



**Oster Living Trust (Las Pilitas Quarry) Condition Use Permit and Reclamation Plan**

**Bill Clark** to: joliveira

Cc: jnall, ecarroll, jpatterson

07/21/2010 03:19 PM

Mr. Jeff Oliveira  
July 21, 2010  
Department of Planning and Building  
976 Osos Street, Room 300  
San Luis Obispo, CA 93408-2040

Dear Mr. Oliveira,

The following are comments regarding the Initial Study related to the Environmental Impact Report for the project entitled: Oster Living Trust (Las Pilitas Quarry) Condition Use Permit and Reclamation Plan - DRC2009-00025 (ED09-258). The intent of these comments is not to criticize the initial study but rather to point out areas where, in my opinion, further study, consideration and analysis should be directed during the preparation of the Environmental Impact Report.

**Recycling:** The applicant proposes that asphalt and concrete debris be brought to the site for recycling, yet it is uncertain whether this use of the property is allowed under county codes. This land use question should be resolved before the EIR is prepared. If the EIR is prepared with recycling included, the applicant must furnish a quantitative upper limit of the amount of material to be recycled on an annual basis so that the environmental impact of the recycling operation can be added to the proposed quarry operation.

**Air Quality:** The applicant proposes to use water to control fugitive dust but does not indicate how this is to be accomplished. The proposed methodology for fugitive dust control should be specified so that the EIR can address its effectiveness under all wind conditions. The applicant should propose the installation of pollutant monitoring stations in the residential areas affected by the quarry. The monitoring program should be administered by the County APCD.

**Cultural Resources:** There must be a Native American consultation component in the cultural resource section of the EIR. Native Americans sometimes know of burial sites, historic plant collection areas, and village locations which are undocumented. An archaeological surface survey should be conducted on the entire 203 acres which encompass the proposed quarry site. Although it is proposed that only 60 acres will be affected, the entire 203 acres will be accessible to the quarry workers.

**Noise and Light:** The applicant proposes that there be no weekend and night time operation. This is merely the current intent of the applicant. Due to the proximity of residential neighborhoods, weekend and night time operation of the quarry should be banned by the county.

**Transportation/Circulation:** The traffic study in the EIR must include the Main Street of Santa Margarita, Highway 58, and the State Route 101 - Highway 58 interchange. The applicant contends that this route through Santa Margarita and the interchange need not be studied since the applicants trucks will be replacing the Hanson trucks which

already use this route. This is only partially true since the Hanson trucks which go North use the Santa Barbara interchange with SR 101, and all of the applicants trucks will be using the SR 101 - HWY 58 interchange to go both North and South. The North access ramp of the SR 101 - HWY 58 interchange is below average in length and double bottom trucks have difficulty in merging with traffic. In addition, the applicant must fold in the truck traffic associated with the proposed recycling of asphalt and concrete. The preliminary traffic study commissioned by the applicant is silent on this additional impact.

**Fire Control and Containment:** The applicant should be required to specify fire safety procedures so these procedures can be analyzed as to their effectiveness in the EIR. Rapid response fire curtailment equipment and procedures should be required on site and the applicant should be required to specify a plan of action in the event of a fire.

**Responsibility of San Luis Obispo County:** The county has a responsibility to comply with the California Surface Mining and Recovery Act which states that adverse environmental effects are prevented or minimized and that residual hazards to the public health and safety are eliminated. The EIR should assess the impact on county finances in the event of lawsuits resulting from traffic accidents and health problems related to permitting the operation of the proposed quarry.

Thank you for considering these comments. Please inform me when the draft EIR is published.

Sincerely,

William E. Clark  
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