



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/10/10

TO: _____

FROM: Murry Wilson, Environmental Specialist/ Deveopment Review

PROJECT DESCRIPTION: DRC 2010-00015 TWIST RANCH- Reconsideration of Previous Condition of Approval (D990218D)

Description- A request for a reconsideration of Condition of Approval #4 (see attached conditions associated with D990218D) to allow continued mining of Huero Huero Creek using paddle wheel scrapper. The applicant is requesting 10-15 years of additional mining with maximum extraction of 400,00 yards (116,172 yards have been extracted under the existing use permit). The mining project is currently identified as Mine # 91-40-0052 in the County/ State mining systems. No changes to mining practices are proposed and the existing reclamation plan will remain in effect.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 9/10/10 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
 NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
 NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

File No. DRC 2010-00015

APPLICATION TYPE - CHECK ALL THAT APPLY

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Emergency Permit | <input type="checkbox"/> Tree Permit | <input type="checkbox"/> Plot Plan | <input type="checkbox"/> Zoning Clearance |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Use Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Other |
| <input type="checkbox"/> Conditional Use Permit/Development Plan | | <input type="checkbox"/> Surface Mining/Reclamation Plan | |
| <input type="checkbox"/> Curb, Gutter & Sidewalk Waiver | | <input checked="" type="checkbox"/> Modification to approved land use permit | |

APPLICANT INFORMATION

 Check box for contact person assigned to this project

Landowner Name _____ Daytime Phone _____
Mailing Address _____ Zip Code _____
Email Address: _____

Applicant Name CALPORTLAND CONSTRUCTION Daytime Phone 805 345-3418
Mailing Address R.D. BOX 1280 SANTA MARIA, CA. Zip Code 93456
Email Address: _____

Agent Name BOB KOBER - CALPORTLAND Daytime Phone 345-3418
Mailing Address R.D. BOX 1280 SANTA MARIA, CA. Zip Code 93456
Email Address: _____

PROPERTY INFORMATION

Total Size of Site: 1500 ACRES (45 MINED) Assessor Parcel Number(s): _____
Legal Description: CRESTON QUAD TOWNSHIP 275 RANGE 13E NEAR CRESTON
Address of the project (if known): APPROX. 500' NORTH OF HWY 41, WEST OF CRESTON Rd. in HUERFANO CREEK,
Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: OFF CRESTON Rd. & HWY 41 ON OLD WEBSTER CROSSING ROAD.

Describe current uses, existing structures, and other improvements and vegetation on the property:
CATTLE RANCHES, BARNS, CORRALS & OWNERS RANCH HOUSE.

PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): CONTINUE MINING DRY RIVERBED FOR SAND DURING DRY SEASON USING A PADDLEWHEEL SCRAPER - VERY INTERMITTENT OPERATION - 10 to 15 MORE YEARS REQUESTED -

LEGAL DECLARATION

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Bob Kober - Agent

Date 8-30-2010

FOR STAFF USE ONLY

Reason for Land Use Permit: _____

LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Type of project: Commercial Industrial Residential Recreational Other SANDMINING

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): _____

Describe existing and future access to the proposed project site: HWY 41 AND CRESTON RD AT OLD WEBSTER CROSSING ROAD.

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site? 1500 ACRES

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: GRAZING - CATTLE

South: GRAZING

East: GRAZING & VINEYARD

West: GRAZING / CARROTS / OATS

N/A For all projects, answer the following:

Square footage and percentage of the total site (approximately) that will be used for the following:

Buildings: 0 sq. feet 0 %

Landscaping: 0 sq. feet 0 %

Paving: 0 sq. feet 0 %

Other (specify) _____

Total area of all paving and structures: 0 sq. feet acres

Total area of grading or removal of ground cover: 0 sq. feet acres

Number of parking spaces proposed: 0 Height of tallest structure: _____

Number of trees to be removed: 0 Type: _____

Setbacks: Front N/A Right _____ Left _____ Back _____

N/A Proposed water source: On-site well Shared well Other NO USE OF ON SITE WATER

Community System - List the agency or company responsible for provision: _____

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Proposed sewage disposal: Individual on-site system Other _____

Community System - List the agency or company responsible for sewage disposal: _____

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Fire Agency: List the agency responsible for fire protection: _____

For commercial/industrial projects answer the following:

Total outdoor use area: 45 sq. feet acres

Total floor area of all structures including upper stories: N/A sq. feet

N/A For residential projects, answer the following:

Number of residential units: _____ Number of bedrooms per unit: _____

Total floor area of all structures including upper stories, but not garages and carports: _____

Total of area of the lot(s) minus building footprint and parking spaces: _____

ENVIRONMENTAL DESCRIPTION FORM

San Luis Obispo County Department of Planning and Building

File No _____

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether or not your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

- Answer **ALL** of the questions as accurately and completely as possible.
- Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
- If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
- Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

Physical Site Characteristic Information

Your site plan will also need to show the information requested here:

- Describe the topography of the site:
Level to gently rolling, 0-10% slopes: 45 acres
Moderate slopes of 10-30%: 0 acres
Steep slopes over 30%: 0 acres
- Are there any springs, streams, lakes or marshes on or near the site? Yes No
If yes, please describe: HUERHUERO RIVER BED
- Are there any flooding problems on the site or in the surrounding area? Yes No
If yes, please describe: IF HEAVY RAINFALL - SEE 6-18-96 CHANDLER RANCH FLOOD CONTROL PROJECT.
- Has a drainage plan been prepared? Yes No
- Has there been any grading or earthwork on the project site? Yes No
If yes, please explain: MINING IN RIVERBED & 1996 FLOOD CONTROL WORK
- Has a grading plan been prepared? Yes No
- If yes, please include with application.
- Are there any sewer ponds/waste disposal sites on/adjacent to the project? Yes No
- Is a railroad or highway within 300 feet of your project site? Yes No
- Can the proposed project be seen from surrounding public roads? Yes No
If yes, please list: CRESTON ROAD

Water Supply Information

- N/A* 1. What type of water supply is proposed? NO SITE WATER USED.
 Individual well Shared well Community water system
2. What is the proposed use of the water?
 Residential Agricultural - Explain _____
 Commercial/Office - Explain _____
 Industrial - Explain _____
3. What is the expected daily water demand associated with the project? NONE
4. How many service connections will be required? N/A
5. Do operable water facilities exist on the site?
 Yes No If yes, please describe: _____
6. Has there been a sustained yield test on proposed or existing wells?
 Yes No If yes, please attach.
7. Does water meet the Health Agency's quality requirements?
 Bacteriological? Yes No
 Chemical? Yes No
 Physical Yes No
 Water analysis report submitted? Yes No
8. Please check if any of the following have been completed on the subject property and/or submitted to County Environmental Health.
 Well Driller's Letter Water Quality Analysis OK or Problems
 Will Serve Letter Pump Test _____ Hours _____ G.P.M.
 Surrounding Well Logs Hydrologic Study Other _____

Please attach any letters or documents to verify that water is available for the proposed project.

Sewage Disposal Information

N/A

If an on-site (individual) subsurface sewage disposal system will be used:

1. Has an engineered percolation test been accomplished?
 Yes No If yes, please attach a copy.
2. What is the distance from proposed leach field to any neighboring water wells? _____ feet
3. Will subsurface drainage result in the possibility of effluent reappearing in surface water or on adjacent lands, due to steep slopes, impervious soil layers or other existing conditions?
 Yes No
4. Has a piezometer test been completed?
 Yes No
5. Will a Waste Discharge Permit from the Regional Water Quality Control Board be required?
 Yes No (*a waste discharge permit is typically needed when you exceed 2,500 gallons per day*)

N/A

If a community sewage disposal system is to be used:

1. Is this project to be connected to an existing sewer line? Yes No
 Distance to nearest sewer line: _____ Location of connection: _____
2. What is the amount of proposed flow? _____ G.P.D.
3. Does the existing collection treatment and disposal system have adequate additional capacity to accept the proposed flow? Yes No

N/A **Solid Waste Information**

1. What type of solid waste will be generated by the project?
 Domestic Industrial Agricultural Other, please explain? _____
2. Name of Solid Waste Disposal Company: _____
3. Where is the waste disposal storage in relation to buildings? _____
4. Does your project design include an area for collecting recyclable materials and/or composting materials? Yes No

Community Service Information

1. Name of School District: PASO ROBLES UNIFIED SCHOOL DISTRICT
2. Location of nearest police station: SLO COUNTY SHERIFF 65 N. MAIN ST. TEMPLETON, CA. 934
3. Location of nearest fire station: CDF - CRESTON STATION
4. Location of nearest public transit stop: PASO ROBLES
5. Are services (grocery/other shopping) within walking distance of the project? Yes No
If yes, what is the distance? _____ feet/miles

Historic and Archeological Information

1. Please describe the historic use of the property:
CATTLE GRAZING & FARMING
2. Are you aware of the presence of any historic, cultural or archaeological materials on the project site or in the vicinity? Yes No
If yes, please describe: _____
3. Has an archaeological surface survey been done for the project site? Yes No
If yes, please include two copies of the report with the application.

Commercial/Industrial Project Information

Only complete this section if you are proposing a commercial or industrial project or zoning change.

1. Days of Operation: MON-SAT. Hours of Operation: 7⁰⁰ AM - 5⁰⁰ PM
2. How many people will this project employ? 1 PADDLE WHEEL SCRAPER
3. Will employees work in shifts? Yes No
If yes, please identify the shift times and number of employees for each shift _____
4. Will this project produce any emissions (i.e., gasses, smoke, dust, odors, fumes, vapors)?
 Yes No If yes, please explain: EXHAUST FROM SCRAPER
5. Will this project increase the noise level in the immediate vicinity? Yes No
If yes, please explain: _____
(If loud equipment is proposed, please submit manufacturers estimate on noise output.)
6. What type of industrial waste materials will result from the project? Explain in detail: NONE
7. Will hazardous products be used or stored on-site? Yes No
If yes, please describe in detail: _____
8. Has a traffic study been prepared? Yes No If yes, please attach a copy.

SEE D99021BD DOCUMENTS

9. Please estimate the number of employees, customers and other project-related traffic trips to or from the project: Between 7:00 - 9:00 a.m. 6 Between 4:00 to 6:00 p.m. 6
10. Are you proposing any special measures (carpooling, public transit, telecommuting) to reduce automobile trips by employees Yes No
If yes, please specify what you are proposing: _____
11. Are you aware of any potentially problematic roadway conditions that may exist or result from the proposed project, such as poor sight distance at access points, connecting with the public road?
 Yes No If yes, please describe: _____

Agricultural Information

Only complete this section if your site is: 1) Within the Agricultural land use category, or 2) currently in agricultural production. DRY RIVER BED -

1. Is the site currently in Agricultural Preserve (Williamson Act)? Yes No *N/A*
2. If yes, is the site currently under land conservation contract? Yes No
3. If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? Please explain in detail: NO CROPS IN RIVERBED OR STOCKPILE AREA

Special Project Information

1. Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc.(these also need to be shown on your site plan): NONE
2. Will the development occur in phases? Yes No
If yes describe: _____
3. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? Yes No If yes, explain: _____
4. Are there any proposed or existing deed restrictions? Yes No
If yes, please describe: _____

N/A

Energy Conservation Information

1. Describe any special energy conservation measures or building materials that will be incorporated into your project *: _____

*The county's Building Energy Efficient Structures (BEES) program can reduce your construction permit fees. Your building must exceed the California State Energy Standards (Title 24) in order to qualify for this program. If you are interested in more information, please contact the Building Services Division of the Department of Planning and Building at (805) 781-5600.

Environmental Information

1. List any mitigation measures that you propose to lessen the impacts associated with your project:
PROTECTING FARMLAND FROM FLOODING.

2. Are you aware of any unique, rare or endangered species (vegetation or wildlife) associated with the project site? Yes No
If yes, please list: _____
3. Are you aware of any previous environmental determinations for all or portions of this property? Yes No
If yes, please describe and provide "ED" number(s): ED 99-521

Other Related Permits

1. List all permits, licenses or government approvals that will be required for your project (federal, state and local): STREAM ALTERATION AGREEMENT FROM FISH AND GAME DEPT,
CURRENT AGREEMENT GOOD THROUGH 2013
(If you are unsure if additional permits are required from other agencies, please ask a member of the Planning Department staff currently assigned in either Current Planning or the Environmental Division.)

DRC2010-00015

Reconsideration of Previous Condition of Approval (D990218D)

Description - A request for a reconsideration of Condition of Approval #4 (see attached conditions associated with D990218D) to allow continued mining of Huer Huero Creek using a paddle wheel scrapper. The applicant is requesting 10-15 years of additional mining with a maximum extraction of 400,000 yards (116,172 yards have been extracted under the existing use permit). The mining project is currently identified as Mine # 91-40-0052 in the County / State mining systems. No changes to mining practices are proposed and the existing reclamation plan will remain in effect.

EXHIBIT B: CONDITIONS OF APPROVAL OF D990218D - UNION ASPHALT**Approved Use**

1. This approval allows the removal of up to 60,000 cubic yards of sand and gravel annually from Huerhuero Creek. The total volume of material that may be removed during the ten year life of this permit is 400,000 cubic yards. Also approved is the final reclamation plan.
2. This approval does not allow for the processing of sand and gravel on the site, and only allows equipment necessary to scrape the material from the site, load the material into trucks, and haul the material to its destination.
3. This approval does not allow for the recycling of concrete, asphalt, vegetative material, soil, or any other substance, nor is the grading of native soil permitted on the creek bank. Stockpiling of any material other than sand and gravel is prohibited.
4. This approval is granted for a maximum of ten years, or until October 25, 2011. Continuance of the proposed use beyond this date or excavation of more than 400,000 cubic yards shall require approval of a new Development/Reclamation Plan.
5. Operation and use shall be consistent with the approved site plan and Reclamation Plan, as shown in Exhibit C, and is limited to the area shown on the approved plan.

Initial Notice to Proceed

6. Prior to the commencement of mining in the first year of operation, the operator is to request in writing from the Department of Planning and Building a Notice to Proceed.

Hours of Operation

7. All operations, including hauling, shall be restricted to normal business hours, and in no event shall commence earlier than 7 a.m. or extend later than 5 p.m. Monday through Saturday.

Access

8. The operator shall provide a means of entry for Department of Planning and Building staff to allow inspections at the discretion of county staff.

Air Quality

9. Any unpaved haul roads shall be watered during their use at least once in the morning and once in the afternoon to reduce windblown dust. The operator shall maintain a clear, accurate, permanent set of records of overall water use and frequency of water truck use. Each record shall be dated and signed by an appropriate individual. The records shall be retained at the operator's place of business, and shall be available for review and inspection by county staff.

10. All trucks hauling sand shall be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
11. During operation, speed for all vehicles traveling on unpaved roads shall not exceed 15 mph.
12. During operation, if material is carried onto the neighboring streets by the haul truck tires or other sources from the site, that area shall be swept clean within 8 hours.

Biological Resources

13. At no time, shall woody vegetation or trees be removed if over 4 inches in diameter at four feet above the ground level. There shall be no disturbance within the dripline of existing trees. If it is determined that trees greater than 4 inches in diameter have been killed by other than natural causes then they shall be replanted, in-kind, on the site at a ratio of 4 to 1. The newly planted trees shall be maintained until successfully established.
14. During operation, mining shall occur only when the creek is dry.
15. At all times, a 15 foot buffer shall be maintained on Huerhuero Creek between the mining areas and the banks of the creek. Additionally, a 5 foot buffer shall be maintained on the West Branch of Huerhuero Creek between the mining areas and the banks of the creek and riparian vegetation.

Water Quality

16. At no time shall equipment be serviced or fueled in the creek bed, nor shall any fuel be stored in the river bottom, nor shall the operator use petroleum based products for dust control on working areas in the river bottom.

Erosion

17. During mining and at the completion of mining activities, the applicant shall fully implement the approved Reclamation Plan, attached as Exhibit C, as amended by these conditions of approval.
18. When mining activity commences, a pilot channel shall be created first to a maximum width of 100 feet with side slopes of 3 horizontal to 1 vertical. At pipe crossings, a slope of 4 horizontal to 1 vertical shall be left from the bottom of the mined area and within 125 feet of the pipes. Additionally, the mined channel will taper at a 4:1 slope with a 50 foot buffer from the adjoining downstream property. The channel may then be widened to a maximum of 200 feet but no mining shall occur within the buffer areas mentioned in these conditions of approval. No mining shall occur within 500 feet of the Highway 41 bridge.
19. Prior to issuance of the "Notice to Proceed," the river profile shown on the profile and section layout dated March 23, 2000 and provided by Tartaglia Engineering shall be

modified to show a projected grade line extending from the upstream to the downstream extent of those areas mined before March 23, 2000. The projected grade shall extend from the actual existing grade shown at station 14+00 to station 23+00, at station 51+00 to station 55+00, and at station 109+00 to station 120+00.

The first phase of mining will be to a maximum depth of three feet below the river profile described above.

The second phase of mining may be to a maximum depth of six feet below the above-mentioned cross sections. This phase may only commence after the county inspector, with possible consultation with other professionals or agencies, has verified that 1) bank erosion has not occurred, 2) no agricultural soils have been lost, 3) infrastructure has not been damaged, and 4) such problems are not likely to occur with the excavation to six feet in depth.

20. At the termination of mining each season and before winter flows begin, the operator shall remove all ramps or other obstructions leading from the river flow area to the extreme outside banks. Also, the operator shall move any load out piles within the river bottom prior to the river flow for the season.
21. No more than 60,000 cubic yards of material shall be taken from the creek annually and no more than 400,000 cubic yards shall be taken over the ten-year life of the mine. The operator shall keep records of the amount removed and provide a quarterly report to the Department of Planning and Building. The department reserves the right to request more frequent reporting.
22. Prior to commencement of each year's mining activity and before June 15 of each year, the applicant shall submit to the Department of Planning and Building, cross sectional drawings prepared by a licensed land surveyor or engineer that include at least the three provided by Tartaglia Engineering in March of 2000. *The survey area shall be clearly staked and these same stakes used each year and replaced accurately if removed.* The survey shall be conducted after April 15 (end of the rainy season) of each year. The survey shall be tied to the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988. Each cross section shall also include the river bottom as well as the water surface. The first cross section and the prior year's cross section shall be superimposed on recent cross sections to allow evaluation of the replenishment of material at the site.
23. At the conclusion of each year's mining activity, or prior to November 15 of each year, whichever comes first, the applicant shall submit to the Department of Planning and Building, cross sectional drawings prepared by a licensed land surveyor or engineer that include at least the three provided by Tartaglia Engineering in March of 2000. *The survey area shall be clearly staked and these same stakes used each year and be replaced accurately if removed.* The survey shall be tied to the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988. Cross sections shall extend completely across the river channel and terminate on banks with mature riparian vegetation. Each cross section shall also include the river bottom as well as the water surface. The report shall also, based on the cross sections, include an estimate of the quantity of material removed during that season of mining.

24. Thalweg profile surveys shall be performed prior to mining, at the conclusion of mining, and in the summer in years in which there are flows in excess of 100 cfs.
25. Should cross-sections taken downstream of the bridge reveal significant incision or a pattern of incision persisting for 3 runoff years, mining operations will cease immediately pending review by Union Asphalt, Caltrans, and the Department of Planning and Building.
26. Upon their completion, copies of the cross sections shall be provided to the Department of Planning and Building, Caltrans, and the Regional Water Quality Control Board. The cross sections shall be taken during mining and for a period of five years after the completion of mining.
27. If at any time during the life of this permit the Planning Director believes additional cross-sections are necessary to determine the impacts of the mining operation, they may be required.
28. If at any time during the life of this permit the Planning Director determines that the excavation of material at this site is causing potential damage to any public or private facilities including but not limited to neighboring river banks, bridge supports, or pipelines, or is detrimental to ground or surface water, the Director may limit the allowable amount of excavation or cause excavation to immediately cease. The Planning Director may first consult with the County Engineer, Caltrans, or any agency determined to be appropriate.
29. At all times during the life of the permit, the applicant is to maintain any stockpile in the river bed so that it does not direct flows toward riverbanks or vegetation that is proposed to be preserved. Any load out or stockpile shall be removed entirely prior to river flow in that area.
30. Prior to issuance of the "Notice to Proceed," the operator shall obtain any required permits from the California Department of Fish and Game, U.S. Army Corps of Engineers and Regional Water Quality Control Board and submit copies to the Department of Planning and Building.

Traffic

31. During operation, the operator agrees to reimburse the county as specified in section 22.08.192 - Use of County Roads by Extraction Operations.
32. For the life of the project, truck trips shall be limited to a total of 100 one-way trips per day maximum.
33. The hauling routes shall be as described in the August 21, 2001 letter to County Planning from Union Asphalt, Inc. The maximum 100 daily one-way trips shall be distributed among the five routes, with the following restrictions:

When school is in session, no more than 24 trips on the Vineyard Drive bridge and no more than 32 trips on the Niblick Road bridge.

When school is not in session, no more than 32 trips on each of the Vineyard Drive and Niblick Road bridges.

34. Project truck traffic shall not use the Vineyard Drive route and the segment of Niblick road east of South river road from 7:00 a.m. to 8:30 a.m., 11:00 a.m. to 1:00 p.m., and from 2:30 p.m. to 3:30 p.m. on days when school is in session.

Aesthetics

35. At all times, the operator shall emphasize the use of stockpiles 2-5, and stockpile #1 shall remain for no more than 48 hours to minimize aesthetic impacts to travelers along Creston Road.

General Grievances

36. If at any time during the life of this permit the Planning Director determines that the operation of the mine, or the transportation of material from the site is resulting in a nuisance, the Director may limit the allowable amount of excavation or cause excavation and transportation to immediately cease. The Director will meet with the affected parties as soon as practical, and will lift restrictions after resolution to the identified problem or problems has been developed and agreed-to by the operator.

Creston Pit
Huerhuero Creek

Mining Process

CalPortland Construction will use one or two paddle wheel scrapers to excavate sand in the dry riverbed. Working upstream and downstream of the designated stockpile areas the scraper removes approximately 4" to 6" of sand with each pass. The intent is to make a more defined channel for flood control purposes and protection of adjoining farmland, as flooding has been a severe problem in the past.

The scraper will excavate upstream and downstream while progressively widening and deepening the existing dry riverbed. Mining will occur with a 100' width and an average 3' depth whenever possible. Future goals will include widening and deepening this channel and removing any deposition from the previous winter flood flows. On average 5-6' depth will be accomplished over the life of the project.

A 15' buffer from the stream banks and major islands of vegetation will be provided. The scraper will maintain a 2:1 slope along the channel and will taper the upstream and downstream boundaries at a 4:1 slope with a 50' buffer from adjoining properties.

The West Branch of Huerhuero Creek will be mined as needed. The West Branch is currently in good shape with a well-defined channel. It will be mined intermittently as needed since indications are that it has refilled very rapidly in the past depending on winter rainfall.

Reclamation will consist of sloping the channel banks at the end of each mining season and letting the river reclaim itself. There is very little vegetation present in the project area. All sand from the stockpile areas will be removed. Stockpile areas will be disced, as is the current practice (for weed control) when mining is complete.



CALPORTLAND[™]
CONSTRUCTION

August 30, 2010

Murry Wilson
Environmental Resource Specialist
Department of Planning and Building
County of San Luis Obispo
976 Osos Street
San Luis Obispo, CA 93408

RE: Traffic Routes – Creston – D990218D

Dear Mr. Wilson:

CalPortland Construction (formerly Union Asphalt) has been operating the Creston Sand Mine on Huerhuero Creek since 2002. During this time we have moved over 116,000 cubic yards of sand to our asphalt plant in Paso Robles.

Even though this operation is very intermittent in nature, we have been very successful in further reducing our trucking impacts to the local community by using 5 different truck routes to our plant site as outlined in my August 21, 2001 letter. The conditions of approval #33 and #34 (attached) also go into detail explaining the 5 routes. Additionally, we have limited our truck trips by hauling a maximum of 50 loads of sand daily from the Creston site.

Our Transportation Manager oversees this operation and we are very proud of the fact that we have not had one complaint since we started hauling from the Creston area. CalPortland strives to be a good neighbor and will continue monitoring all traffic conditions for this operation in the future.

Sincerely yours,
CalPortland Construction

Bob Kober
Senior Environmental Manager



UNION *Asphalt*, INC.

CONSTRUCTION • READY MIX CONCRETE • ASPHALTIC CONCRETE • AGGREGATES • TRANSPORTATION

Telephone: (805) 922-3551
FAX: (805) 922-3441
P.O. Box 1280, Santa Maria, CA 93456

August 21, 2001

Eric Wier
Environmental Specialist
Planning and Building Dept.
County Government Center
San Luis Obispo, CA 93408

Re: Huerhuero Creek Sand Mining near Creston

Dear Mr. Wier:

Following the August 9, 2001, Planning Commission meeting discussions and input we have received recently, Union Asphalt would like to make the following clarifications and changes to the above-named project:

Traffic - We will limit the on-road truck loads to 50 per day. This is less than 1/2 of the noise threshold trucking levels (128 loads).

We also propose to spread our trucking out over 5 different routes in order to minimize the affect on any one area. These routes are as follows:

1. Creston Rd. to Niblick Rd. to Hwy. 101
2. Creston Rd. to Charolais Rd. to Niblick Rd. to Hwy. 101
3. Creston Rd. to Neal Spring Rd. to El Pomar to Vineyard Dr. to Hwy. 101
4. Hwy. 41 to Cripple Creek Rd. to El Pomar to Vineyard Dr. to Hwy. 101
5. Hwy. 101 to Hwy. 41 to Creston Rd. (Return route only)

By spreading our trucks out over the above-named routes there should be only a minimal amount of traffic in any one area (2 to 3 trucks per hour) and we can minimize the traffic around the two high schools which start at 8:00 A.M. and finish at approximately 2:55 P.M.

Water Use - It should take about 28 days a year to mine 40,000 cubic yards of sand. We will only mine sand when there is sufficient moisture present but not flowing water. Sand mining will usually take place in the Spring and Fall when natural moisture is present. There should be no water usage to mine the sand.

To water the stockpile area and 1/4 mile of Class 2 based road will require 1,000 gallons 4 times a day. It will take approximately 35 days to haul 40,000 tons. 140,000 gallons of water is equal to less than 1/2 acre foot of water per year.

Eric Wier

-2-

August 21, 2001

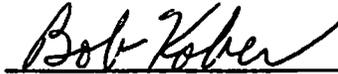
Maximum Mining - We propose to limit the sand mining to 60,000 cubic yards per year (as opposed to the present 88,000 cubic yards). Our average will be 40,000 cubic yards and we would like the flexibility to mine 60,000 cubic yards if we have a real busy year or don't get all 40,000 cubic yards the year before.

Truck Loading and Dust - There should be no dust generated from the loading of the stockpiles. I will show slides of sand that was mined in August, 2000, and still retained 2% moisture. Although the outside of the stockpile looks dry, the interior moisture is retained for a very long period of time.

I hope this helps clarify and answer some of the questions raised at the recent hearing. If you have any questions, call me at 922-3551, Ext #112.

Sincerely yours,

UNION ASPHALT, INC.



Bob Kober

BK/bw

Traffic

31. During operation, the operator agrees to reimburse the county as specified in section 22.08.192 - Use of County Roads by Extraction Operations.
32. For the life of the project, truck trips shall be limited to a total of 100 one-way trips per day maximum.
33. The hauling routes shall be as described in the August 21, 2001 letter to County Planning from Union Asphalt, Inc. The maximum 100 daily one-way trips shall be distributed among the five routes, with the following restrictions:

When school is in session, no more than 24 trips on the Vineyard Drive bridge and no more than 32 trips on the Niblick Road bridge.

When school is not in session, no more than 32 trips on each of the Vineyard Drive and Niblick Road bridges.

34. Project truck traffic shall not use the Vineyard Drive route from 7:00 a.m. to 8:30 a.m., and from 2:30 p.m. to 3:30 p.m. on days when school is in session. Project truck traffic shall not use the segment of Niblick Road east of South River Road from 7:00 a.m. to 8:30 a.m., 11:00 a.m. to 1:00 p.m., and from 2:30 p.m. to 3:30 p.m. on days when school is in session.

Aesthetics

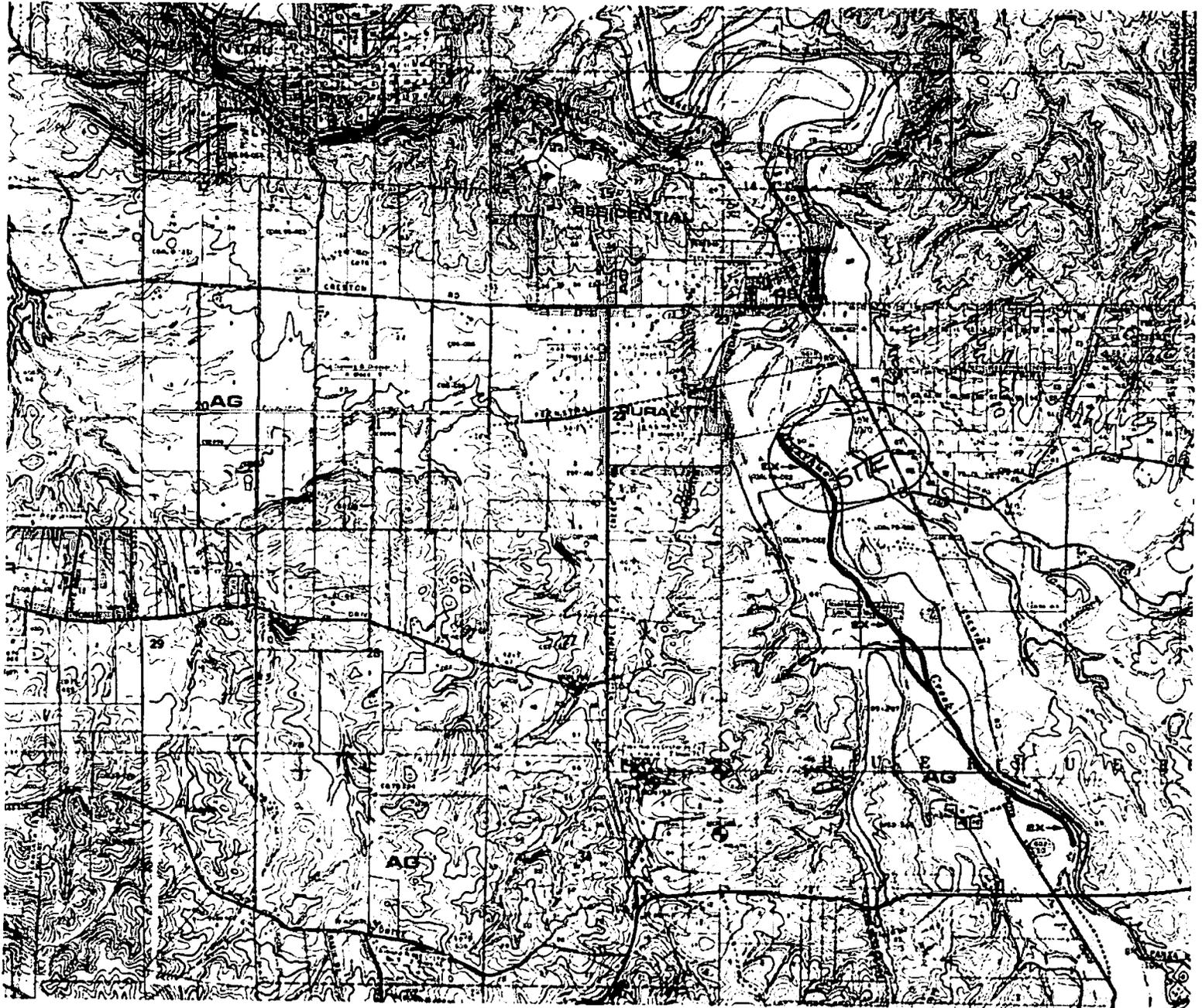
35. At all times, the operator shall emphasize the use of stockpiles 2-5, and stockpile #1 shall remain for no more than 48 hours to minimize aesthetic impacts to travelers along Creston Road.

General Grievances

36. If at any time during the life of this permit the Planning Director determines that the operation of the mine, or the transportation of material from the site is resulting in a nuisance, the Director may limit the allowable amount of excavation or cause excavation and transportation to immediately cease. The Director will meet with the affected parties as soon as practical, and will lift restrictions after resolution to the identified problem or problems has been developed and agreed-to by the operator.

Indemnification

37. The applicant shall as a condition of approval of this development plan and reclamation plan defend, at his sole expense, any action brought against the County of San Luis Obispo, its present or former officers, agents or employees, by a third party challenging either its decision to approve this development plan and reclamation plan or the manner in which the County is interpreting or enforcing the conditions of this development plan and reclamation plan, or any other action by a





Parcel Summary Report For Parcel # 035-101-062

9/10/2010
3:33:08PM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

People Information

Role Name and Address

OWN TWIST RANCHES A CALIF CORP
9635 CRESTON RD PASO ROBLES CA 93446-2733

Address Information

Status Address
A 00000 CRESTON RD RELPO

Lot Information:

<u>Tract / Twncshp</u>	<u>Block / Range</u>	<u>Section</u>	<u>Community:</u>	<u>Plan/Area:</u>	<u>Lue 1:</u>	<u>Lue 2:</u>	<u>Lue 3:</u>	<u>Lot:</u>	<u>Flags:</u>	<u>Misc</u>
CO04-	349	0001	Rural El Pomar	El Pomar-Estr	AG	FH		Y		

Parcel Information

Status Description
Active PM 67/71-73 PAR 1

Notes

FEES FOR MINE RENEWAL PERMIT -
BASE FEE PUBLIC WORKS REVIEW AG COMMISSIONER REVIEW

Tax Districts
445 \$759

TOTAL - \$6,592

PASO ROBLES JT(27,40) (SB1537) UNIFIED SCHOOL

SAN LUIS OBISPO JT(27,40) COMM. COLLEGE

PASO ROBLES PUBLIC CEMETERY

NO. 01 ROAD-CO/SUPVR

AREA NO. 21 COUNTY SERVICE

Case Information

Case Number: Case Status:



Parcel Summary Report For Parcel # 035-101-062

9/10/2010
3:33:08PM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

A2665 FNL Primary Parcel

Description:

100 AMP SERVICE/25HP AG WELL PUMP

D990218D APP Primary Parcel

Description:

RECONSIDERATION OF COA FOR CONTINUED MINING OF HUER HUERO CREEK USING A PADDLE WHEEL SCRAPER 10-15 ADDITIONAL YEARS REQUESTED.(SURFACE MINE 91-40-0052)

DRC2010-00015 REC Primary Parcel

Description:

RECONSIDERATION OF COA FOR CONTINUED MINING(SEE D990218D) OF HUER HUERO CREEK USING A PADDLE WHEEL SCRAPER. 10-15 ADDITIONAL YEARS REQUESTED.(SURFACE MINE 91-40-0052)

SUB2003-00378 RDD Primary Parcel

Description:

PROP 3 LOT DIVISION