

APPEAL TO THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

Submit to: Clerk of the Board
County Administration Building
105 E. Anapamu Sreet, Suite 407
Santa Barbara, CA 93101

2014 SEP 18 PM 4:38

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

RE: Project Title Lehigh Hanson Aggregates Compliance Review
Case Number 86-CP-106 RV01 86-RP-006 RV01 2PMC-00000-00161
Tract/ APN Number 129-110-013 thru 129-110-18, 129-110-024, 129-210-026
Date of action taken by Planning Commission, Zoning Administrator, or Surveyor Sept. 10, 1014

I hereby appeal the approval of the Planning Commission
(approval/ approval with conditions/ or denial) (Planning Commission/ Zoning Administrator/ or County Surveyor)

Please state specifically wherein the decision of the Planning Commission, Zoning Administrator, or Surveyor is not in accord with the purposes of the appropriate zoning ordinance (one of either Articles I, II, III, or IV), or wherein it is claimed that there was an error or an abuse of discretion by the Planning Commission, Zoning Administrator, or Surveyor. {References: Article I, 21-71.4; Article II 35-182.3, 2; Article III 25-327.2, 2; Article IV 35-475.3, 2}

Attach additional documentation, or state below the reason(s) for this appeal.
See attached Exhibit A

Specific conditions being appealed are:
See attached Exhibit A

Name of Appellant (please print): _____

Address: 2924 Selwyn Circle
(Street, Apt #)
Santa Barbara, CA 93105
(City/ State/ Zip Code) 805-478-0555
(Telephone)

Appellant is (check one): Applicant Agent for Applicant Third Party Agent for Third Party

Fee \$ _____ {Fees are set annually by the Board of Supervisors. For current fees or breakdown, contact Planning & Development or Clerk of the Board. Check should be made payable "County of Santa Barbara".}

Signature: *Mike B...* Date: 9-18-14

FOR OFFICE USE ONLY

Hearing set for: _____ Date Received: _____ By: _____ File No. _____

Exhibit A

Brand Appeal of Hanson Lehigh Aggregates Compliance Review

The Planning Commission approval of the Compliance review was in error, inasmuch as the project in fact is not in compliance with the conditions contained in the project approvals.

Areas of non-compliance include the following:

1. Timing of mining, reclamation, habitat mitigation and revegetation.
2. Timing of 5 year Mining reclamation Plan reviews and this 10 year compliance review.
3. Continuing failure of revegetation attempts.
4. Failure to establish required wetlands habitat.
5. Pumping to remove large body of water without required approvals in apparent effort to avoid requirement to establish replacement wetlands at ratio of 1.5 acres mitigation wetlands to each 1 acre of potential wetlands encountered while mining.
6. Failure to establish required screening.
7. Failure to control non-native species as required by approvals.
8. Operating in the Davis Basin without a valid LUP.
9. Failure to conduct required CEQA analysis.
10. Failure to consider changed circumstances in surrounding environment since original approval, including additional oil production and intensification of nearby agriculture, both resulting in increased impacts to air quality, traffic and water usage.
11. Failure to consider current science and standards regarding diesel emissions.
12. Failure to consider effects of listing of California Tiger Salamander as an endangered species in interim since original approvals.