in the areas disturbed by the quarry construction, once production is completed. Further, in accordance with Sections 22.01.050 (D) (4) and 22.01.070 of the San Luis Obispo County Land Use Ordinance, all revegetated areas shall be permanently maintained in perpetuity. The applicant/quarry operator shall provide a financial guarantee to ensure completion of the reclamation plan, including monitoring and maintenance to demonstrate that vegetation has been self-sustaining without irrigation for a minimum of two years prior to release of the final assurance. These requirements are presented in Section 4.01 of the EIR (Mitigation Measure AES-1a). No changes to the EIR are necessary.

11. The comment is correct in noting that there will be a loss of habitat from the quarry operations throughout the life of the quarry. That effect of the project is discussed as Impact BIO-9. The vegetation and habitat loss will amount to just over 40 acres, most of which (37.9 acres) is Chaparral and other non-sensitive vegetation types. The project will permanently preserve 68.8 acres of habitat with a greater diversity and sensitivity than that of the impacted area. This preservation is considered compensation for the expected impact. For this reason, the EIR concludes that the impact will be mitigated to a less than significant level.

12. This comment appears to agree with the following analysis presented in Section 4.13.6 of the EIR:

    In the larger region of the Upper Salinas River watershed, several instances of surface water contamination related to non-point sources have led to the designation of this portion of the Salinas River as an impaired water body. As discussed in Section 4.13.1 above, the water quality problems have been associated with a combination of urban and intensive agricultural uses that occur much farther north (downstream) in the watershed. The available data shown in Table 4.13-2 indicate generally good water quality in the vicinity of the project. This fact, coupled with the implementation of requirements that will avoid or minimize the potential for pollutant discharges to surface waters (Mitigation Measures WQ-1a and 1b), indicate that the cumulative effect of the project with other water quality influences in its surrounding area would be less than significant.

    No changes have been made to the text of the EIR, in response to this comment.

13. All mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section

21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, will comply with this requirement, through incorporation of these measures as conditions placed on the Conditional Use Permit. According to Section 22.62.060 of the County Land Use Code, non-compliance with the conditions placed on a Conditional Use Permit is a violation of the County Code, and the permit is subject to revocation.

14. This comment appears to disagree with the conclusion of the EIR regarding increased fire risk, and states that the following Mitigation Measure would not mitigate this impact:

    MM HAZ-5: Fire Hazard Risk. Prior to issuance of Notice to Proceed or issuance of a construction permit for the project, whichever occurs first the applicant shall apply for and obtain CalFire approval of a Fire Safety Plan for the project. The applicant shall comply with provisions of the Fire Safety Plan and other requirements from CalFire. The applicant/quarry operator shall comply with the current California Fire Code (24 CCR Part 9), California Building Code, the Public Resources Code and any other applicable fire laws, as outlined in the "Commercial Fire Plan Review" letter from CAL FIRE/San Luis Obispo County Fire Department, dated July 9, 2010.

    The comment does not present any deficiencies in the analysis presented in the EIR. No changes have been made to the text of the EIR, in response to this comment.

15. For your information, the Lead Agency's responses to these letters are presented as O.14 (Water Resources Advisory Committee); O.12 (Santa Margarita Area Advisory Committee) and O.13 (CSA23 Advisory Committee).

I.127 Dee Carroll

1. This comment presents general opposition to the project as proposed, including traffic, water resources and emergency response, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

   The total estimate for water use by the project <u>for all purposes</u> is 5,500 gallons per day, of which the EIR assigns 4,000 gallons per day for dust control.

On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency vehicle response(s) upon Hwy. 58 either east or west of the project site." Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

I.128 Chris Neary

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. The SunPower project referenced in this comment is 60 miles to the east on SR 58, and has no relationship with the project addressed in this EIR. The comment's parenthetical note that the quarry project trucks would exceed the Caltrans 30-foot KPRA advisory on SR 58 is incorrect.

3. This comment is preceded by a partial listing of mitigation measures for the SunPower project and the proposed quarry project. All but one of the SunPower project measures are operational in nature – involving planning, notification, coordination, and behavioral aspects of truck operation. Contrary to the comment, some of these types of measures are included in the EIR applying to the quarry project. The mitigation measures listed for the quarry project all involve capital costs for permanent improvements. The additional mitigation measures suggested by the comment may be considered by decision makers. No changes are necessary in the EIR.

4. Table 4.4-1 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: "*The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…*" The County of San Luis Obispo, as Lead Agency does not believe that inconsistencies noted in this passage inherently represent adverse effects on the <u>physical</u> environment requiring discussion in the EIR. Rather, the ultimate determination of general plan consistency will be made by County decision makers in their discretionary review of this project.

5. The scope of the transportation impact analysis was determined in consultation with the County Department of Public Works and Caltrans. The analysis

summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicates very little effect of the project in causing morning or peak hour delays along this portion of SR 58.

A separate issue in this comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita in the event that "traffic backs up on Highway 58" (Estrada Avenue). The comment suggests that residents may be subject to increased diesel particulate matter exposures in this scenario – although it is not clear from the comment which residences are of concern (along I Street or Estrada Avenue), or how exhaust from trucks on the SR 58 route would affect residences along I Street, if that is the concern. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

6. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

7. As noted in Section 4.11 of the EIR:

   Caltrans lists SR 58 from J Street eastward as a 30-foot kingpin-to-rear-axle (KPRA) advisory route. This listing means that trucks with a longer KPRA length may not be able to remain within their travel lane. Such trucks may still legally use the highway, but their drivers may be subject to ticketing by the Highway Patrol if the trucks move outside of their travel lanes ("offtrack").

This EIR narrative summarizes information from a Caltrans publication, "Truck Sizes and Routes", which states:

> ***California Legal (State) -- Yellow Routes:*** *Some California Legal routes are called "advisory routes." Ca Legal Advisory routes are illustrated as yellow routes on the State Truck Route Map. These routes allow California Legal trucks, which are allowed a maximum KPRA length of 40 feet; however, truckers are advised not to use advisory routes unless their KPRA is less than 40 feet. The advised length is posted on the sign, and could be 30, 32, 34, 36, or 38 feet. The most common KPRA advisory is 30 feet. The "Advisory" route sign (SW48(CA)) is illustrated below:*[sign illustration presented here]
>
> *The advisory system was created because Caltrans is prohibited from restricting the KPRA on these routes. A truck with a KPRA longer than that posted may not be able to stay in its lane. <u>Although California Legal trucks may legally travel on advisory routes, the driver is still legally responsible for unsafe offtracking, such as crossing the centerline or driving on shoulders, curbs and sidewalks</u>*. (emphasis added)

In other words, whether or not a particular truck actually crosses the double parallel solid yellow line is a function of driver action, and a matter for law enforcement of the California Vehicle Code. The potential for this action is not considered to be a substantial adverse change in the physical environment, and is not considered a significant impact in the EIR for this reason.

No changes have been made to the text of the EIR, in response to this comment.

8. Mitigation Measure TRAFFIC-1a requires funding by the project towards improvements at the intersection of El Camino Real and Estrada Avenue, adjacent to the railroad crossing. It is anticipated that the design of this future intersection will meet the appropriate safety requirements specified by Caltrans District 5, County Public Works and the Public Utilities Commission (State agency responsible for rail safety). No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

9. The comment makes observations regarding the presence of vegetation adjacent to the El Camino Real and Estrada Avenue intersection. Review of this situation has concluded that this intersection does not have sight distance problems due to vegetation; there is more than 700 feet of sight distance in this location. In general when the responsible agency (Caltrans or County Public Works) becomes aware of a sight distance issue caused by overgrown vegetation, a field inspection is performed by the respective agency's road maintenance crew and

appropriate actions are taken to correct the deficiency, if necessary. When vegetation that obstructs sight distance is located entirely outside the right-of-way (on private property) the crews cannot perform the necessary maintenance so the agency must attempt to coordinate work with the property owner. The design of future improvements at this location is to be determined by Caltrans and the County. No changes are necessary in the EIR.

10. The EIR and traffic appendix discuss alternative transportation modes, including: pedestrian operations (and included Mitigation Measure TRAFFIC-2b related to pedestrians); operations at the park and ride facility; and operations of transit service. Bicycle use was also considered, and Thematic Response # 1 provides additional information related to that topic. The specific items identified in the cited section of the EIR that were not discussed further were: (1) consistency with adopted plans and policies and (2) effects on air traffic patterns. The project would cause no substantial adverse physical changes relative to these topics, and no revisions are necessary in the EIR.

11. The quote from Section 4.11.5 is from the CEQA Guidelines Appendix G and Initial Study checklist, where "slow vehicles" is used as one of several examples of how unsafe conditions may be created. The citation from Section 4.11.6 (on page 4.11-23 of the Draft EIR), relates to the movement of truck traffic through the curve on J Street (SR 58 at the east end of Santa Margarita), and is one of the reasons the EIR concludes that the project would not pose a significant impact on traffic through this curve. There is no contradiction and no changes are necessary in the EIR.

12. The curve on J Street was discussed in the EIR, and the analysis was reviewed by both the County Department of Public Works and Caltrans. The comment offers observations and opinions regarding the curve and suggests additional analysis. CEQA does not require the County to perform all analysis requested. (See Thematic Response # 6).

13. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County Department of Public Works have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed.

14. The paragraph containing the cited reference (page 4.11-26 of the Draft EIR) is a discussion of long term cumulative traffic volumes. The discussion notes that aggregate production is a function of market demand and that the development of a new quarry will not necessarily translate into an overall increase in truck traffic since it will displace some existing truck traffic associated with currently operating quarries. While the traffic analysis did not assume this displacement,

there is reasoning and evidence to support it, as noted in the EIR discussion. In other words, the EIR evaluated a reasonable "worst case" scenario. No changes are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

15. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

16. The fact that trucks move more slowly through the J Street curve, when compared to passenger vehicles, was one of several reasons the EIR concluded the project would not have a substantial change related to the operation of traffic at this location. The comment apparently disagrees with this conclusion, but does not contain any new information or analysis. No change is necessary in the EIR.

17. As presented in Mitigation Measure MM Traffic-4, the discussion of fair share funding presented only a preliminary estimate of what the fraction of costs attributable to the project may be. The final computation and determination of costs will be made by the County and Caltrans. No changes are necessary in the EIR.

18. The comment disagrees with the preliminary determinations of policy consistency presented in the EIR. Table 4.11-7 was presented in the EIR to respond to Section 15125 of the CEQA Guidelines, which states in part: "The EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans…" The County of San Luis Obispo, as Lead Agency does not believe that alleged "inconsistencies" noted in this comment inherently represent adverse effects on the physical environment. The ultimate determination of general plan consistency will be made by County decision makers in their discretionary review of this project.

19. The project would not require additional releases of water from the Santa Margarita Reservoir.

20. This comment suggests the use of conveyors across the Salinas River, in conjunction with trucks using the Hanson Quarry access road. It is similar in effect to Alternative 6.8 discussed in the EIR, but would not involve new road construction across part of the Hanson property. It would necessarily require new disturbance on the east side of the Salinas River. This alternative does not appear to offer any significant advantage relative to those already considered.

I.129 Robert and Janita Baker

1. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

2. There is room for a tractor, semi-trailer, trailer rig ("double) to stop at the intersection of El Camino Real and Estrada Avenue without extending into the UPRR tracks at this intersection. It is anticipated that the design of this future intersection will meet the appropriate safety requirements specified by Caltrans District 5, County Public Works and the Public Utilities Commission (State agency responsible for rail safety).

   As discussed in pages 4.11-21 through 4.11-24 in the Draft EIR, and summarized in Impact Traffic-2a, the project truck traffic is expected to have a less than significant effect relative to pedestrian activity along Estrada Avenue and H Street at the elementary school crossing. The health risk assessment for the project included the community of Santa Margarita, and concluded that the potential health risks there would be less than significant (see Table 4.3-9 and the associated discussion).

   Finally, this comment appears to support Alternative 6.8, Alternative Access Route. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. Potential impacts to nearby residents along SR 58 have been addressed in the EIR. The nearest residents along Parkhill Road may be able to hear some noise associated with the quarry, but all physical effects from the project will be at levels below significance at all locations along Parkhill Road. With respect to residences next door to the project, noise levels can be reduced to levels that will likely comply with the County noise ordinance. The EIR concludes, however, that the operation noise and occasional blasting noise will represent a significant impact.

4. With regard to air quality monitoring, all mitigation measures adopted in the EIR, including air quality mitigation measures, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code.

   As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly,

through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

5. As explained in the discussion of Impact WQ-3 (Section 4.13 Water Quality and Supply) the project is expected to use 5,500 gallons per day, or about 5 acre feet per year. The source of the water will be a shallow subsurface well, drawing subsurface flow from the Salinas River, consistent with riparian water rights. Use of this source will not draw on or affect the aquifer used by area residents. The operation will not cause residential wells to dry up. In the event that residential wells run dry, due to other reasons, the residents would seek an additional water source, typically by drilling new deeper wells. Steps to avoid contamination of the Salinas River and Moreno Creek are detailed in the discussion of Impact and Mitigation WQ-1.

   Finally, this comment suggests an alternative that was not considered in the EIR – that of having trucks deliver water to the project site for use. Since the project's water use will not be a significant impact, this alternative is not necessary.

6. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

7. The project includes a Reclamation Plan, as required by state law and County Code. This requirement also includes a financial guarantee to ensure the cost of reclamation is met by the project. There are no plans to create a landfill or any use other than agricultural and ranch uses after completion of the quarry. Any future use not allowed by the agricultural land use category of the property would require additional review and permitting by the County.

8. Potential effects to biological resources, and the mitigation measures proposed with the project, are set forth in Section 4.5 of the EIR.

9. This comment presents general opposition to the project as proposed and appears to support Alternative 6.6.1 Expansion of Existing Quarries, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.130 Carol Whitaker2

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.131 Andrew Mutziger1

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. The estimated truck traffic from the project amounts to 273 trips per day, as detailed in Section 2.3.3 of the EIR. Please see Thematic Response #4 regarding the 800 trips per day reference. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. The list of roadways used by recreational bicyclists provided in the comment emphasizes the popularity for bicyclists on the segment of SR 58 affected by the project. Thematic Response #1 provides more information on this issue.

4. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

5. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.132 Andrew Mutziger2

1. The estimated truck traffic from the project amounts to 273 trips per day, as detailed in Section 2.3.3 of the EIR. Please see Thematic Response #4 regarding the 800 trips per day reference. No changes are necessary in the EIR. The

comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The curve is capable of accommodating aggregate trucks without requiring that they cross the double center line and enter the opposing lane. From their higher vantage point, truck drivers have a clearer view of the oncoming traffic lane than passenger car drivers. The County Department of Public Works and Caltrans reviewed the discussion of this issue in the Draft EIR (page 4.11-23) and agreed with the conclusion that the increase of truck traffic along this segment of SR 58 would not represent a substantial adverse effect. In conclusion, please note Thematic Response #6, which cites Section 15151 of the CEQA Guidelines, including: "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure." No changes are necessary in the EIR.

3. This comment presents a lengthy review of Caltrans published traffic data, which was reviewed and used as part of the analysis in the EIR. For example, the comment specifically notes that the 2011 Caltrans count for annual average daily traffic volume on the segment of SR 58 east of Pozo Road was 1,800. The Air Quality section of the EIR used 1,850 (the 2010 count), and the Traffic Section cited a more recent count of 975. Although the comment reviewed much Caltrans data, it did not note the fact that average annual daily traffic volumes along this segment of SR 58 have been steadily declining since the maximum of 1,900 in 2007. Variations in traffic counts are common. For this reason, and following standardized procedures, the traffic analysis in the EIR is based on counts of peak hour volumes (not daily traffic), which were collected specifically for the analysis of this project.

   The comment also notes that Caltrans data indicate all trucks compose about 6% of the traffic volume along SR 58 in this area. While this is true, if one only considers heavy trucks with three or more axles, then the truck percentage is about 3% as noted in the EIR. Finally, the comment presents several arithmetic ratios to characterize the increase in truck traffic represented by the project. If the project operates at its maximum production rate of 500,000 tons per year, and its traffic is averaged over 250 working days per year, then its truck traffic would amount to 273 trips per day, with the inclusion of the back-hauling provisions for recycling activities. This represents an increase by a factor of 4 to 5 over the existing heavy truck traffic volume on SR 58 in this area. While the proportionate increase is large, the effect as represented by changes in levels of service is generally not significant. Several potential significant impacts were

identified in the EIR, however, and the project will be required to install improvements, and fund a portion of a new signalization at El Camino Real and Estrada Avenue, in order to mitigate those impacts.

In conclusion, please note Thematic Response #6, which cites Section 15151 of the CEQA Guidelines, including: *Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

No changes are necessary in the EIR.

4. This issue of how truck traffic may affect the community character is discussed in Section 4.14 of the EIR. Measures proposed by the applicant to help reduce these effects are also noted in this EIR section. No changes are necessary in the EIR.

5. This comment suggests a conveyor system be used to move crushed rock and material from the project site, across the Salinas River, to the Hanson Quarry property. From there it could be trucked to SR 58 via the existing Hanson quarry access road. From a traffic perspective this concept is very similar to Alternative 6.8 (Alternate Access Route to SR 58 via Hanson Quarry). This Alternative would avoid having truck traffic along Estrada Avenue, but it would not avoid truck traffic through downtown Santa Margarita. No changes are necessary in the EIR.

6. The County of San Luis Obispo recognizes this comment's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.133 Chip Greene

1. This comment presents general opposition to the project as proposed, associated with quality of life, truck traffic safety and roadway maintenance. However, the comment does not indicate any deficiencies in the EIR.

   Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. Thematic Response #1 provides information of the project's impacts on bicycle safety. With regard to "off-tracking" and whether or not a particular truck actually crosses the center line is a function of driver action, and a matter for law enforcement of the California Vehicle Code. The potential for this law enforcement action is not considered to be a

substantial adverse change in the physical environment, and is not considered a significant impact in the EIR for this reason.

No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The EIR did not measure the increased need for law enforcement because it concluded that potential effects related to the provision of public services were less than significant (Sections 4.15.18 and 4.15.21 summarize this conclusion).

3. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

4. Based on the previous discussion in this comment letter, this comment appears to relate to truck operations on SR 58, and the extent they may damage pavement on the highway. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

5. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

   Based on the specific segments and issues addressed along SR 58, with few exceptions the effects of the project heavy truck traffic were determined to be less than significant with mitigation incorporated. Specific areas where impacts were considered to be significant and require mitigation were: the intersection of Estrada Avenue and El Camino Real (Mitigation Measure TRAFFIC-1a), the pedestrian crossing of SR 58 at Encina Avenue (Mitigation Measure TRAFFIC-2b), and the project access drive at SR 58 (Mitigation Measure TRAFFIC-3b, related to obtaining and encroachment permit and design consistency with Caltrans requirements).

6. Widening of SR 58 is not envisioned in the EIR. If Caltrans requires additional acceleration/deceleration lanes or any other improvements for safety, it may be necessary to widen the pavement at this location. Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed. The Caltrans right-of-way here is 100 feet wide. The applicant owns the land on both sides of the highway here, so if additional width is necessary it should be straightforward to acquire. Thematic Response #8 provides further information on the proposed project's impacts to Highway 58.

7. Provisions of the California Vehicle Code govern the actions of drivers on a state highway who may need to pass slower traffic. In addition, Assembly Bill 1371, enacted on September 23, 2013, for provides additional direction for passing bicycles.

8. The issue of liability for vehicle accidents, whether or not they occur on the Caltrans advisory segment of SR 58, is a matter of law outside the scope of the California Environmental Quality Act.

9. Additional traffic from approved and foreseeable projects was added into the traffic assessment for the "cumulative effects" scenario, presented in Section 4.11.6 of the EIR. Long-term projections of traffic volumes, effects, and necessary mitigation, were based on regional projections of future traffic and were included in the cumulative discussion of the EIR.

10. The EIR includes truck trips for the purpose of bringing pavement to the project site for recycling. Those trips are included with the estimate of 273 daily truck trips. An additional 75 trips were added to the estimate of vehicle trips to account for this activity. Please refer to Section 2.3.3 of the EIR for this discussion.

11. Table 4.11-9 in the EIR indicates that the maximum delay time for eastbound traffic in the morning peak hour at the intersection of the project access driveway and SR 58 would be three seconds, which is considered to remain LOS A for this location.

    Please note that Thematic Response #9 indicates that Caltrans District 5 and the County have both concluded that a left turn lane into the proposed Las Pilitas Quarry project is needed. Therefore, issues related to staging are not expected to be adverse.

12. The alternative described in the comment is Alternative 6.8 in the EIR.

13. This comment presents general opposition to the project as proposed, and identifies the potential for legal challenges associated with the proposed project but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

14. The EIR provides an analysis of General Plan policies regarding these issues, as required by Section 15125(d) of the CEQA Guidelines. No changes have been made to the text of the EIR, in response to this comment.

15. Alternative 6.6.6 discusses the Expansion of Existing Quarries, in Section 6.0 of the EIR. No changes have been made to the text of the EIR, in response to this comment.

16. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

17. This comment presents general opposition to the project as proposed, and identifies the potential for legal challenges associated with the proposed project but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.134 Jill Gallagher

1. This comment presents generalized concerns for traffic, including Level of Service along the haul route, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.135 William Arkfield

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. This comment expresses the opinion that the project should not be approved due to unmitigable impacts to "traffic, noise, air quality, etc." However, Section 21081 of the Public Resources Code allows approval of a project with unmitigable impacts, if overriding findings are made. The County of San Luis Obispo, as lead agency, will review these overriding considerations concurrent with their review of the project itself, and will make findings accordingly.

2. "Effects on Nighttime Glare" are presented in Section 4.1.6 of the EIR. The County of San Luis Obispo believes that full conformance with Section 22.10.060 – Exterior Lighting is sufficient to address effects of the project on

Nighttime Glare. In any event, Mitigation Measure MM AES-3 has been revised (see Text Revision # 28) to read as follows:

> **MM AES-3: Nighttime Glare/Lighting Plan.** Prior to the issuance of a building permit for the project scale house, the applicant/quarry operator shall provide a plan or specifications for *all lighting (including* security lighting) that complies with the County Land Use Ordinance for approval by the County Planning and Building Department. *All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from SR 58.*

3. Current County procedures regarding the control of invasive species are aimed at avoiding their use in landscaping, mainly through listing species that are considered inappropriate for use. Although the larger property containing the project is adjacent to the Salinas River, the proposed quarry site is not – it is approximately 1,000 feet from the river. Specific measures suggested in the comment (removal of invasive species from the quarry site, inspections and monitoring to identify and remove invasive species before they become established) may be incorporated into the control plan that is required in Mitigation Measure AG-2.

4. The quarry access road will be paved, as suggested in the comment. Temporary internal haul routes will be treated with water and appropriate dust suppressants, as suggested by the comment. The size of the active quarry will be minimized, as suggested in the comment, through phased reclamation. The primary source of dust, however, is not the quarry faces but the material stockpiles and processing areas, which will be a fixed size regardless of the size of the quarry face at any given time. Since the performance standard for dust control is avoidance of a visible plume, mechanical equipment for dust monitoring is not necessary or appropriate.

5. In San Luis Obispo County, naturally occurring asbestos is associated with serpentine minerals found in metavolcanic rocks. The San Luis Obispo County APCD procedures for determining that naturally occurring asbestos is not present will be followed for this project.

   The discussion of "Naturally Occurring Asbestos" in Section 4.3.6 of the EIR, notes that in San Luis Obispo County naturally occurring asbestos is associated with serpentine minerals found in metavolcanic rocks, not the granitic rocks typical of the project site. Based on a preliminary evaluation (i.e. the Engineering Geology Investigation prepared for the project and included in Appendix B of the EIR), the Investigation states: "As the property is not within

Franciscan Complex or similar rock type materials there is a low potential for naturally occurring asbestos at the Site." (Geosolutions Inc. 2009:page3). The San Luis Obispo County APCD procedures for implementing the CARB Air Toxic Control Measure (at 17 CCR 93105, Subsection (f)) will be followed for this project. Impact and Mitigation Measure AQ-2b address the issue of NOA. No changes are necessary in the EIR.

6. Several of the biological mitigation measures will require focused surveys and monitoring during construction or vegetation clearing. During these periods, it is likely that monitoring will be full-time. The County Planning and Building Department will be responsible for oversight of this and other mitigation requirements for the project.

7. The seasonally flooded vernal swale is considered wetland habitat for state purposes, and would require agreement with the California Department of Fish and Wildlife for alteration. Based on the information available, it is not clear that the area would be considered as a wetland for federal purposes by the U.S. Army Corps of Engineers. Since the quarry operation will not affect the stream in question until its later phases (approximately 10 years or more) it is not useful to perform a formal wetland delineation of this area at the present time – any such delineation would have to be repeated just prior to the anticipated disturbance. The EIR provides an estimate of the area of impact, and a review of the likely mitigation measures. The precise steps for mitigation of impacts to this area will involve a combination of preservation, restoration, and perhaps creation of additional wetland habitat. The details for this mitigation will be developed in consultation with the California Department of Fish and Wildlife. If the project is subject to federal permitting by the U.S. Army Corps of Engineers, then the Regional Water Quality Control Board would be responsible for certifying that there would be no water quality impacts associated with the Corps action. The RWQCB may also be consulted by the California Department of Fish and Wildlife in relation to the Department's authority over any alteration to the streambed.

8. Topsoil will be stockpiled and maintained on the site consistent with state and County reclamation plan requirements. Section 3704 of the State Public Resources Code provides "Performance Standards for Backfilling, Regrading, Slope Stability, and Recontouring." Section 22.36.050 B(1) of the San Luis Obispo County Code states, in part:

> ***Reclamation standards.*** *The proposed plan shall include detailed and verifiable provisions adequate to determine compliance with the minimum SMARA performance standards for reclamation as described*

in Section 3500 et seq. of the California Code of Regulations. The plan shall include provisions for, but shall not be limited to, the following:

a. wildlife habitat;
b. backfilling, regrading, slope stability, and recontouring;
c. revegetation;
d. drainage, diversion structures, waterways, and erosion control;
e. agricultural land reclamation;
f. building, structure, and equipment removal;
g. stream protection, including surface and groundwater;
h. topsoil salvage, maintenance, and redistribution;
i. tailing and mine waste management.

9. Detention basins and the drainage system for the project will be designed in accordance with applicable standards. As shown in the plans for the project, the entrance road detention basin would discharge to a short culvert leading under the project access drive. From this point, water will flow approximately 200 feet through a surface drainage swale, and underground culverts to join with the existing diversion system for Moreno Creek that leads to the large stock pond (secondary settling) on the Oster property. Given this configuration, there is little chance for erosion or fluvial alteration of the Salinas River. The other two detention basins are even further removed from the Salinas River, and their discharge is less likely to have any effects.

10. Federal and State requirements applicable to hazards and hazardous materials are presented in Table 4.7-2 of the EIR. In addition, Impact and Mitigation Measure WQ-1 address the fact that the project will be subject to both the Statewide General Construction Permit, and the statewide General Industrial Permit, for the control of stormwater and prevention of pollutant release into stormwater.

11. This comment appears to disagree with the conclusions of the EIR and preliminary consistency determinations; however, the comment offers no new information to support its opinions. As such, the comment expresses opposition to the project, and a preference for Alternative 6.8 Alternative Access Route. No changes are necessary in the EIR.

12. Water quality monitoring will be performed as required by the Statewide General Industrial Permit. The comment implies that the state regulatory process and Regional Water Quality Control Board oversight is inadequate to implement state law. The County will require compliance with all applicable regulations, and will monitor implementation of all mitigation measures either through checks by County staff or by a contractor retained by the County.

13. Stormwater will be monitored consistent with requirements established under the Statewide Industrial Stormwater Permit. Septic systems will be designed in compliance with County requirements.

14. For most traffic issues the traffic study, which is summarized in Section 4.11 of the EIR, finds that the project-generated truck traffic will not result in significant impacts based on criteria that involve Levels of Service as computed by accepted measures of effectiveness. Most of the analyses were performed for peak hour traffic at intersections, and used delay times to assess the project effects. The content and performance of the traffic assessment was in accordance with County and Caltrans procedures, and both agencies were involved in determining the scope of the traffic analysis, the data and methods used, and the results of the analysis.

15. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.136 Miranda Joseph

1. This comment presents concerns about water reserves and availability associated with cumulative development of the area, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The California Department of Resources Recycling and Recovery Conservation (CalRecycle) submitted a comment letter on the Draft EIR from Mr. Patrick Snider on June 3, 2013 (see comment letter and responses S.05). The letter reviews the regulatory requirements applicable to the pavement recycling component of the project, and affirms that CalRecycle serves as the Enforcement Agency for the project. The County of San Luis Obispo, as Lead Agency, is also responsible to oversee all of the Conditions of Approval for the Conditional Use Permit, as well as all of the Mitigation Measures adopted in the Final EIR and applied to the project. The project is not considered a large scale concrete and recycling facility, and can be regulated and permitted under notification procedures subject to CalRecycle.

3. The California Department of Transportation (Caltrans, District 5) submitted a Comment Letter on the Draft EIR from Mr. Alan Fukushima on May 24, 2013

(see comment letter and response S.02). Remaining points in this comment express opposition to increased truck traffic along SR 58 through the J Street curve and along Estrada Avenue. The reference to the conditions placed on the Santa Margarita Ranch Agricultural Residential Cluster Subdivision appears to rely on the text of the Draft EIR for that project, and not on the final approval conditions. No changes are necessary in this EIR.

4. The analysis of traffic impacts included a "cumulative scenario" that accounted for additional traffic from the Santa Margarita Agricultural Residential Cluster Subdivision and other approved projects in the area. A longer-term analysis for the 2030 conditions was based on projections of future traffic volumes used in regional traffic modeling. Impacts and mitigation measures in the EIR include the future traffic volumes for these analyses in the EIR cumulative effects discussion.

5. With respect to some of the issues mentioned in this comment (water use, septic system use, runoff) the effects of the proposed quarry will not be additive to those of land uses in the Santa Margarita Ranch – they affect different areas and resources and the project will have less than significant effects. Some effects that are regional in nature, such as traffic and air quality, are addressed by broader plans maintained and coordinated by regional agencies, in addition to specific mitigation measures applied to each project. In the case of cumulative traffic impacts, fair share contributions can be required from projects but there is still uncertainty regarding the mitigation of long-term impacts. For this reason, the EIR concludes that the cumulative impact on traffic may not be mitigable. No changes are necessary in the EIR.

6. As documented in Section 4.13.6 of the EIR, The project will rely on surface water (shallow subsurface flow) in the Salinas River for its water supply, and will not affect groundwater levels upstream or downstream. Stormwater runoff from the project will be managed via an onsite system that directs all runoff to one of three detention basins, along with other management practices to prevent pollutants from being discharged into stormwater. These features, combined with the fact that the quarry would be located approximately 1,000 feet from the river, will prevent any significant effects on the habitat there. No changes are necessary in the EIR.

7. Septic systems associated with other projects are subject to regulation and permit requirements that will minimize the potential for water quality effects. Sedimentation from the proposed quarry site will be controlled on site, as will dust from operations. The County will monitor the implementation of project conditions and mitigation measures, and will perform regular inspections of the

quarry operation. The comment expresses opposition to the project, implying that the mitigation measures will be insufficient to protect resources. No changes are necessary in the EIR.

8. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

9. Water use was estimated by the County and EIR preparers. Other quarries in the area wash aggregate for concrete use, which is not proposed in this project (see EIR text revision # 8), and have much larger areas of operations and disturbed land exposed to wind erosion.

10. The water supply assessment was based on the following information sources: background reports on the hydrology of the Salinas River Basin; Statements of Diversion and Use and Supplemental Statements filed by the property owner with the SWRCB over the course of several years; field observations of the diversion and storage systems on the property and of the location of Well A; the pump test performed for Well A; stream gauge data and release data provided by the City and County of San Luis Obispo; permits and water rights decisions by the SWRCB regarding the Salinas River; and additional information provided by the applicant. As CEQA Lead Agency, the County believes this information is adequate for an assessment of potential effects on water supply.

11. Historic water use was based on statements of diversion and use filed with the State Water Resources Control Board, for more than the last 10 years, documenting water use to before 1914. Surface flow information for the Salinas River included 10 years of daily operation data for the Salinas Reservoir dam.

12. The pump test was not intended to document the volume of the available water supply, which is more than adequate to serve the project. Rather, it was intended to demonstrate the specific performance of the shallow well from which water would be drawn. The project will have no adverse effect on neighboring wells or any other wells in the region.

13. As there is no evidence indicating any potential for adverse effects on groundwater supplies as a result of this project, the County does not propose to provide "financial guarantees', as requested by this comment.

14. Improvements at the intersection of the project access drive and SR 58 will be paid for by the applicant.

15. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

16. An alternative haul route is discussed in the EIR (Alternative 6.8), but is not proposed by the applicant. Alternatives to the proposed project will be considered by the decision makers.

17. This comment expresses support for the alternative access route discussed in the EIR (Alternative 6.8).

18. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

19. This comment expresses the opinion that mitigation measures are not feasible. The decision makers are responsible for determining the feasibility of all mitigation measures, based on the definition provided in Section 15364 of the CEQA Guidelines: *"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.*

    In addition, all mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement.

20. Please refer to Comment Letter S.06. Comments from the State Public Utilities Commission have been incorporated into the EIR.

21. The EIR does not identify a significant project-specific impact at the school crossing; therefore, no mitigation is necessary relative to project effects there. The Applicant Proposed Measure (APM LU-1, discussed in Section 4.14 of the EIR) is intended to address community concerns relative to that issue. The comment mentions a "pedestrian bridge over 58." There is no pedestrian bridge over SR 58. If the comment is referencing the pedestrian crossing at Encina Avenue, the project is required to install improvements at this crossing (Mitigation Measure TRAFFIC-2b).

22. All scoping comments were reviewed during preparation of the EIR.

23. The analysis of aesthetics was not oriented towards evaluating or protecting views from private lands in the vicinity, since there are no County policies

related to protecting these views in this planning area. Instead, the evaluation was centered on views from SR 58 (which are similar to views from some residences in the area). The EIR concludes that aesthetic impacts would be significant and not mitigable; additional photosimulations or analysis including other non-aesthetic effects would not alter this conclusion. The project does not include industrial destruction of pristine river lands or blasting of sensitive fish and wildlife habitat. The project will have no effect on the habitat along the Salinas River. While the comment expresses opposition to the project, no changes are necessary in the EIR.

24. The blasting proposed would occur outside the "Village Reserve Line", and would be consistent with applicable County policies. The use of blasting would also be similar to other quarries in the EX-1 combining designation. The EIR discussion in Section 4.14 recognizes community concern, but no changes are necessary in this document.

25. The project does not include a hot plant for mixing asphaltic concrete.

26. Hot mixing [of asphaltic concrete] is not proposed with the project. Hot mixing will occur at locations with permits for such use, or at construction sites with portable equipment permitted for such use.

27. The pavement recycling proposed is at the smallest scale described in state regulations – a processing operation requiring a Notification permit. For purposes of the EIR, a rate of 1,500 tons per day was assumed, which is the maximum allowed under a Notification permit. This would be part of the total production of the project of 500,000 tons per year. Given the regional market for whole pavement recycling contracts, however, the likely volume would be much lower than this assumption.

28. The truck traffic would not change at all with changes in the proportion of material in the project devoted to whole pavement recycling work, since that volume is included within the total production volume for the project.

29. The project operations will likely be able to reduce noise impacts at nearby residences to levels below the County Code requirements, particularly in the later phases of the quarry operation as greater distances separate some of the heavy equipment operation from residences. The roadway noise analysis demonstrates that noise levels will exceed County standards at the identified locations in Santa Margarita with or without the project. Therefore, no monetary compensation from the County is proposed.

30. This comment expresses general concerns for blasting; no deficiencies in the Draft EIR are noted. Please note that Section 4.7.6 of the EIR concludes that impacts related to "Risk of Explosion or Release of Explosive Materials" were considered to be significant but mitigable. No changes have been made to the text of the EIR, in response to this comment.

31. The County Department of Planning and Building will monitor, inspect, and enforce compliance with the mitigation measures and other project conditions.

32. The California Department of Fish and Wildlife was supplied a copy of the Draft EIR during public review. No comment was received from that agency. The EIR acknowledges the suitability of this area of the Salinas River as habitat for steelhead. The project will not have any effect on the Salinas River, and is located approximately 1,000 feet from the river at its closest point. The CDFW streambed alteration agreement is expected to apply to the tributary drainage that will be affected by the project. That drainage meets the Salinas River in the Hanson Quarry, over 2,000 feet west of the project site. No changes are necessary in the EIR.

33. This comment raises discusses a number of water supply and water quality issues, mainly related to other projects and activities in the vicinity of Santa Margarita. The EIR discussion accurately describes beneficial uses for the Salinas River surface and ground water. The EIR also identifies water quality issues that have been identified in the "upper" Salinas River basin, but which are generally much farther north (downstream) than the project location. Water use in the Santa Margarita Ranch and County Service Area 23 has been recognized as a problem. That is why CSA 23 is one of the participants in the Nacimiento Water Project, which will import water and help to reduce the reliance on groundwater withdrawals by CSA 23.

    The proposed Oster quarry will not result in polluted runoff, siltation, or significant water use. The effects of the project related to these issues will not compound with those effects of other projects or permitted land uses.

34. Table 4.13-2 in the EIR, and the discussion that accompanies it, describes water quality concerns associated with the Salinas River. From the County and Regional Water Quality Control Board sources available at the time, there were no significant water quality problems noted in the project vicinity, even though the entire "upper Salinas River" was considered on the list of impaired water bodies. The EIR did not discuss Total Maximum Daily Loads for pollutants, because TMDL values had not yet been established for the upper Salinas River. As of early 2014, TMDL values have still not been established for the upper

Salinas River. The project is not expected to cause any sedimentation or pollution to the Salinas River for reasons stated in the EIR; the comment provides no evidence or reasoned argument to the contrary; and no changes are necessary in the EIR.

35. The comment references existing impacts to water quality related to Yerba Buena Creek, Trout Creek and Rinconada Creek. The proposed quarry site is not in the same tributary drainage as any of these local creeks, and cannot add to or affect water quality in them. The comment also expresses concern regarding water quality effects related to agricultural activities, which is unrelated to this project. No changes are necessary in the EIR.

36. The project will not contribute towards cumulative effects relative to groundwater use downstream, and will not contribute towards sediment or pollutant releases. Beyond the mitigation measures already identified in the EIR, no additional conditions or measures are necessary.

37. Although the entire upper Salinas River is included on the list of impaired water bodies, as described in the EIR the primary areas of concern are much farther north (downstream) than the project location. This comment expresses support for the No Project Alternative.

38. The comment reviews localized water supply issues due to groundwater withdrawal in the shallow aquifer near Trout Creek and along Pozo Road. Neither area is near the project site; neither area is hydrologically related to the project site. Results from stormwater inspections and monitoring associated with this project must be submitted to the Regional Water Quality Control Board. Implementation and monitoring of project conditions will be done by the County Department of Planning and Building.

39. All mitigation measures adopted in the EIR must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. Details of on-site monitoring, as appropriate, will be developed prior to issuance of the Notice to Proceed.

40. The listing of the Salinas River as an impaired water body is discussed in the text of the EIR, in association with water quality data from the nearest monitoring point presented in Table 4.13-2. Also described in the EIR, is the fact that the water quality problems in the Salinas River are all documented at

locations very far downstream from the project vicinity. The project will not cause any degradation in water quality of the Salinas River.

41. Each of the specific issues mentioned in this comment (water use, wastewater, runoff, siltation, blasting, habitat loss, and invasive plants) is discussed in the EIR. With the application of project conditions, many of which are required by existing regulations, the project is not expected to have any significant impacts relative to these issues. For these reasons, and because the project is located over 1,000 feet from the nearest point on the Salinas River, it will not have any adverse effect on habitat for steelhead.

42. The National Marine Fisheries Service submitted a comment letter for this EIR, and a response has been prepared (see comment and response No. F.01). The EIR notes the suitability of the Salinas River habitat for steelhead. The segments of the Salinas River and its tributaries in this area (Trout Creek, Yerba Buena Creek, and related tributaries) are included in the critical habitat identification for the south-central California coast steelhead established at 50 CFR 226.211 in early 2014. The project is not expected to have any substantial adverse effects on the Salinas River, or its tributaries. No changes are necessary in the EIR.

43. The National Marine Fisheries Service submitted a comment letter for this EIR, and a response has been prepared (see comment and response No. F.01).

44. The County Department of Planning and Building will be responsible for oversight and monitoring of compliance with project conditions. Other agencies, including the APCD, the Regional Water Quality Control Board, and CalRecycle will receive monitoring reports, and perform inspections, if necessary.

45. The County Department of Planning and Building will be responsible for oversight and monitoring of compliance with project conditions. During some periods of construction, monitoring and observations may be continuous.

46. The only wastewater that will be discharged by the project will be septic tank effluent from the office, discharged through a permitted septic tank and leachfield. Stormwater runoff will be controlled through on-site erosion control features and drainage improvements, in accordance with requirements of the statewide general permits for construction and for industrial uses. There will be no discharges to the Salinas River, and no impacts to cold water fish habitat. The RWQCB has the authority to inspect the site, and may choose to coordinate with representatives from agencies in that effort.

47. The project will not result in discernable depletion of surface flows in the Salinas River. It is not anticipated that the State Water Resources Control Board, National Marine Fisheries Service or California Department of Fish and Wildlife will monitor daily operations at the quarry, but the County will work with those agencies to coordinate inspections and the distribution of monitoring and inspection reports as they may desire.

48. The County is unaware of water quality sampling and analysis in the vicinity of the Margarita Ranch vineyard. Neither Trout Creek nor Yerba Buena Creek is on the Central Coast Ambient Monitoring Program list of monitored streams, and the closest point on the Salinas River in the current monitoring program is in Monterey County.

49. The project will be required to prepare a Stormwater Pollution Prevention Plan as a requirement of the general statewide permit. That plan will require periodic monitoring and reporting to the Regional Water Quality Control Board. That agency will review monitoring reports and also has the authority to perform inspections and enforcement if necessary. The County Department of Planning and Building will also review reporting as part of its oversight of compliance with the Condition Use Permit.

50. The proposed quarry is not expected to have either project-specific or cumulative impacts related to water consumption or the introduction of invasive plants, as suggested in the comment. Drainage for all disturbed areas within the quarry will be controlled and directed to detention basins. The project is not expected to release sediments, herbicides, pesticides, or any other pollutants in any substantial amounts to fish and wildlife habitat of the upper Salinas River.

51. Neither of the two sources mentioned in the comment are adjacent to or near the project site. The project will not contribute substantial amounts of pollutants or cause any significant water quality impacts to the Salinas River.

I.137 Ryan Alaniz

1. This comment presents general opposition to the project as proposed, including air quality and truck traffic, but does not indicate any deficiencies in the EIR. Air Quality impacts and mitigation measures are described in Thematic Response #3. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.138 Thomas Smith

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

2. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

3. The comment appears to object to the inclusion of future residential traffic in the overall traffic count as part of computing the fair share contribution of the project towards future intersection improvements. This computation will be done at the time the project receives each future notice to proceed from the County Planning and Building Department associated with each phase. The inclusion of future residential traffic in that computation will depend on whether or not the residential development has actually occurred. The computation will be done by the Department of Public Works, and will be consistent with County procedures and Caltrans guidelines.

   The SR 58 (El Camino Real) right of way through Santa Margarita is sufficiently wide to accommodate four lanes to allow passing in both directions, but the current two lane configuration reflects the intent of the Santa Margarita Design Plan to emphasize a narrower width devoted to vehicle traffic so that pedestrian and bicycle uses can be promoted. The issue of passenger vehicle traffic speeding through residential neighborhoods to avoid slower traffic on SR 58 was not addressed in the EIR, as it is not a CEQA issue. Instead, this illegal occurrence may be a matter for law enforcement.

   The comment also notes the poor geometry of the intersection at El Camino Real and Estrada Avenue described in the Draft EIR (page 4.11-18). Please see Thematic Response#4 regarding the calculation of 800 truck trips per day. Other points in the comment offer an opinion regarding additional conditions for the project and express opposition to the project. No changes are necessary in the EIR.

4. Parking of trucks in the center lane of SR 58 appears to be illegal (see California Vehicle Code Section 22500 et seq), and a matter for law enforcement. The applicant will prepare guidance for drivers consistent with Mitigation Measure MM Traffic 3-b.

5. The comment suggests that upon enforcement to prevent illegal parking in the center turn lane, there will then be illegal parking by trucks blocking access to bus stops. Enforcement of laws (see California Vehicle Code Section 22500(i) should minimize the potential for interference with bus operations. The final sentence of the comment expresses general opposition to the project, and does not require any changes in the EIR.

6. This comment is a summary of the preceding opinions and reiterates opposition to the project. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.139 Ed Goshorn

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

2. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

3. Thematic Response #8 presents information regarding the proposed project's Impacts to State Route 58 and County Roads. Please refer to Thematic Response #1 for further information regarding bicycle safety.

4. This comment appears to express support for the Alternative Access Route to SR 58 via Hanson Quarry, which is presented in Section 6.8 of the EIR. The permission to operate vehicles on state highways is a privilege granted by the state to licensed drivers, who operate vehicles that have meet state requirements regarding weight, axle loading, and other parameters, which are properly registered and for which registration and weight fees have been paid.

5. Thematic Response #1 addresses the issue of bicycle safety and Thematic Response #8 addresses the issue of Project Impacts to State Route 58 and County Roads.

6. This comment presents generalized concerns for bicycle safety, as presented in Section 4.11 of the Draft EIR. Please refer to Thematic Response #1 for further information regarding bicycle safety.

7. Air quality effects of the project are addressed in Section 4.3 of the EIR. The assessment includes regional effects related to emissions of ozone precursors and dust, and localized effects of the Diesel exhaust in the project vicinity and along SR 58 through Santa Margarita. Dust control measures will be part of the Conditional Use Permit that will remain in effect over the lifetime of the project. In addition, the project would be subject to the San Luis Obispo APCD Rule 401, related to the control of visible dust plumes, and Rule 402 related to the creation of any air quality related nuisance. Additional information related to the control of fugitive dust and the role of APCD is found in Thematic Response #3. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.140 Jean Boenish

1. This comment presents general opposition to the project as proposed, including bicycle safety, views and property values, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed, including hazards, blasting and noise, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents general opposition to the project as proposed, including rural character, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

4. This comment presents general opposition to the project as proposed, including wildlife habitat, bicycle safety, noise and air pollution and water quality/quantity, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

5. The comment notes an observation of a commercial truck traveling across the center line into an oncoming traffic lane. During preparation of the EIR, observations were made in Santa Margarita, on SR 58 between Santa Margarita and the project site, and elsewhere on SR 58, El Camino Real and other area

roadways. These observations supported the discussion presented in the EIR that aggregate trucks are capable of traveling within the proper lanes on the roadways to and from the project site.

6. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's, and other commentors', identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

7. The project will include open space easements to preserve those habitat areas set aside as mitigation for the quarry impacts. In order to preserve similar habitat of equal and better value, it is appropriate to select these areas in the project vicinity.

8. The comment suggests the project should be delayed until existing residents are outlived. This comment expresses general opposition to the project, but does not indicate any deficiencies in the information presented in the EIR. Accordingly, no changes have been made in the text of the EIR.

9. The importance and perception of distinct noises in rural areas is one of the reasons the EIR characterized the project-generated noise as a significant and not mitigable impact, even though it is likely possible to achieve County noise ordinance standards (see Impact NOISE-2).

I.141 Ryan and Alison Devereaux

1. This comment expresses general concerns for blasting; no deficiencies in the Draft EIR are noted. Please note that Mitigation Measures MM Haz-1a and MM Haz-1b adequately address these issues related to blasting. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for noise impacts to children and wildlife, as presented in Section 4.08 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. This comment presents generalized concerns for air quality impacts related to dust, as presented in Section 4.03 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Additional information related to

the control of fugitive dust and the role of APCD is found in Thematic Response #3.

The San Luis Obispo County Air Pollution Control District (APCD) has indicated off-site mitigation of air quality impacts (including PM10/fugitive dust) can and should be incorporated into the project, to reduce the project emissions below a level of significance. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable" or "les than significant" – Class II.

The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Text Revision #27 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

No changes have been made to the text of the EIR, in response to this comment.

4. This comment presents generalized concerns for traffic safety related to passenger vehicles and bicyclists, as presented in Section 4.11 of the Draft EIR. Please note Thematic Response #1 related to bicycle safety. The comment does not indicate any deficiencies in the EIR itself.

5. Washing of gravel is not proposed, so it will not be a source of potential pollutants to groundwater. A series of text revisions for the Final EIR have been made to clarify this point, as outlined in Text Revision # 8. The project will not have any significant effects on groundwater quality. The only anticipated discharge would be that from a conventional septic system and leachfield to serve the needs of the office at the quarry. This system will be similar to a residential use, and will be subject to design and permitting requirements. No changes are necessary in the EIR.

6. This comment presents generalized concerns for biological resources, as presented in Section 4.05 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

7. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

8. This comment presents general opposition to the project as proposed, including its impacts on people, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.142 Tamara Kleemann

1. A CEQA Initial Study was prepared and concluded that the project may have a significant impact on the environment. On July 1, 2010, the Initial Study was circulated to the State Clearinghouse/Governor's Office of Planning and Research, with a Notice of Preparation (NOP) that an EIR would be prepared. In response to the NOP, eleven letters were received by the Department of Planning and Building. The NOP, and these letters, along with other related correspondence, are included in the EIR as Appendix A.

2. This comment effectively summarizes the Scoping process for this EIR.

3. The visual simulations presented in Figures 4.1-2 and 4.1-3 present both unvegetated slopes and vegetated slopes. The comment expresses the opinion that the high-contrast condition will remain forever and will not be reduced through revegetation. The County as CEQA Lead Agency disagrees with this opinion, and believes that revegetation is an appropriate mitigation for visual impacts. This EIR conclusion also recognizes that the visual impact cannot be fully mitigated (Impact and Mitigation Measure AES-1).

4. Gravel trucks will not be parked and lined up throughout the haul route on SR 58 from Santa Margarita to the project entrance, as suggested by the comment. This issue is addressed as Impact and Mitigation Measure TRAFFIC-3b.

5. The EIR presents over five pages of discussion regarding noise effects in the project vicinity. This discussion is based in part on the Dubbink and Associated report, review and verification of that work, and on original work prepared for the EIR. The comment implies that additional detail is necessary, but does not describe what that detail is. The County as CEQA Lead Agency believes the information in the EIR is sufficient. Thematic Response # 6 provides more information on this matter.

6. The comment implies that since the proposed quarry is an allowable use subject to conditional use permit approval in the RL category, the noise standards would not apply to it. The County does not agree with this interpretation; the EIR's interpretation is that the noise standards in the County Code will apply to the operation. The EIR concludes that with the implementation of mitigation measures in NOISE-2a, the quarry will ultimately be in compliance with the code standards. During the initial construction phases of the quarry, however, there may be a significant noise impact for a period of several years, and that is why the EIR conclusion for this issue is significant and not mitigable.

   As noted, the residence is outside of the EX-1 Combining Designation (Figure 4.14-1), but was nevertheless identified as one of the noise receiver locations (Figure 4.8-1).

7. Mines and quarries are included in Table 2-2 of the Land Use Code under "Agriculture, Resource, and Open Space Uses." Language cited in the comment regarding use of best available control technologies for new mines and quarries is from Noise Element Policy 3.3.5.d, which emphasizes compliance with the standards in Noise Element Table 3-2. The criteria used for evaluating noise effects of the project operations in the EIR are from the same source.

8. During preparation of the Draft EIR, the Dubbink and Associates noise report was reviewed thoroughly, both for its conformance with standard practices in performing noise impact analysis and for its noise source data, analysis, and conclusions. Calculations in the report were independently verified, and in some instances alternate methods were used to check the work.

9. The description of residence and the "berm" on the property in the Dubbink report was not used in the EIR. Of more importance is the fact that a distance of about 1,100 feet separates the nearest point in the quarry from the property where Residence R1 is located; and over 1,800 feet separates the quarry from the actual location of R1.

10. The Dubbink and Associates truck noise measurements are described on page 23 of the Dubbink and Associates report, and included a repeated series of measurements of a loaded gravel truck starting from a stopped position at the location of the project driveway, traveling of the SR 58 segment west of the project site. Additional measurements of trucks using the Hanson Quarry access road were also performed. The major result from these measurements was to verify the source truck noise level that is used in the FHWA modeling procedure. These isolated measurements of truck noise conducted by Dubbink and Associates were not used in the evaluation of truck noise in the EIR.

Instead, the FHWA Transportation Noise Model was used. For this reason, the specific details of the measurement performed by Dubbink and Associates were not relevant to the EIR analysis.

11. For the analysis of equipment noise levels from project operations, a review was performed to identify those locations within the quarry where operating equipment would have the shortest and most direct line of sight to the identified receiver locations. Dubbink and Associates used a central point on the highest Phase 1B bench for this purpose (and a similar, more distant point in Phase 3A). The EIR analysis used two separate points: one at the location where the processing yard would be located ("early Phase 1A") and a second on the highest bench of the Phase 1A configuration. The results from the two different approaches were similar and compared in Table 4.8-9 of the EIR. The fact that other locations in the quarry were not explicitly considered does not mean they were ignored. They simply would have lower noise levels than the ones presented in the EIR, due to their greater distance from the receiver locations and due to intervening topography for some locations.

    The staging and processing area for the quarry has always been proposed in the flat area behind the scale and office, in Phase 1A and 1B of the project. Since preparation of the Dubbink and Associates report, there were minor changes in the perimeter of the quarry, and the location of the project access drive was shifted to the east along SR 58. Neither of these changes is major from a noise perspective.

12. The viewshed analysis presented in Figure 4.1-1 of the EIR shows that the existing topography blocks views of the quarry from the Salinas River corridor on the Oster property from all but the southernmost part of the property nearest SR 58. Most of the trees in the Salinas River corridor across the Oster property are live oaks. Although the understory has been cleared, the canopy foliage still blocks much of the view to the hillsides to the northeast. This effect, in combination with the topographic features on the property, blocks much of the potential view into the proposed quarry. In some places along the river south of SR 58, the vegetation is more open, and portions of the quarry slopes would be visible. The intermittent views of portions of the quarry slopes from the segment of the river corridor immediately adjacent to SR 58 are not considered to be a substantial adverse effect on the aesthetics of the river corridor as a whole. This more detailed description does not alter the analysis or conclusions of the EIR and no changes are necessary. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.143 Blair Shurtleff

1. This comment presents general opposition to the project as proposed, including the existing impacts from the Hanson Quarry, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed, and makes reference to damage from quarry trucks and blasting, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents general opposition to the project as proposed, including noise impacts from blasting, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

4. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR, including speeding trucks and parking issues. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

5. This comment presents general concerns regarding safety for bicyclists, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please refer to Thematic Response #1 for further information regarding bicycle safety.

6. This comment presents generalized concerns for traffic, including safety for bicyclists and roadway maintenance. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. No changes have been made to the text of the EIR, in response to this comment.

7. This comment presents generalized concerns for traffic safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself; the comment appears to relate to a violation of the California Vehicle Code. The interpretation and enforcement of the California Vehicle Code is a matter for local law officials, and does not relate directly to physical changes in the environment. No changes have been made to the text of the EIR, in response to this comment.

8. This comment presents generalized concerns for traffic safety, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself; the comment appears to describe a fatal accident related to a violation of the California Vehicle Code. The interpretation and enforcement of the California Vehicle Code is a matter for local law officials, and does not relate directly to physical changes in the environment. No changes have been made to the text of the EIR, in response to this comment.

9. The suggestion to restrict the use of compression brakes by trucks appears to support mitigation measure MM-NOISE-1:

   MM NOISE-1: Truck Traffic Noise. *The applicant/quarry operator shall advise all truck drivers exiting the facility regarding the noise sensitive residential uses along the truck route through Santa Margarita, and shall prohibit the use of compression brakes except under emergency conditions. Documentation in the form of notification copies shall be provided to the Planning and Building Department prior to the notice to proceed for Phase 1A of the quarry.*

10. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

11. This comment presents generalized concerns for noise, as presented in Section 4.08 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

12. This comment presents general opposition to the project as proposed, as it relates to impacts to tourism. Although tourism promotion is a valid public policy direction, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." The comment does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

13. This comment presents generalized concerns for air quality, as presented in Section 4.03 of the Draft EIR. Dust control is required by Mitigation Measure

MM AQ-1b. Additional information related to the control of fugitive dust and the role of APCD is found in Thematic Response #3. The comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

14. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR.

15. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. The comment correctly notes that the "ownership" status of a development project does not affect the physical impacts of that project. No changes have been made to the text of the EIR, in response to this comment.

I.144 Malcolm Roe

1. This comment presents generalized concerns for bicycle safety, and the ability for trucks to travel the haul route, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. Please refer to Thematic Response #1 for further information regarding bicycle safety. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment suggests a refinement of the EIR's traffic analysis to include more detail than presented in the Draft EIR. The traffic impact analysis prepared for the project followed standard procedures published by Caltrans and used by the County Department of Public Works. It was based on several sources of information including previous traffic studies, data collected and provided by Caltrans, field observations of pedestrian activity and school drop-off traffic, as well as the peak hour traffic counts obtained on a typical day (referenced in the comment). CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. More information responding to this perspective is presented in Thematic Response #6.

I.145 David Schwartzbart

1. As explained in the Project Description, starting on page 2-6 of the Draft EIR, pavement material to be processed through the project would be limited to

"Type A" inert debris, as defined in CalRecycle regulations at 14 CCR 17381(k)(1). This material may not contain oil, plastics, and other wastes, and may not contain soluble pollutants in excess of water quality objectives. For the definitions of hazardous wastes and components reference is made to 22 CCR 66261.3. In addition, storage and processing areas would occur in the same areas used for rock processing within the site, and all of these areas would be subject to the drainage control system proposed with the project. That is, all stormwater runoff from these areas would be directed to detention basins which would be constructed before any pavement recycling would begin. The project would also be subject to the Statewide General Permit that applies to industrial operations, described in Section 4.13.3 (on page 4.13-7). Among other requirements, this permit requires sampling of stormwater runoff and annual reporting to the Regional Water Quality Control Board, to demonstrate that the project is in compliance with the applicable regulations and permit conditions.

2. Residual solid waste would be placed in the solid waste disposal waste containers (dumpsters or roll off bin) used for the project, and would be taken to the nearest solid waste disposal facility (Chicago Grade landfill) on a weekly basis (or other frequency as appropriate based on amount of material and applicable regulations). No changes to the EIR text have been made. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. Not all petroleum hydrocarbons are oil. Cured asphalt found in pavement, while composed of petroleum hydrocarbons, is not liquid and not included within the common definition of oil. There is no discrepancy in the EIR.

4. Material for recycling may not contain soluble pollutants in excess of water quality objectives (14 CCR 17381(k)). The project must prepare an operations plan and be subject to inspection and review by the Enforcement Agency, to implement applicable regulations. In addition, as noted in the response to Comment No. 1 above, monitoring of stormwater is also required as part of the General Industrial permit.

   The issue raised in this comment is identical to that in Comment No. 1 above. That response and Response No. 3 above provide additional information.

5. 14 CCR 17380(e) requires compliance with all other applicable regulations, particularly those related to water quality, as noted by this comment. Any non-inert and residual material from the processing operation must be removed for proper disposal within 48 hours (14 CCR 17383.7(e)).

6. Recycled pavement is classified as a recycled material, not as a waste – hazardous or otherwise. Programs at the federal, state, and regional level exist to promote the recycling of pavement. These include waivers, general permits, and sometimes specific project permits, depending on the agency and locations involved. Relative to this specific project, the applicable requirements are those associated with the statewide General Permit for Industrial Activities.

7. Well A has been identified by the applicant as the water supply for the project. The Water Supply Assessment and EIR used the following information sources: background reports on the hydrology of the Salinas River Basin; Statements of Diversion and Use and Supplemental Statements filed by the property owner with the SWRCB over the course of several years; field observations of the diversion and storage systems on the property and of the location of Well A; the pump test performed for Well A; stream gauge data and release data provided by the City and County of San Luis Obispo; permits and water rights decisions by the SWRCB regarding the Salinas River; and additional information provided by the applicant. As CEQA Lead Agency, the County believes this information is adequate for an assessment of potential effects on water supply. The comment apparently disagrees with this assessment. The comment does not, however, offer any information to support its opinion, other than speculating that Well A may draw from deeper fractured granitic rock. Well A is a shallow, hand-dug well approximately 30 feet deep. It does not extend to granitic rock. CEQA does not require the County to perform all research or studies requested by comments. See Thematic Response # 6 for more information on this matter.

8. As described in the EIR, surface flows in the Salinas River in this area are augmented by mandated releases from the Santa Margarita Reservoir. Well A is also located less than 200 feet downstream from the confluence of Moreno Creek with the Salinas River. Moreno Creek supplies a perennial surface flow at this location. Based on this information in the EIR, the County believes that an adequate water supply has been demonstrated.

9. The statement cited by the comment is as follows: "…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." This statement is accurate. Wells on the Oster property have not experienced any substantial shortage. There is a cluster of domestic wells in deeper granitic rock, but immediately adjacent to the Salinas River, approximately 500 feet upstream from the Oster property. Communication with one well owner at this location

indicated no shortages. As noted in the comment, groundwater production from fractured granitic rock is variable and highly dependent on the density and pattern of fracturing. This is likely part of the explanation for poor performance in wells as noted both in the comment and in the paragraph in the Water Supply Assessment. In the direction downstream from the Oster property, the Hanson Quarry uses surface water from the Salinas River, consuming approximately 30 acre feet per year. Farther downstream, and in the larger basin, County Service Area 23 (Santa Margarita) has experienced groundwater shortages, which are documented in studies of the Paso Robles Groundwater Basin. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

10. As noted on page F-9 of the Water Supply Assessment, data provided by the County of San Luis Obispo was analyzed for the evaluation of Salinas River Flows. Over 20 years of daily operational reports were used for this analysis. Results were also compared with precipitation and other information for upstream areas from the Upper Salinas-Las Tablas Resource Conservation District. The Water Supply Assessment concluded that not only annual river flow, but also single year and multiple year drought river flows, were adequate to supply the project demand. The mandated releases from the Santa Margarita Reservoir account for most of the drought year base flow of 808 acre feet per year, and for the fact that this flow is nearly continuous throughout the year. The County believes this information supports the conclusion in the Water Supply Assessment. The comment requests a presentation of the daily operational data. CEQA does not require the County to perform all research or studies requested by comments. See Thematic Response # 6 for more information on this matter.

11. Naturally released radon is a recognized health hazard, and is important when people are exposed to it in buildings or confined spaces. Because all operations would be conducted out of doors, this EIR did not address this potential hazard.

12. The Salinas River water quality standards presented in Table 4.13-1 are limited to the specific area of the Salinas River where the project is located. The cited table in the Basin Plan contains other water quality objectives for the Salinas River, as noted in the comment, but they apply to different areas of the watershed – not the project area. The water quality issue raised in this comment is essentially identical to that raised in Comments Nos. 1, 3, 4, 5, and 6 above. While dissolved pollutants may have greater mobility than particulates, a large fraction of dissolved pollutants are adsorbed to the surface of particles. One of the best means of controlling pollutants at their potential source is to control

sediment. Absent any substantial evidence to the contrary, the County maintains that compliance with the regulations applicable to pavement recycling, in conjunction with the notification, planning, control, monitoring, and reporting requirements of the statewide General Industrial Permit administered by the State Water Resources Control Board and the Regional Water Quality Control Board, are adequate to avoid any substantial physical or chemical effects on groundwater.

13. The comment reports evidence of mercury contamination at distances up to one mile downstream from the abandoned Rinconada Mercury Mine, and describes the source of mercury pollution as being 10-15 miles upstream from the project site. Although not noted in the comment, this mine was subject to a cleanup effort by U.S. EPA in 2004-5, and post-remediation monitoring after that. Mercury contamination from natural and mined areas is known occurrence in California, and soluble mercury compounds formed by the exposure of waste mercury or ores to acid conditions associated with mine wastes may be transported for several miles. Upon exposure to air and increasing pH, however, less soluble compounds form and transport is not as easy as from the original deposits. Contrary to the opinion in the comment, there is no reasonable potential for such polluted sediments to have been transported downstream to the proposed Las Pilitas Quarry section of the Salinas River. Even if mercury from the Rinconada Mine has reached the vicinity of the project site, there is no reason it constitutes a hazard to the project and there would be no interaction by the quarry that would affect the degree of hazard. No changes are necessary in the EIR.

14. As noted in the Project Description, topsoil and highly weathered material will be removed in the early stages of each quarry phase, and stockpiled and protected onsite for use in reclamation. Any clay fraction within this material would be retained.

15. The issue of slope stability is an important potential impact identified in the EIR, and it is influenced by the pattern and extent of fracturing in the granitic rock. This is a common constraint for quarries, however, and a supplement to the slope stability analysis and adjustments to intermediate quarry slopes will mitigate this potential impact. See Impact and Mitigation Measure GEO-1. Site granite is expected to be fractured to very specific extents – that is the intent and design of quarry blasting. The potentially active Rinconada fault is closer to the larger Hanson Quarry, where quarry activities, including blasting, have been occurring for about 100 years. Slope failure could occur within the project, and it could be triggered by blasting, which is the reason for the Mitigation Measure

GEO-1. It is not likely that blasting would cause any other substantial ground motion in the vicinity. No changes are necessary in the EIR.

I.146 Jim Gunter

1. This comment presents general opposition to the project as proposed, including cumulative impacts associated with other quarries in the vicinity, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. If an application for a quarry were proposed in any of these locations, the local jurisdiction would be required to process the request. Two quarries currently exist in the vicinity of Bishop Peak although very little production occurs at these quarries. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Thematic Response#1 addresses bicycle safety issues. No changes have been made to the text of the EIR, in response to this comment.

I.147 Henry A. J. Ramos

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

2. This comment presents generalized concerns for cumulative traffic impacts related to Hanson Quarry and new solar facilities on Highway 58, as presented in Section 4.11 of the Draft EIR. Construction of both solar projects in the Carrizo Plain will be completed before the quarry project is initiated. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

   The comment suggests that additional traffic and pavement damage would occur on I Street through Santa Margarita. The project does not propose to use I Street for truck traffic. The analysis summarized in the EIR (Table 4.11-9, top

row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR.

4. The routing of "sustained industrial traffic" along SR 58 that is referenced in the initial comment was a short-term event associated with the construction of the two solar projects in eastern San Luis Obispo County. The comment expresses opposition to the proposed Las Pilitas Quarry project, and opinions regarding the character of the community and nature of the Santa Margarita corridor. The comment does not require any revisions to the analysis or conclusions presented in the EIR.

5. This comment appears to support the imposition of Traffic Mitigation Measure MM Traffic-4, which states as follows:

   MM TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes. *The applicant/quarry operator shall enter into an agreement with the County to pay their fair share of improvements necessary to identified intersections in the community of Santa Margarita. The applicable fair share is currently estimated at 8.1 percent based on proportional contribution by the project to traffic at the intersection of Estrada Avenue and El Camino Real. The estimated fair share for signalization at Estrada Avenue and H Street is 9.1 percent. The fair share contribution shall be evaluated and the agreement updated as necessary by the County in consultation with Caltrans, prior to the issuance of each Notice to Proceed for each phase of the quarry.*

   No changes have been made in the EIR.

6. Implementation of Traffic Mitigation Measure MM Traffic-4 will address the concerns raised by this comment.

7. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. The decision makers will consider all

information in the EIR as part of making the final decision on the proposed project. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.148 Rayleen Wight

1. This comment presents general opposition to the project as proposed, and provides a different description of the project location, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The comment is addressing a portion of Chapter 2 Project Description, specifically Section 2.1 Location and Boundaries. The information presented in this section is described in its title, and is limited to the "location and boundaries" of the project site. This section concludes with the statement: "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." Those referenced locations in the EIR provide a description of the residences and other land uses in the project vicinity. Finally, please note that there is no "…'excerpt' portion of the draft EIR" presented in Section 2.1 of the EIR. This reference is not clear.

3. The parcels of land in which the Hanson Santa Margarita quarry and the proposed Oster-Las Pilitas quarry are located are adjacent to one another. Neither project, however, would involve quarry activities up to the boundary of its parcel. The proposed Oster Las Pilitas quarry site is approximately 2,600 feet east of the processing and storage area at the Hanson Quarry, and approximately 2,300 feet southeast of the active quarry pit at the Hanson operation. The Hanson quarry is expected to continue operations at their present level for approximately 59 years, based on information provided in their 2013 application to amend their CUP and Reclamation Plan.

   The residences closest to the proposed quarry include two homes within the Oster property. There are approximately six residences located within 1,000 feet of the property line, but all are well over 1,000 feet from the proposed edges of the quarry site. The precise identification and procedures to be used in noticing are to be reviewed and approved by the County prior to allowing the project to proceed, in accordance with mitigation measure MM-NOISE 3a.

MM NOISE-3a: Blasting Noise/Blasting and Public Notification Plan. *Prior to the Notice to Proceed with quarrying in Phase 1A, the applicant shall provide, and the Planning and Building Department shall review and approve if acceptable, a Public Information and Notification Plan for blasting activities. The Plan shall describe the blasting and related activities, and specify a notification procedure so that nearby residences may be informed ahead of time regarding pending blast events. The warning and all clear signal system shall be described, and contact information provided for the purpose of obtaining further information or for lodging complaints. All blasting activities shall be conducted by a licensed blasting contractor in a manner consistent with the blasting plan prepared for the project, and shall be limited to daytime hours on normal working days. All blast events shall be monitored for air overpressure (sound levels) at points that will allow computation of resulting noise levels at nearby residences. Blast reports, including the results of ground vibration and air overpressure monitoring shall be retained at the quarry office and shall be submitted to the County Department of Planning and Building on request, and be available for inspection. Control measures and public information can reduce the effects of blasting noise but they cannot be fully mitigated.*

Presentation of this information does not alter the analysis or conclusions of the EIR and no changes to the EIR are necessary.

4. This comment presents generalized concerns for noise, as presented in Section 4.08 of the Draft EIR. These impacts have been identified in the EIR and some of these impacts are significant and unavoidable. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

5. This comment appears to express concern for the reclamation of the Site, once aggregate mining has been concluded. Please be advised that the Reclamation Plans for the quarry, including effective landscaping, are comprehensively governed by State law and regulations (Sections 2710-2795, California Public Resources Code). Further, in accordance with Sections 22.01.050 (D) (4) and 22.01.070 of the San Luis Obispo County Land Use Ordinance, all revegetated areas shall be permanently maintained in perpetuity. The applicant/quarry operator shall provide a financial guarantee to ensure completion of the reclamation plan, including monitoring and maintenance to demonstrate that vegetation has been self-sustaining without irrigation for a minimum of two years prior to release of the final assurance. These requirements are presented in

Section 4.01 of the EIR (Mitigation Measure AES-1a); no changes to the EIR are necessary.

6. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.149 Cheri L. Roe

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Although property value is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." Accordingly, no changes have been made to the text of the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. Night work is not proposed; the detailed operations are described in Section 2.3.1 of the EIR. The comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment appears to express the opinion that trucks on SR 58 do not follow State laws regarding traffic safety. Alleged compliance or non-compliance with State laws is beyond the scope of the California Environmental Quality Act. No changes have been made to the text of the EIR, in response to this comment.

   A separate issue in this comment relates to the potential diversion of traffic (presumably local automobile traffic) to I Street through Santa Margarita in the event that "traffic backs up on Highway 58" (Estrada Avenue). The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require two additional turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along

this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. Enforcement of existing State traffic laws is beyond the scope of the California Environmental Quality Act. No changes have been made to the text of the EIR, in response to this comment.

5. This comment presents generalized concerns for the traffic analysis, as presented in Section 4.11 of the Draft EIR. Please note Thematic Response #7 – "Substantial Evidence" Requirements of CEQA ("enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, <u>even though other conclusions might also be reached</u>.") Since the comment does not indicate any deficiencies in the EIR itself, no changes have been made to the text of the EIR, in response to this comment.

I.150 E. M. Serra

1. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

2. The comment addresses narrow winding segments of SR 58, which are to the east of the project site and would not be used for most of the truck traffic from the project. The entire segment of SR 58 east of Santa Margarita, however, is posted as an advisory route for trucks with a kingpin to rear axle length in excess of 30 feet. The truck types proposed for the project have shorter trailer segments and are capable of travelling the curves without crossing into oncoming traffic. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

I.151 Scottie and Karen Lewis

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety. Please note the

comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. Review of sight distance at the project entrance has been conducted as part of this EIR and determined to be adequate. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

3. This comment apparently disagrees with the following narrative presented in the EIR (Section 4.11), but does not indicate any deficiencies in the analysis:

   Caltrans lists SR 58 from J Street eastward as a 30-foot kingpin-to-rear-axle (KPRA) advisory route. This listing means that trucks with a longer KPRA length may not be able to remain within their travel lane. Such trucks may still legally use the highway, but their drivers may be subject to ticketing by the Highway Patrol if the trucks move outside of their travel lanes ("offtrack"). Besides the 90-degree curve on SR 58 at J Street where this advisory begins, there are two other segments of steep curves along the highway that are the subject of this listing. Both of these segments are eastward from the project site and would not generally affect project-related traffic. The tractor/semi-trailer/full trailer hopper trucks commonly used in the aggregate industry ("doubles") are capable of navigating the steep curvy portions of SR 58 without offtracking.

   Although the comment's disagreement has been noted by the Lead Agency, no changes have been made in the EIR.

4. The Cumulative Effects of this project's traffic, in conjunction with the Hanson Quarry have been noted in Section 4.11.6 of the EIR. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. This comment does not indicate any deficiencies in that analysis; no changes were made in the EIR.

5. Thematic Response #9 describes the need for a left turn lane into the project site.

   This comment appears to express support for Alternative 6.8 ALTERNATIVE ACCESS ROUTE TO SR 58 VIA HANSON QUARRY, as presented in Section 6.0 of the EIR. As no deficiencies were noted in the EIR's analysis, no changes have been made in the EIR, in response to this comment.

6. The Santa Margarita Ranch project is mentioned throughout the EIR, particularly in the Traffic analysis presented in Section 4.11. As just one example, on page 4.11-34, IMPACT TRAFFIC-4a: Cumulative Contribution to 2030 Traffic Volumes states: *"The project will contribute towards future (2030) traffic volumes including trips associated with the development of the Santa Margarita Ranch Agricultural Residential Cluster Subdivision, that will degrade the LOS at the intersection of Estrada Avenue (SR 58) and El Camino Real, and at the intersection of Estrada Avenue and H Street (location of the Santa Margarita Elementary School pedestrian crossing)."*

7. This comment presents generalized concerns for traffic, as presented in Section 4.11 of the Draft EIR. Although tourism is a valid public policy concern, it is not a CEQA issue, which focuses on physical impacts. Section 15131(a) of the CEQA Guidelines states: "economic or social effects of a project shall not be treated as significant effects on the environment." However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment.

8. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

I.152 Sherry Martinez

1. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

   Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.153 Lawrence E. Goldenhersh

1. The air quality analysis includes an inventory of particulate matter (PM10 and PM2.5), and consideration of Diesel particulate matter (DPM) in exhaust. The health risk assessment considered silica dust and other toxins, but determined that the greatest potential for health effects was associated with the carcinogenic potential of Diesel exhaust. The estimate of truck trips is explained in the Project Description (Section 2.3.3), the equipment inventory and operation is described in Section 2.3.2. Specific sources of air emissions, their amounts, comparisons with thresholds, determination of impacts and mitigation measures are presented in Section 4.3.6.

2. The health risk assessment evaluated impacts from truck travel along SR 58. Standardized emission rates include components from all phases of operation (idle, acceleration, steady speed, and deceleration). The health risk assessment is briefly described in Section 5.0 of Appendix D, with results presented in Section 6.4 of the same appendix. The cancer risk results were the most important (Table 13 and Figures5-9 of Appendix D), but chronic and acute hazards from other toxic air contaminants were also presented in Tables 14 and 15, and Figures 10 and 11, in Appendix D.

3. Table 4.3-9 shows that the maximum cancer risk in the Santa Margarita area was less than one-fifth of the threshold used to determine a potential significant increase in cancer risk. Thus, on average the project could generate about five times the anticipated truck traffic before the cancer risk threshold would be exceeded. The health risk assessment was based on dispersion modeling of pollutants from the sources (onsite equipment and on highway trucks), and the dispersion modeling included consideration of weather statistics. The direct influence of seasonal or other weather variations on health effects was not considered separately. The unit health risk factors assigned to various pollutants account for the overall average risk associated with the toxic air contaminants.

   The remaining points in this comments all relate to idling times for Diesel trucks, and apparently assume without explanation that there will be excessive idling of heavy trucks along the length of SR 58. Mitigation Measure AQ-1a includes a restriction on idling time where trucks will be in the processing area or on-site. State requirements established by the Air Resources Control Board restrict idling of buses and heavy trucks in the vicinity of schools (13 CCR 2480). Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project.

4. Criteria air pollutants, including carbon monoxide and ozone precursors (including all nitrogen oxides) were evaluated in accordance with the San Luis Obispo APCD procedures. Section 4.3.6 contains this evaluation. Thematic Response #3 presents further information regarding Air Quality Mitigation Measures. Greenhouse gases were also considered, and are discussed in Section 4.4.

5. Silicosis is an issue most often related to occupational exposure (i.e., workers/employees), rather than a general risk to the public. The health risk assessment included a preliminary review of the risk of silica dust (along with other toxic air contaminants) and determined that the greatest risk from all toxic air contaminants reviewed was associated with the carcinogenic potential of Diesel exhaust. The County follows this procedure on a case-by-case basis, consistent with guidance from the San Luis Obispo County APCD.

6. Response No. 5 above answers this question.

7. Response No. 5 above answers this question.

8. To the extent that this comment may be concerned with fugitive dust in general, Impact and Mitigation Measure AQ-1b address the issue adequately. Specific concerns related to monitoring and protective measures to reduce the risk of silicosis are an occupational matter, and not addressed as a potential environmental impact. No changes are necessary in the EIR.

9-12. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

13. Yes, the EIR includes estimates for water use by the project (see Section 4.13.6 and Impact WQ-3, and Appendix F). These discussions substantiate that the project will not adversely affect the community's access to water.

14. Although the Salinas River has been identified as the water source for the project by the property owner, water is also available on the property from Moreno Creek. Review of water diversion statements for the Oster property and information from the applicant show no shortages or reductions in water availability. Based on a review of 20 years of data regarding the operations of

Santa Margarita Reservoir, the water available from the Salinas River is more than adequate to meet the project needs even in drought conditions. The EIR discussion of current water use and supply, beginning on page 4.13-4 of the Draft EIR, includes accounts of water supply and potential shortages elsewhere in the region (Santa Margarita and Parkhill Road). There have been no published detailed studies of water shortages in these areas.

15. The project will not impact water levels in wells in the vicinity. The evidence to support this conclusion is in the EIR and Appendix F. The comment offers no information or analysis contrary to this evidence or conclusion. Additional water for composition of Portland cement concrete or for washing concrete grade aggregate will not be used in the project. Text Revision # 8 clarifies this point. No other changes are necessary in the EIR.

16. The project does not propose to import water via truck.

17. EIR Text Revision # 8 clarifies that there will be no Portland cement concrete or concrete grade aggregate washing as part of this project.

18. Since aggregate washing is not proposed as part of this project, the primary use of water on the site will be minimal when compared to other operations that wash aggregate on site. The primary use for water on site will be for dust control to mitigate air quality impacts. Water consumption for dust control is highly variable, depending on other dust control measures such as paving access drives, minimizing exposure of soil material, and the use of dust suppressants. Water demand calculations are provided in Section 4.13 of the EIR and Appendix F. No changes are necessary in the EIR.

19. As discussed in Section 4.13 of the EIR, water use by the project will not cause a significant impact. There is no mitigation required relative to the use of water. Therefore, there is no need for monitoring or enforcement of a mitigation measure related to this issue.

20. A limited form of water recycling is proposed within the project: when surface water is available in the detention ponds of the project, it will be pumped into a water truck and used for dust control. As stated in Response No. 19 above there is no need to monitor water consumption.

21. Since there would be no washing of aggregate or use of water for other than dust control, there would be no wastewater generated by the project. Stormwater runoff would be controlled through the construction of three detention basins and other measures as discussed in Section 4.13 of the EIR. No changes are necessary in the EIR.

I.154 Anna Serra Goldenhersh

1. This comment presents generalized concerns for traffic and air quality, as presented in Sections 4.11 and 4.1, respectively, of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. The comment seeks clarification as to how Mitigation Measure MM AQ-1a will be enforced. This measure requires, in part that: "on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5 minute idling limit."

   All mitigation measures adopted in the EIR, including Mitigation Measure for Air Quality impacts, must be "fully enforceable through permit conditions, agreements or other measures," as required by Section 21081.6(b) of the Public Resources Code. The Mitigation Monitoring and Reporting Program, adopted simultaneously with certification of the Final EIR, is the appropriate means of complying with this requirement. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project.

3. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.155 Pat Witman

1. This comment presents general opposition to the project as proposed and supports Alternative 6.5 (No Project Alternative), but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.156 Roy Reeves

1. The attached letter is the same as Letter O.24, submitted by the applicant.

2. Please refer to the Lead Agency's responses to the fourteen issues raised in Letter O.24.

I.157 Eileen Serra

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. Environmental issues related to aesthetics/change of character are discussed in Section 4.01. Air quality is discussed in Section 4.03. Hazards are discussed in 4.07. Noise impacts are discussed in Section 4.08. Traffic/safety is discussed in section 4.11. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

I.158 Gerald F. Serra

1. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment. Please note the comments expressed herein will be forwarded to the decision makers through the Final EIR, for their consideration during the decision making process.

2. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency response(s) upon Hwy. 58 either east or west of the project site. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

3. The value of 800 trips per day is not proposed and was not analyzed. For further clarification of this issue, please see Thematic Response #4 and Text Revision #10.

4. All of SR 58 east of Santa Margarita is posted by Caltrans as an advisory route for trucks with kingpin to rear axle lengths in excess of 30 feet. The major section of tight curves addressed in this comment, however, is east of the project site and will not be affected by the project truck traffic. The comment is correct in noting that the highway is narrow and without substantial shoulders in some areas. The double hopper trucks proposed with the project are capable of traveling the roadway, including the sharper curves, without crossing the centerline into oncoming traffic. Thematic Response #8 provides information of the project's impacts on State Route 58 and other County roads.

The project has been reviewed by Cal Fire and is not expected to have an adverse effect on the provision of emergency services. On February 8, 2014, Laurie Donnelly, Battalion Chief/Fire Marshal for CalFire/San Luis County Fire Department, reviewed the emergency response issue and reported that: "From a strictly operational point of view, the proposed project does not present a significant concern relative to emergency response(s) upon Hwy. 58 either east or west of the project site.

I.159 Mark S. Edwards

1. As the Lead Agency, the County of San Luis Obispo has contracted with a consultant to prepare the EIR, in accordance with Section 15084 (a) of the CEQA Guidelines. EIR consultants are selected through the Request for Proposal process, which is open to all qualified consultants. Consultants are selected based on qualifications and if they do not have conflicts of interest with the project they are to analyze. Responsible Agencies and other resource protection agencies provide input and/or comments on the EIR to ensure impacts to the resources they are responsible for protecting are considered in the analysis. With regard to the comment's request for "Peer Review," Section 15151 of the CEQA Guidelines describes the following required standards for adequacy of an EIR:

   An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

   In addition, the County of San Luis Obispo, as Lead Agency has complied with Section 15084 of the CEQA Guidelines, regarding "Preparing the Draft EIR," particularly as it related to the following issues:

   (c) Any person, including the applicant, may submit information or comments to the Lead Agency to assist in the preparation of the draft EIR. The submittal may be presented in any format, including the form of a draft EIR. The Lead Agency must consider all

information and comments received. The information or comments may be included in the draft EIR in whole or in part.

(e) Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the Lead Agency. The Lead Agency is responsible for the adequacy and objectivity of the draft EIR.

2. The comment notes that the analysis of aesthetic effects of the project did not address the appearance of roadways and the vehicles on them. This is because the EIR addressed aesthetics in terms of the appearance of the landscape – the hillsides and natural vegetation as viewed from roadways—rather than the appearance of the roads themselves. This approach is consistent with County policies that place a high value on protection of scenic resources as viewed from public places. The comment is incorrect in stating that the EIR fails to consider the aesthetic effects of increased truck traffic. The EIR does consider and disclose this issue, but places it in the context of community character rather than an effect on natural scenery. See Section 4.14.6, Compatibility with Land Uses in the Santa Margarita Community, which concludes that …*the passage of heavy trucks through the Santa Margarita community is potentially inconsistent with the goals of the design plan, and was also mentioned in comments received during the scoping period for this EIR. The truck traffic generated from the proposed quarry (273 daily trips, on average) could compromise the desired rural character of the Santa Margarita community, as expressed in the adopted Santa Margarita Design Plan.*

3. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

4. The EIR Air Quality discussion does not attempt to identify all possible receptors within one-quarter mile of the project. Instead, the health risk assessment "…assumes potential exposure at several nearby residences…," which are described in the EIR. The particular residences chosen were selected based on their proximity to the project site. As reported in Table 4.3-9, with the mitigation measures placed on the project the potential health risk at all of the receptors near the project would be less than significant. In addition, with direction from the San Luis Obispo APCD the analysis was extended beyond the vicinity of the project to encompass residences in Santa Margarita that may be affected by Diesel exhaust from project-related heavy truck operation. The health risk at all locations in Santa Margarita was also less than significant. Since the potential carcinogenic effect of Diesel exhaust would be less than significant at nearby locations, the greater number of other residences at farther distances would also experience a less than significant risk, since the exposures at those farther distances are lower. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

5. The San Luis Obispo County Air Pollution Control District (APCD) has indicated off-site mitigation of air quality impacts (including NOx+ROG, as well as PM10) can and should be incorporated into the project, to reduce the project emissions below a level of significance. According to Gary Arcemont, Air Quality Specialist for the San Luis Obispo County Air Pollution Control District, and based on the agreement reached between the applicant and APCD, the District recommends that the conclusions in the EIR relative to Impact AQ-1a (relating to NOx+ROG) and Impact AQ-1b (relating to PM10 Fugitive Dust/particulate matter emissions) should be changed from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

   The County of San Luis Obispo, as Lead Agency defers to the technical and policy expertise of the San Luis Obispo County Air Pollution Control District, and agrees with the recommendations of the District, as a Responsible Agency. Please refer to Thematic Response #3 for further information regarding Air Quality effects of the project. Text Revision #27 documents the change in EIR conclusions, from "significant and not mitigated" to "significant but mitigable" or "less than significant" – Class II.

6. The comment expresses the opinion that automobile traffic would use an alternate route through Santa Margarita in order to avoid truck traffic on Estrada Avenue, and then argues that the EIR should analyze the air quality effects of this scenario. Although not stated in this comment (No. 6), a later comment from this same letter indicates that the route would be along I Street (see

comment 17 below. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicates very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street, they would be traveling about the same distance but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance, which would generally result in the same or fewer criteria pollutant emissions. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. In addition, the localized effects on air quality of passenger vehicle traffic using this alternative would appear to be less than the maximum effects from the project estimated truck traffic in the Santa Margarita village area. The most sensitive indicator of potential toxic effects was the cancer risk, and Table 4.3-9 in the EIR shows that the potential risk from the project truck traffic at the maximum point in the Santa Margarita village area would be less than significant. Even if some passenger vehicle traffic were to divert and use I Street, the potential effect as measured through the health risk assessment would be less than significant.

No changes are necessary in the EIR's air quality analysis; please note that Thematic Response #3 amplifies the information presented in the EIR related to Air Quality.

7. The County of San Luis Obispo, as Lead Agency, has complied with Section 15084 of the CEQA Guidelines, regarding "Preparing the Draft EIR," particularly as it relates to the following issues:

   (c) Any person, including the applicant, may submit information or comments to the Lead Agency to assist in the preparation of the draft EIR. The submittal may be presented in any format, including the form of a draft EIR. The Lead Agency must consider all information and comments received. The information or comments may be included in the draft EIR in whole or in part.

   (e) Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the Lead Agency. The Lead Agency is responsible for the adequacy and objectivity of the draft EIR.

8. The EIR concludes that there would be no impacts to listed species of federal significance (page 4.5-34) because no federally listed species were found on the site or are expected to occur on the site. Tables 4.4-4 and 4.4-5 include not only species listed as endangered or threatened by the federal government, but also include species that are listed or considered sensitive for other reasons by the state of California, and also include plant species that are considered sensitive by the California Native Plant Society. A complete checklist of all species found on the property during the field surveys is included in the LFR report included in Appendix B of the EIR. Indirect impacts—including impacts that may occur to wildlife species during construction or for other reasons--are described in Impact BIO-3: Effect on Ringtail Cat, Impact BIO-4: Effect on Birds, Impact BIO-5: Effect on Bats, Impact BIO-8: Effect of Dust on Plants, and Impact BIO-11: Effect on Wildlife Movement. No changes to the EIR are necessary.

9. The Biology section of the EIR (Section 4.5) addresses the direct effects of the project caused by habitat removal, and the disturbance to animals that would be caused by construction (operation of equipment, noise, human activity), and the potential indirect effects of dust and interference with animal movement. The Water Quality section EIR (Section 4.13) also describes potential effects and mitigation measures that will avoid any significant impacts to water quality (Impact and mitigation WQ-1). Effects to wetland habitat are described and quantified as Impact and Mitigation BIO-10. The Salinas River may contain suitable habitat for steelhead, but that habitat is over 1,000 feet from the proposed quarry site and the measures to avoid water quality impacts will serve to avoid any indirect impacts to that species if it occurs there. Although California tiger salamander is known to exist in the greater region, there are no suitable breeding pools on the property, and the upland habitat that will be disturbed by the quarry (steep chaparral hillside) is poor for supporting this species, as noted in Table 4.5-5 and on page 4.5-31 of the Draft EIR.

   Impact and Mitigation measure BIO-10 includes a quantification of the area of wetland that will be impacted by the project (0.25 acre). No changes or additions are necessary for the EIR.

10. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

11. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

12. Contrary to the premise of this comment, increases in truck traffic caused by the project will not be "exponential" in nature. Instead, the increase will be linear in nature as the total increase in truck traffic will be by a factor of 4 to 5 when compared with existing truck traffic volumes. Barium is a common trace element in rocks and soils, and is common in urban and rural environments. It is generally not analyzed or considered in detail in environmental assessments or health risk assessments, which usually address elements or compounds with higher health risk effects. The health risk analysis performed for this project was based on the carcinogenic potential of Diesel Particulate Matter (DPM) from Diesel exhaust. Please see Thematic Response #6 which cites Section 15151 of the CEQA Guidelines as follows:

    An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.

13. The analysis summarized in the EIR (Table 4.11-9, top row addressing Estrada Avenue/El Camino Real, and second row addressing Estrada Avenue/H Street) indicate very little effect of the project in causing morning or peak hour delays along this portion of SR 58. If automobile drivers were to select the route along I Street as suggested by the comment, they would be traveling about the same distance, but along a narrow residential street with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR's analysis of hazards and hazardous materials. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

14. The EIR Noise Section (Section 4.8) does not purport to represent every residence that exists in the general vicinity of the project – only those nearest to the project that are most likely to be exposed to noise levels that would be considered a significant impact. No changes to the EIR are necessary.

    In general, this comment appears to disagree with the conclusions of the Noise Report prepared by Dubbink and Associates. The County has complied with Section 15084 (e) of the CEQA Guidelines, which states: *Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the Lead Agency. The Lead Agency is responsible for the adequacy and objectivity of the draft EIR.* Also, please note Section 15151 of the CEQA Guidelines, which states: *An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts.* No changes are necessary in the EIR.

15. The EIR did not state there were only five residences in the project vicinity, it used the residences shown in Figure 4.8-1 as nearby residences that were either most likely to experience noise effects or were representative of the vicinity as a worst case scenario. The three-mile radius discussed in the comment would include most of the Santa Margarita community. Some residences there would be affected by noise from increased truck traffic, which was discussed in the EIR, but they would not be affected by noise from the quarry itself. In the context of noise analysis, "immediately adjacent" to a roadway usually means within 50 feet of the roadway centerline since most noise models will predict highway source noise for this distance. While residences mentioned in the comment may be adjacent to the property within which the quarry would be located, it is clear from Figure 4.8-1 that even the closest is over 1,000 feet from the nearest point of the proposed quarry. No changes are necessary in the EIR.

16. The comment raises issues associated with cumulative noise impacts due to the potential diversion of automobile traffic through Santa Margarita. If automobile drivers were to select the route through this community, they would be traveling about the same distance, but along narrow residential streets with no sidewalks and a 25 mph speed limit along the entire distance. In addition, the route would require three turns to reach SR 58 (El Camino Real or Main Street) westbound towards US Highway 101, instead of the single turn along SR 58 at Estrada Avenue and El Camino Real. Thus, there is little reason to expect that automobile drivers along this route would select I Street as an alternative on a

regular basis, particularly if a new traffic signal is installed along the SR 58 route. No changes are necessary in the EIR's noise analysis.

17. The comment raises issues associated with the potential diversion of automobile traffic onto other roads to travel through Santa Margarita. In summary, the traffic analysis indicated very little effect of the project generated truck traffic on delay times at the intersections along SR 58, and any alternate route suggested in the comments is circuitous and would have a longer travel time with more turning movements.

    The second part of the comment addresses traffic conditions along SR 58 between Santa Margarita and the project site. The traffic analysis of the 2030 scenario did include the cumulative effects of future residential development as part of the regional projections of future traffic volumes. The results in Table 4.11-11 of the EIR indicate that under the future 2030 scenario, the intersection of SR 58 at West Pozo Road and the intersection at the proposed project driveway, would both function at acceptable levels of service (either A or B). The lane widths and curves along SR 58 between West Pozo Road and the project can accommodate trucks, and do not pose a unique safety hazard. Mitigation measure Traffic-3a addresses the proposed access drive and compliance with Caltrans requirements. It is anticipated that this new access drive will include a left-turn lane from eastbound SR 58, and acceleration and deceleration lanes. The issue of potential interference with bicycle traffic is addressed in Thematic Response # 1. CalFire has reviewed the project plans, and has confirmed that emergency access or the movement of emergency vehicles will not be impeded.

    No changes are necessary in the EIR.

18. This comment appears to disagree with the County's previous (i.e., independent of this project) adoption of the EX1 Extractive Resource Combining designation. The purpose of this designation is to protect resource extraction operations from encroachment by incompatible land uses that could hinder resource extraction. The reference to this Combining designation was included in the EIR, in order to comply with Section 15125 (d) of the CEQA Guidelines: "*the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans.*" Table 4.14-2 in the EIR presents the conclusion that the project can be found consistent with the EX1 Extractive Resource Combining designation, as defined by the Land Use Ordinance, Section 22.14.050. No changes have been made to the EIR text, to remove references to the EX1 Extractive Resource Combining designation.

19. This comment expresses support for Alternative 6.5, the No Project Alternative. No changes in the EIR are necessary.

I.160 Catherine Burkhardt

1. This comment presents generalized concerns for traffic, cyclist safety and driver safety as presented in Section 4.11 of the Draft EIR. However, the comment does not indicate any deficiencies in the EIR itself. No changes have been made to the text of the EIR, in response to this comment. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. This comment presents general opposition to the project as proposed and concerns related to biological resources, noise, air quality and traffic as presented in the EIR, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

3. This comment presents general opposition to the project as proposed, but does not indicate any deficiencies in the EIR. No changes have been made to the text of the EIR, in response to this comment.

I.161 Kevin Christian2

1. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

I.162 Paul Dilger

1. This comment provides detailed descriptions of restrictions in sight distance at some locations along SR 58, and the lack of paved shoulders along this portion of the route. These conditions are common along rural highways, and do not necessarily indicate a disproportionately unsafe condition when compared to other segments of the highway and are not a result of the proposed project. Specific areas where safety was discussed in the EIR were identified through consultation with the County Department of Public Works and Caltrans prior to preparation of the Draft EIR. The particular curves, banks, and shoulders along SR 58 identified in this comment were not identified by these agencies as representing an inordinate safety hazard. All of SR 58 east of Santa Margarita is posted by Caltrans as an advisory route for trucks with kingpin to rear axle lengths in excess of 30 feet. Please refer to Thematic Response #1 for further information regarding bicycle safety. Thematic Response #8 provides further

information of the project's impacts on State Route 58 and other County roads. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

2. Issues raised in this comment are similar to those in the previous comment, and no additional response is necessary.

3. The alternate route suggested by the comment was considered in the early preparation of the EIR, and was replaced by the Alternate Access Route discussed in Section 6.8 of the EIR. As suggested by the comment, the access would require crossing the Salinas River with a new bridge, and graded approaches through the oak riparian habitat along the river. Instead, a modification of this route was discussed in the EIR, in which SR 58 is used to cross the river, and then existing ranch roads on the west side of the river, along with some new road construction, would be used to reach the existing Hanson access road. While beneficial in some respects (avoiding truck traffic along the J Street portion of SR 58 and Estrada Avenue), this alternative would not reduce noise or other effects related to truck traffic through Santa Margarita. As explained in the EIR, this alternative would also involve securing permission from other property owners.

I.163 Holly Naylor

1. The assessment of potential effects related to dust generation was based on the San Luis Obispo APCD thresholds, which are expressed as emission rates (25 pounds per day, and 25 tons per year) rather than as a concentration. Modeling was performed to determine the location of the maximum point of pollutant concentrations at offsite locations. This information is provided in Table 12 of the Air Quality Appendix (Appendix D), and is summarized as follows:

   The maximum Daily and Annual PM10 concentrations caused by the project would be 57.1 and 4.74 µg/cubic meter, respectively. These data are consistent with the EIR conclusion that the project would have a significant impact, requiring additional mitigation, with respect to 24-hour average dust generation, and that the effects relative to the annual average values would be less than significant (with the mitigation measures assumed for the project). For comparison, the range of concentrations of PM10 at the Nipomo (Guadalupe Road) air quality monitoring station over the last four years has been 120.1-150.4 µg/cubic meter for 24-hour PM10 concentrations, and 25.3-26.3 µg/cubic meter for annual concentrations.

The Air Quality Appendix includes a "wind rose" showing the distribution of direction and strength of winds in the project vicinity (Appendix D, Figure 4). This diagram indicates that the strongest winds affecting the project site are from the southwest blowing towards the northeast, a little over one-third of the time. Another one-third of the time, winds blow from the opposite direction (from the northeast towards the southwest), but on average the wind speeds from this direction are lower. The remaining one-third of the time, winds are variable from all directions and at lower speeds.

2. Bicyclists along SR 58 will be subject to windblown dust that accumulates along roadways, as with all highways, and would not solely occur due to the proposed project. All loads associated with the project are required to be covered to minimize the potential for windblown dust (Mitigation Measure AQ-1b.10). Measures to reduce tracking out of mud or dirt onto the state highway will be incorporated into the project. One of these is the paving of the access road between the highway and the quarry processing area. In the event there is any tracking out of mud or dirt onto the highway, Mitigation Measure AQ-1b.11 requires that the highway be swept at the end of each day. No changes are necessary in the EIR. The comments expressed herein will be forwarded to the decision makers through the Final EIR for their consideration during the decision making process.

3. As Lead Agency for this EIR, the County of San Luis Obispo Planning and Building Department recognizes the County Public Health Department's guidance for avoiding and controlling worker exposure to species of Coccidioides (cocci), the fungal agent that causes Valley Fever. Accordingly, through implementation of certain control measures, as outlined in Mitigation Measures MM HAZ-7a and MM HAZ-7b, the County considers the environmental effect of this project on public health issues to be less than significant. Please refer to Thematic Response #2 for further information.

4. As Lead Agency for this EIR, the County of San Luis Obispo recognizes Caltrans District 5's identification of possible safety hazards to bicyclists from traffic legally permitted to travel on State Highways. Please refer to Thematic Response #1 for further information regarding bicycle safety.

5. This comment appears to disagree with the following analysis presented in Section 4.11 of the EIR:

   School Crossing. *There is a crest vertical curve on Estrada Avenue (SR 58) south of H Street, which is the location of the Santa Margarita Elementary School crossing. This crest obscures driver views from the*

south of the school pedestrian crossing. This effect does not occur with heavy truck drivers, however, since their driving position is much higher above the street surface than that of automobile drivers. Truck drivers can see the crossing from about 350 feet away.

The crossing is striped and marked with signage in accordance with applicable Caltrans standards (Traffic Manual, Chapter 10, School Area Pedestrian Safety Caltrans 1996), and includes other safety features. School zone speed limits are posted and enforced in the area, and a driver feedback sign has been installed for northbound traffic. Caltrans and the County recently installed a manually-operated flashing beacon light on either side of the crosswalk. The crossing is monitored by school crossing guards during drop-off and pick-up times.

Although trucks and truck drivers may not directly affect the safety of the school crossing, the presence of additional truck traffic might interfere with pedestrian views and the ability of crossing guards to see and take note of oncoming traffic. This potential interference with visibility at the school crossing is considered a less than significant impact, since the crossing is on a state highway and is consistent with the applicable Caltrans guidelines and standards.

Aside from disagreement, the comment does not identify any deficiencies in the EIR. No changes have been made to the EIR, in response to this comment.

I.164 Brenda McAdams3

1. It is not clear whether the commenter wishes to recall either Comment Letter I.10 or Comment Letter I.13, or both. In any event, since both letters were submitted to the Lead Agency during the public review period, they must remain part of the public record. The corresponding Lead Agency responses to Comment Letters I.10 and I.13 are presented above.

9.5 COMMENTS RECEIVED ON THE DRAFT EIR

The Notice of Availability of the Draft EIR indicates that the Draft EIR was circulated for a public review period that began April 17, 2013 and concluded on June 5, 2013.

The comment letters presented in the following pages were submitted by federal, state, regional, and local public agencies, as well as private individuals and organizations. The numbers in brackets refer to the applicable comment number from the comment letters presented in this Section.

[Insert pdf of "Las Pilitas Quarry Project Draft EIR Bracketed Comments" here]