

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 2/1/05
Department Name: Planning and Development
Department No.: 053
Agenda Date: 2/8/05
Placement: Administrative
Estimate Time: N/A
Continued Item: NO
If Yes, date from: N/A

TO: Board of Supervisors

FROM: Valentin Alexeeff, Director of Planning and Development

STAFF CONTACT: Brian R. Baca
Engineering Geologist 568-2004

SUBJECT: **El Jaro Quarry Highway 1 Stockpile Emergency Permit, 05EMP-0000-00007:**
Informational report on issuance of emergency permit.
2840 San Julian Road, Lompoc area, APN 083-290-012
Third Supervisorial District

Recommendation(s):

That the Board of Supervisors:

Receive the Director's report regarding an Emergency Permit issued to Dave White, agent for the landowner, to temporarily authorize the stockpiling of rock materials excavated from El Jaro Quarry on a site adjacent to State Highway 1 about six miles south of the City of Lompoc.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2., A Safe and Healthy Community in Which to Live, Work and Visit.

Executive Summary and Discussion:

Pursuant to Section 35-322 of Article III of the County's Zoning Ordinance, when an Emergency Permit is issued, the Director of the Planning and Development Department must report the nature of the emergency and the work involved to the Board of Supervisors in writing. This notification fulfills the ordinance requirement.

The subject emergency permit, approved and issued on February 1, 2005, authorized the creation of a temporary rock material stockpile immediately adjacent to State Highway 1 and the access road to El Jaro Quarry. This stockpile would be ten-feet high and encompass approximately 10,000 square feet. It would be located about 6 miles south of the City of Lompoc. The material to be stockpiled consists of large boulders (rip-

rap) and other sizes of dolomite rock excavated from El Jaro Quarry. The stockpile would be in place for a period of no more than 180 days. Upon removal of the rock materials the site would be re-contoured as needed, seeded with a County-approved native seed mix and returned to the current grazing use.

Background Information

El Jaro Quarry is located about six miles south of the City of Lompoc and is accessed by a dirt road off of State Highway 1. This mining facility operates under the terms and conditions of County-approved Reclamation Plan 87-RP-004. Large rip-rap boulders, cobble and gravel are excavated from a deposit consisting of calcium-magnesium carbonate (dolomite). This material is used in various erosion control and construction applications and is especially useful for storm-related emergency repairs. Federal, State and Local agencies, including the US Army Corps of Engineers, CALTRANS and the County of Santa Barbara utilize the type of material produced at El Jaro Quarry. Without a stockpile adjacent to State Highway 1, however, the availability of this material cannot be assured because of the condition of the quarry access road. In heavy rain, the earth materials underlying this road become saturated and cannot support rock transport trucks. Thus, an emergency permit was issued to authorize a readily-accessible temporary stockpile adjacent to the highway.

For more information on the specifics of the emergency work, please refer to the attached permit.

Mandates and Service Levels:

None

Fiscal and Facilities Impacts:

County costs for the preparation of the emergency permit are reimbursed by the applicant in conformance with the current Board-approved fee resolution. The project causes no fiscal or facilities impacts to the County.

Special Instructions:

None

Concurrence:

County Counsel

Attachments:

Emergency Permit (05EMP-00000-00007 issued 2/1/05)

EMERGENCY PERMIT

05EMP-00000-00007



- Coastal Zone:**
Subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.
- Inland Area:**
Subject to the requirements of Section 35-322 of the Article III Inland Zoning Ordinance and the policies of the County Comprehensive Plan.

Case Name: El Jaro Quarry Highway 1 Stockpile
Case Number: 05EMP-00000-00007
Site Address: 2840 San Julian Road
APN: 083-390-012
Applicant/Agent Name: David White, Granite Construction Co.
Owner Name: El Jaro-Rancho San Julian LLC

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

Energy Division
30 E. Figueroa St.
Santa Barbara, CA 93101
(805) 568-2040

North County Office
624 W. Foster Road
Santa Maria, CA 93454
(805) 934-6250

PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for temporary stockpiling of rock materials adjacent to State Highway 1 at the entrance to El Jaro Quarry. These rock materials are to be used for emergency repairs of County roads, State highways and public flood control facilities. The work would include the following:

Creation of a temporary ten-foot high stockpile of rock materials encompassing approximately 10,000 square feet in area and located immediately adjacent to State Highway 1 and the El Jaro Quarry access road. This site is located about 6 miles south of the City of Lompoc. The material to be stockpiled consists of large boulders (rip-rap) and other sizes of dolomite rock excavated from El Jaro Quarry. The stockpile would be in place for a period of no more than 180 days. Upon removal of the rock materials the site would be re-contoured as needed, seeded with a County-approved native seed mix and returned to the current grazing use.

The winter storms of December 2004 and January 2005 have caused severe erosion and damage to public facilities, including County roads, State highways and flood control facilities. The rock products produced at El Jaro Quarry are used by various agencies as part of emergency repairs of public facilities. The quarry is located at the end of a one-mile long dirt road that is inaccessible during heavy winter rains when the rock products are most needed. The temporary stockpile authorized by this emergency permit is needed to assure that this important resource will be available to public agencies during storm events of this winter season. Therefore, this situation constitutes an emergency in accordance with the applicable zoning ordinance indicated above and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,

VALENTIN ALEXEEFF
Director

APPROVAL DATE: February 1, 2005

OWNER/APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

Print Name

Signature

Date

PERMIT ISSUANCE:

Print Name

(For Valentin Alexeeff, Director)

Signature

Date

BACKGROUND:

El Jaro Quarry is located about six miles south of the City of Lompoc and is accessed by a dirt road off of State Highway 1. This mining facility operates under the terms and conditions of County-approved Reclamation Plan 87-RP-004. Large rip-rap boulders, cobble and gravel are excavated from a deposit consisting of calcium-magnesium carbonate (dolomite). This material is used in various erosion control and construction applications and is especially useful for storm-related emergency repairs. Federal, State and Local agencies, including the US Army Corps of Engineers, CALTRANS and the County of Santa Barbara utilize the type of material produced at El Jaro Quarry. Without a stockpile adjacent to State Highway 1, however, the availability of this material cannot be assured because of the condition of the quarry access road. In heavy rain, the earth materials underlying this road become saturated and cannot support rock transport trucks. Thus, a temporary stockpile has been authorized by this permit.

FINDINGS OF APPROVAL:

1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.
2. Pursuant to Section 35-171.5 of Article II (for projects in the Coastal Zone) or Section 35-322.5.2 of Article III (for projects in the Inland Area) , an Emergency Permit may be granted if the Director of the Planning and Development Department makes the following findings:

- a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*

On January 15, 2005, Governor Schwarzenegger declared a State of Emergency in the County of Santa Barbara due to extreme storm-related damage. Repair of damaged pavement and the restoration of currently impassible public roads and highways is necessary to minimize hazards to public health and safety. The El Jaro Quarry mining facility provides rock materials needed by Federal, State and Local agencies for emergency repair of roads and other public facilities. Without a temporary stockpile adjacent to State Highway 1, the availability of these materials during an emergency cannot be assured. Therefore, this situation constitutes an emergency in accordance with the applicable zoning ordinance indicated above and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

- b. The action proposed is consistent with the policies of the Coastal Land Use Plan and the requirements of the Article II Coastal Zoning Ordinance (for projects in the Coastal Zone), or the action is consistent with the policies of the Comprehensive Plan and the requirements of the Article III Zoning Ordinance (for projects in the Inland Area).*

The proposed stockpile would be a temporary facility and the site would be restored to the pre-existing condition upon removal the rock materials. Thus, the project would not conflict with the policies of he Comprehensive Plan or the requirements of the Article III Zoning Ordinance.

3. This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.

EMERGENCY PERMIT CONDITIONS OF APPROVAL

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

Creation of a temporary ten-foot high stockpile of rock materials encompassing approximately 10,000 square feet in area and located immediately adjacent to State Highway 1 and the El Jaro Quarry access road. This site is located about 6 miles south of the City of Lompoc. The material to be stockpiled consists of large boulders (rip-rap) and other sizes of dolomite rock excavated from El Jaro Quarry. The stockpile would be in place for a period of no more than 180 days. Upon removal of the rock materials the site would be re-contoured as needed, seeded with a County-approved native seed mix and returned to the current grazing use.

2. Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 30 days after the beginning of construction. If construction activities are proposed by the applicant to commence after 30 days, separate authorization by the Director of P&D is required.
3. This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
4. The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.
5. This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.

Attachments:

- A. Index Map
- B. Site Plan

cc: Brooks Firestone, Third District Supervisor
Dianne Meester, P&D
Zoraida Abresch, P&D
Jackie Campbell, P&D
Larry Appel, P&D
Dave Swenk, P&D
Mike Zimmer, P&D

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