

**FINAL ENVIRONMENTAL IMPACT REPORT**  
**Diamond Rock Sand and Gravel Mine and Processing Facility**  
**VOLUME 2**  
**Responses to Comments & Appendix I Part 1**  
**County of Santa Barbara**  
**Planning & Development Department**

(03CUP-00000-00037 & 03RP-00000-00002)  
State Clearinghouse No. 2003121049  
05EIR-00000-00001



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**May 2007**

**URS**

# **FINAL ENVIRONMENTAL IMPACT REPORT**

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### **VOLUME 2 Appendix H Responses to Comments Appendix I Part 1**

May 2007

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**RESPONSES TO COMMENTS ON THE NOVEMBER 2006  
REVISED DRAFT ENVIRONMENTAL IMPACT REPORT  
DIAMOND ROCK SAND AND GRAVEL MINE AND PROCESSING FACILITY  
COUNTY OF SANTA BARBARA, PLANNING AND DEVELOPMENT**

County Planning and Development staff reviewed comments received regarding the Revised Draft EIR (see letters following this table). In some instances, the comments were used to revise the Final EIR. A summary of comments and e-mails submitted to the County is presented below, along with a brief response to all agency comments. Due to the number of comments submitted, individual comments were reviewed and summarized and responses were prepared to address significant points raised in the comments rather than individual comments. The comment summaries and responses presented below are organized into the following tables:

**Table H-1, Federal Agencies.** A single new federal agency letter was received, from the National Forest Service. Several older federal agency letters, which were included as attachments in other comments, are also treated in this table.

**Table H-2, State Agencies.** Three state agencies commented on the EIR: Caltrans, the Office of Mines and Geology, and the Department of Fish and Game.

**Table H-3, Local Agencies and Native American Tribes.** Fourteen agency letters were received. Each comment from these letters is summarized along with a response.

**Table H-4, Organizations.** Fifteen letters from organizations were received. Each comment from these letters is summarized along with a response.

**Table H-5, Individuals.** Given the very large number of individual letters, it was not practical to prepare specific responses to each comment. The letters and responses are organized as follows:

- Letter from Kerry Shapiro, dated January 31, 2007, representing the applicant, Troesh Materials
- Letter from Jennifer Lee, dated January 31, 2007 – representative of most issues of concern to residents in the Cuyama Valley
- 22 letters or e-mails from residents or others with interest in the Cuyama Valley
- 277 letters or e-mails from residents or others with interest in the Ojai Valley or northern Ventura County area

Specific responses were prepared for the first two letters. The remaining letters were all reviewed, and their general concerns and issues are discussed. All of the letters are enclosed as Appendix I.

TABLE H-1

## DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – FEDERAL AGENCIES

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
001	2/1/07	U.S. Dept. of Agriculture Los Padres National Forest, Kenneth E. Heffner	<p>Expresses concerns regarding truck traffic on SR 33, and provides description of SR 33 resources and designations.</p> <p>Indicates that truck traffic (currently 60 vehicles per day) will double, and expresses specific concerns related to truck traffic on SR 33: Safety – trucks maneuvering on narrow highway</p> <p>Noise – Jake brakes and truck noise interfering with driving for pleasure, camping at Wheeler Gorge, Rose Valley, and Pine Mtn. campgrounds, and dispersed recreation</p> <p>Air Pollution – diesel exhaust, effects on wilderness and Wild and Scenic River corridor</p> <p>Delayed Access – truck traffic will require additional road maintenance</p>	<p>Increased truck traffic along SR 33 is expected to average about 18 trips per day, assuming dispersed delivery patterns as expected and an average production day (28 trips per day for peak production).</p> <p>Safety issues along SR 33 are discussed in Section 3.5.2.6.2 (pages 3.5-13 through 3.5-17), and mitigation measure TR-3 is included.</p> <p>Truck noise issues are discussed in Section 3.6.3.3 (pages 3.6-10 through 3.6-21). In most segments, truck noise is considered less than significant. For the one area where truck noise may be significant (south of the project site to Lockwood Valley Road), mitigation is identified (Mitigation NS-2)</p> <p>Air pollution effects from truck traffic are discussed in Section 3.2.2.3.4 (pages 3.7-8 through 3.7-12), and summarized on pages 3.7-15 and 16. The analysis compares emissions with applicable thresholds in Santa Barbara and Ventura Counties, and concludes that the effects are either less than significant, or can be mitigated with the imposition of mitigation measure AQ-3.</p> <p>Roadway maintenance of SR 33 is the responsibility of Caltrans. Access to adjacent lands is maintained during construction or repair operations.</p>
002	3/26/04	U.S. Environmental Protection Agency, Alexis Strauss	<p>Responds to the U.S. Army Corps of Engineers 2004 notice, and requests the Corps to prepare an Environmental Impact Statement before approving any permits. Follow-up letter requests denial of permit if information is not provided to make appropriate findings.</p>	<p>This letter and related correspondence from the U.S. Army Corps of Engineers was submitted as an attachment to a comment letter during public review.</p> <p>This is a reasonable and normal response from U.S. EPA, given the state of information at the time of the Corps permit application. The U.S. Army Corps permit process requires that the local government (Santa Barbara County) approval of the project (Conditional Use Permit) be completed before the Corps permit can be issued. The early application to the Corps served to identify issues to be addressed and resolved. The County EIR may be used or referenced by the Corps in its consideration of the permit application and in fulfilling its environmental review requirements under NEPA. The nature of the NEPA documentation required has not been determined.</p>

TABLE H-1 (CONTINUED)

## DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – FEDERAL AGENCIES

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
003	8/9/04	U.S. Army Corps of Engineers, LA District, Lisa A. Lugar	Provides background information and correspondence related to a 2004 notification and application for an Army Corps of Engineers permit for the operation of the sand and gravel extraction in the Cuyama River channel and floodplain.	This letter and enclosures was prepared years before the EIR, so this information does not address the content of the EIR. The material includes a request under the Freedom of Information Act for the names of interested parties who responded to the Corps notice.

**TABLE H-2**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – STATE AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
001	1/10/07	California Department of Transportation, District 5/ Joseph Londono	Agrees with mitigation measure TR-2 (construction of left turn lane into project site)  Includes copy of Caltrans letter dated March 22, 2005.	The mitigation measure TR-2 is included in the Final EIR and will be part of the project approval conditions  The earlier letter (dated March 22, 2005) was the Department's response to the first Draft EIR, and is included in Appendix E.
002	1/9/07	Department of Conservation, Office of Mine Reclamation, James S. Pompy	References previously provided comments (letters dated March 17, 2005 and December 29, 2005)  No further comments at this time: provides language for County cover letter to be used to transmit reclamation plan	The March 17, 2005 correspondence was in response to the first Draft EIR, and is included in Appendix E. The December 29, 2005 correspondence was related to the draft reclamation plan, and is part of the County's administrative record.  Remaining comments in the letter deal with submittal requirements for the reclamation plan, and do not require any response.
003	1/18/07	State of CA Dept. of Fish and Game, Michael J. Mulligan	Summarizes project description from the EIR. Summarizes biological impacts from the EIR.  Sensitive Biological Resources  Recommends pre-construction survey for Blunt-nosed leopard lizard. Requires inclusion of Dept. of Fish and Game in consultation process with U.S. Fish and Wildlife Service.  Argues that potential effects on coast horned lizard may be significant.  Argues that potential effects on horned lark may be significant. Recommends mitigation measure requiring biological monitoring prior to construction and during operations, and relocation of any sensitive species encountered. Anticipates inclusion of this monitoring requirement as part of Streambed Alteration Agreement.	Mitigation measure BIO-11 includes preconstruction survey work for blunt-nosed leopard lizard. This measure has been revised to clarify its application to areas to be disturbed, and to add CDFG to all references where agency interaction is noted.  Although the potential effects on coast horned lizard are not expected to be significant, mitigation BIO-11 has been modified to include this species along with blunt-nosed leopard lizard in the survey work prior to construction and mining.  Horned larks are not believed to be nesting in or near the project area. Any effects on horned lark behavior would be indirect in nature, due to the noise, dust, lighting, and other activities in the project as described in Section 3.4.3.4 (Indirect Impacts to Adjacent Wildlife Habitat) and similar to those described in Section 3.4.3.9 (for other bird species in the area). These indirect effects are considered adverse, but not significant.

**TABLE H-2 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – STATE AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			<p>Truck Traffic and Roadkill</p> <p>Presents background information on roadkill, including guideline documents. Expresses concern regarding:</p> <ul style="list-style-type: none"> <li>• Increased truck traffic through open areas including San Joaquin kit fox populations</li> <li>• Night time truck traffic</li> </ul> <p>Argues that impacts on wildlife from increased truck traffic must be analyzed</p> <p>Adequate mitigation for significant adverse impacts must be presented</p> <p>Referenced guidelines should be consulted</p>	<p>The EIR does address the potential for roadkill by vehicles operating within the project, and incorporates mitigation measures for this potential impact (mitigation measures BIO-9, BIO-10 and BIO-12). Total project trip generation will be 164 trips on a peak production day (118 on an average day). Existing traffic volumes on the state highways are much greater than this number. While the additional traffic volume may contribute to roadkill mortality, the effect would not be substantial and is not considered a significant impact. The guidance documents referenced are oriented primarily towards the design of wildlife undercrossings, and the use of signage and speed restrictions in identified areas of wildlife movement across roadways.</p>
			<p>Streambed Alteration</p> <p>Provides information regarding the process to obtain a Streambed Alteration Agreement</p> <p>Attachment regarding blunt nosed leopard lizard survey methods</p>	<p>Section 3.4.2.2.2 of the EIR describes the CDFG Streambed Alteration Agreement authority.</p> <p>Project conditions will require that surveys be conducted by qualified individuals.</p> <p>Attachments to the letter provide guidance regarding survey procedures and do not require a response.</p>

**TABLE H-3**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
001	1/25/07	Santa Barbara County Planning and Development, Gary Kaiser	The Revised Draft EIR erred in characterizing the quality of life impact as significant and unavoidable, as if it was absolute. The intent of the discussion was to identify and disclose a potential significant impact depending on one's personal perspective. In the Final EIR, we must correct this error and characterize the impact as potentially significant but that it may be possible to mitigate the impact to a less than significant level.	This revision has been incorporated into the Executive Summary and the Cumulative effects discussion in Section 6.3 of the Final EIR.
002	1/10/07	Santa Barbara County Parks	No Comments	The letter does not comment on the content of the draft EIR. No response is necessary.
003	12/14/06	Santa Barbara County Public Health Department, Paul E. Jenzen	P 2-10 Section 2.3.3 states that bottled water will be supplied to employees and visitors. Unless waived, the project will require a water system and septic system.	Use of bottled water, with appropriate waiver from the Health Department is anticipated. The project will have a septic system.
004	1/17/07	Santa Barbara County Air Pollution Control District, Vijaya Jammalamadaka	<p>Page 3.7-9, Table 3.7-6 needs to provide emission calculations for both on-site mining equipment and the haul trucks.</p> <p>Documentation of ISC modeling sources is needed.</p> <p>There is a discrepancy in diesel particulate emissions from off-highway mobile equipment in Table 3.7-19 and emissions used in the dispersion modeling.</p> <p>The DEIR does not specify how air quality mitigations and conditions will be tracked.</p>	<p>Haul truck emissions are provided in Tables 3.7-10 and 3.7-11.</p> <p>The project will require an Authority to Construct and a Permit to Operate from the SBAPCD. Modeling with appropriate documentation will be provided, if necessary, at that time.</p> <p>Emissions used in the dispersion modeling assume the addition of control measures from Mitigation AQ-4 not included in Table 3.7-19.</p> <p>Dust control compliance monitoring will be monitored and enforced through the SMARA permitting authority. Furthermore, the applicant will require a Permit to</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
				Operate from the SBAPCD, which will include standard APCD monitoring and enforcement provisions.
005	1/16/07	City of Ojai, City Council	Cites EIR conclusion regarding quality of life impacts to Ojai. Oppose project based on serious impacts to health and welfare of Ojai residents.	The EIR discussion of quality of life issues (Section 6.3, page 6-3) relates to cumulative effects in the area of the Cuyama Valley. Section 3.7.2.4 of the EIR discusses potential health effects, and does not indicate any significant effects in Ojai.
006	1/30/07	Ventura County Air Pollution Control District, Alicia Stratton	<p>(1) Clarify likelihood of southbound trip distribution scenario.</p> <p>(2) Page 3.7-8 erroneously states only eight miles of the delivery route occurs in the Ojai Planning Area. Other table references could not be found.</p> <p>(3) Table 3.7-16 daily emissions During Peak Annual Production Year is deficient because it relies on an average haul day. Presents alternate calculation.</p> <p>(4) There are discrepancies between results in the EIR Table 3.7-15 and the final table in the June 12, 2003 Air Quality Impact Assessment.</p>	<p>(1) The likelihood of an all southbound delivery scenario is very low. The ready mix operation, for which the project would supply sand, is located in Santa Maria to the northwest.</p> <p>(2) The confusing references occur on page 3-18 of the Air Quality Section, where there were some typographic errors: 1) the actual distance within the Ojai Planning area used for the computations was 15.8 miles (not 8 miles), 2) the results for emissions in the Ojai planning area are in the last lines of Tables 3.7-15 and 3.7-16. An unrelated confusion from the incorrect use of the term “round” trips when referring to one-way trips has also been corrected.</p> <p>(3) The “average” day referenced is an average day during a peak production year—which is consistent with the VCAPCD methodology for calculating reasonable worst cast on-road emissions. The suggested alternate calculation is in error because it assumes 100% of deliveries would be to the south. It also both doubles the number of trucks and doubles the mileage to convert from round trips to one-way trips. Either one or the other should be doubled, but not both. Applying an average of 20% deliveries to the south to a peak production year, yields the result in the EIR.</p> <p>(4) The “final table” in the Air Quality Impact Assessment is actually in a follow-up memo to that assessment dated December 1, 2005. The purpose of the follow-up analysis was to split the assignments of on-road emissions among the geographic areas other than Santa Barbara County. A similar distribution was done for the EIR (through Tables 3.7-8 and 3.7-9 for the computation of vehicles miles traveled, and</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
				then later tables for the emissions results). Differences between the two are attributable to (a) rounding of average daily trip numbers, which can be seen by comparing Table 3.7-9 in the EIR with the final table in the December 1, 2005 memo, and (b) differences in accounting for the loads of concrete rubble (compare EIR page 3.7-12 6 trips per day with Table 8 in Appendix 4 of the Air Quality Impact Assessment). The difference in the resulting emissions is not sufficient to alter the conclusions of the EIR.
			(5) The health risk assessment should include on-highway traffic from a peak production day.	(5) The health risk assessment evaluated long-term exposure based on removal of 15 million tons of material from the project site over a 30 year period. In this context, fluctuations between average and peak days are of no consequence in the calculation of cancer risk.
			(6) Recommends that the health risk assessment evaluate sensitive receptors along Highway 33 in and around Ojai.	(6) The EIR reported the maximum increase in cancer risk from the project, 9 in one million at the point of maximum offsite exposure. This exposure is due to operating equipment at the project site, not on-highway trucks. The health risk assessment also examined on-highway truck emissions and the increase in cancer associated with them. The result was an increase of 0.29 in one million (comparable to the 1-3 in a million cited by the VCAPCD comment in their screening procedure). The maximum on-highway risk was computed along the centerline of the highway, so the risk to sensitive receptors off of the highway would be less than significant.
			<u>Cumulative Impacts.</u> The discussion of cumulative impacts on quality of life should be expanded to include other quarries near Ojai, and should include project specific information regarding their emissions in a table format.	<u>Cumulative Impacts.</u> The particular conclusion regarding cumulative effects on the quality of life is related more to the perception of a concentration of surface mines within the Cuyama Valley and not simply the result of mines in the South Central Coast in general. Because of the subjective nature of the quality of life discussion, the conclusion in the final EIR was revised. Remaining discussions of cumulative effects include information for mines in the Cuyama and Lockwood Valleys.
007	1/30/07	City of Ojai, Katrina Rice Schmidt	<u>Traffic.</u> Enforcement of traffic conditions will be impossible to monitor unless applicant pays for code enforcement officer.	<u>Traffic.</u> Mitigation measure T-1 provides that the County (of Santa Barbara) will inspect records regarding timing of trips and complaints received.

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			<p><u>Noise and Vibration</u>. Cites DEIR result that increased noise levels would be moderate (~5 dBA) and would not exceed 65 CNEL. Recommends extending the area of Jake brake restrictions from the project site along SR 33 through the City of Ojai.</p> <p><u>Air Quality</u>. Would the project exceed the 5 lb/day NOx threshold for the Ojai planning area? Cites confusion regarding table references and travel distance in the Ojai area.</p> <p><u>Mitigation Monitoring</u>. Work with the County of Ventura to provide a uniform mitigation monitoring CUP compliance program.</p> <p>City of Ojai opposes due to cumulative effects to the Ojai Valley Quality of Life.</p>	<p><u>Noise and Vibration</u>. The predicted 5 dBA roadway noise level increase is in Section 3.6.3.3.3 on page 3.6-18 is for the portion of SR 33 through Ventucopa. The next paragraph in the EIR states the roadway noise increase in Ojai would be approximately 1 dBA. The mitigation measure restricting the use of Jake brakes is for the rural areas around Ventucopa. Jake brakes are typically not used on City surface streets.</p> <p><u>Air Quality</u>. Tables 3.7-15 and 3.7-16, both indicate that the anticipated NOx emissions within the Ojai planning area would be below the 5 lb/day Nox threshold. See response to Letter 12, Ventura County APCD, comment 2, above for clarification of the table references.</p> <p>Santa Barbara County staff has cooperated with Ventura County staff in the development of some mitigation measures. The discussion of cumulative effects on the quality of life relates to the Cuyama Valley, not Ojai.</p>
008	1/29/07	Ventura County Planning Division, Pat Richards	<p>Recommends revising TR-1 to prohibit truck traffic between Casitas Springs and the City of Ojai southbound between 6:30 am and 9:00 am and northbound between 3:30 pm and 6:30 pm on weekdays.</p> <p>Recommends a clarification of the Nordhoff High School limitation times in Suggested Condition TR-3 to morning and afternoon departure times rather than lunch and afternoon breaks. Also recommends changing “school year” to days Nordhoff High School is in session.</p> <p>Recommends adding an additional mitigation measure to Suggested Condition TR-3 to obtain written documentation that the truck operations will not interfere with school bus</p>	<p>Mitigation Measure T-1 is intended to avoid peak hour periods in and round the City of Ojai, and this measure will help to minimize the overlap of project-related traffic and the peak hour periods farther south on SR 33 and west on SR 150.</p> <p>The suggested mitigation measure T-3 was considered for inclusion but ultimately was not recommended as a condition of approval. Coordination with schedules and travel times of all school districts in the area is not feasible. County staffs of Ventura and Santa Barbara are coordinating conditions regarding truck identification and a complaint procedure.</p> <p>Given the daytime truck travel restrictions, and the relative infrequency of night operation, this additional condition is not considered appropriate.</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			schedules for the Cuyama Joint Unified School District or the El Tejon Unified School District. If this is not provided, the Planning Director shall specify what limitations if any must be implemented to avoid interference with school busses.	
			Recommends adding a mitigation measure to restrict travel on State Route 33 between 10 pm and 9 am to reduce noise impacts on residents.	Santa Barbara County staff is working to coordinate mine permit conditions with Ventura County.
			To avoid project specific and cumulative impact, recommends a unified monitoring program with this and other mines in Santa Barbara and Ventura counties to that generate relatively large volumes of traffic on SR 33.	
009	1/19/07	County of Ventura Public Works Agency, Nazir Lalani	<p>1. Suggests that mitigation measure TR-1 (restrictions on truck traffic during peak times) should take into account travel time to and from the project site to the impact area.</p> <p>2. Suggests that elements of Mitigation Measure TR-3 to increase safety along SR 33 be made project conditions.</p> <p>3. Suggests mandatory participation of applicant in road maintenance district, if such a district is formed.</p>	1, 2, and 3. All of these conditions are under review by Santa Barbara County staff for possible incorporation as permit conditions. At the present time, no information is available regarding the formation of a road maintenance district. The final conditions will be recommended by staff and considered through the hearing process.
010	1/31/07	County of Ventura Resource Management Agency, Kim Rodriguez	Cover letter for other county department responses.	Responses to the forwarded letters are addressed separately.

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
011	12/14/06	Board of Supervisors County of Ventura, Steve Bennett	Received draft EIR late. Requests a 2 week extension of commenting period.	The public comment period was originally scheduled to close on January 19, 2007. It was extended to the end of the month.
012	1/30/07	Board of Supervisors County of Ventura, Steve Bennett	<p><u>Project Description</u>. Maximum production year in bullet on page 1-13 should be changed to 750,000 tons.</p> <p>Estimate of 69 loads per day derived from the maximum production assumes operations occur 365 days per year. Suggests that the maximum production would occur over fewer days resulting in more trips per day. Recommends the County survey other mining operations to get a reasonable number of operating days.</p> <p>Exit loads may exceed production volume based on utilization of stockpiled material. The EIR must be revised to accurately reflect peak truck trip generation and use this as the basis for the air quality, traffic, noise, and cumulative impacts.</p> <p>The project description in the DEIR was drafted by a contractor for the applicant and thus portrays the project in the most favorable light.</p>	<p>The bullet, which is on page 2-13 has been corrected.</p> <p>Appendix B (in its Appendix 1, Table 1) contains the operations parameters assumed for the project. The excavation and plant operation would occur 303 days per year, but loadout and deliveries may occur 365 days per year.</p> <p>Use of stockpiled material is assumed. Values in the EIR for peak traffic and related effects are based on an estimated peak production year of 750,000 tons, or 1.5 times the average production of 500,000 tons per year.</p> <p>The Project Description in the EIR was based on the permit application materials submitted by the applicant. The information was reviewed by County staff, and by a contractor working for the County (not for the applicant), prior to its use in the EIR. Section 15084(b) of the CEQA Guidelines Provides:</p> <p style="padding-left: 40px;">The Lead Agency may require the project applicant to supply data and information both to determine whether the project may have a significant effect on the environment and to assist the Lead Agency in preparing the draft EIR.</p> <p>And Section 15084(c) states:</p> <p style="padding-left: 40px;">Any person, including the applicant, may submit information or comments to the</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
				Lead Agency to assist in the preparation of the 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.
			<p><u>Section 3.5 Traffic.</u> TR-1 (trucking operation time restrictions) does not address implementation in the Casitas Springs area.</p> <p>A more robust program is needed to assure the time restrictions are monitored and enforced in the Ojai Valley.</p> <p>The traffic safety impact to bicyclists is potentially significant.</p> <p>For safety and to avoid quality of life impacts, a mitigation measure prohibiting the trucks from using streets other than SR 33 within the Ojai Valley unless making local deliveries should be included.</p>	<p>Mitigation Measure TR-1 is intended to avoid peak hour periods on SR 33 south of SR 150, and this measure will help to minimize the overlap of project-related traffic and the peak hour periods farther south and west.</p> <p>Santa Barbara County staff will inspect shipment and other records as part of their annual SMARA inspections, or more frequently as necessary. County staffs of Ventura and Santa Barbara are coordinating conditions regarding truck identification and complaint procedures.</p> <p>Section 3.5.2.6.2 discusses traffic safety on State Routes 33 and 166. While bicyclists currently use portions of SR 33, it is not a designated bicycle route and there are no bicycle lanes or related improvements along its length outside of Ojai.</p> <p>Designation of truck routes within the City of Ojai can be done by the City Council, who can restrict truck traffic on streets other than the state highways.</p>
			<p><u>Section 3.6 Noise.</u> The noise impact analysis needs to be revised to reflect revised truck volumes recommended above.</p> <p>For Table 3.6-13, no explanation is provided for assigning project-related truck trip increases to the day or night categories.</p> <p>Page 3.6-18 states that trucks could haul everyday including Sunday 5:00am to 6:00pm. The project description needs to be changed to reflect this.</p>	<p>Estimated truck volumes do not need to be revised. In addition, the text of Section 3.6 (pages 3.6-11 and 3.6-12) and Table 3.6-10 explain that the noise analysis is based on a worst case scenario of all truck traffic using a single direction at one time.</p> <p>The footnote of Table 3.6-13 explains that for all traffic, it was assumed that 85% of the traffic occurs during the 15 hours of daytime, and 15% occurs during the 9 hours of nighttime.</p> <p>The statement on page 3.6-18 has been removed. This revision has no effect on the conclusions of the analysis.</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			<p>The noise impact analysis does not address the noise contribution of Jake brakes. The mitigation measure to prohibit the use of Jake brakes in the Cuyama Valley should also apply to the Ojai Valley.</p>	<p>In a truck with original equipment mufflers, Jake brakes typically produce noise levels similar to a truck under heavy acceleration—80 dBA at 50 feet. The potential effect of noise from Jake brakes is recognized in the EIR, and addressed in Mitigation Measures NS-1 and NS-2, both of which address noise levels in the Cuyama Valley area. The noise mitigation measures also include restrictions on nighttime operations and delivery, but not complete prohibition.</p>
			<p>A nighttime trucking prohibition should be included in the EIR.</p> <p><u>3.7 Air Quality.</u> The air quality section analysis should be adjusted to account for higher traffic volumes</p> <p>Truck trips through the Ojai Valley are round trips so the emission quantification should double the number of maximum daily exit loads when calculating the total miles driven through the Ojai Valley.</p>	<p>The estimates of daily truck trips need not be revised. The air quality analysis does consider the total daily trips involved.</p> <p>The Final EIR (Tables 3.7-8 and 3.7-9, and other discussions) has been edited to remove the confusing references to “round” trips where total trips were intended and computed. All computations were based on the correct number of daily trips.</p>
			<p><u>Section 6.0 Cumulative Impacts.</u> The last sentence of the first paragraph in Section 6.1 GPS mine states that mining and processing at the GPS mine may occur from 5:00 am to 5:00 pm. Email correspondence from Gary Kaiser to Steve Offerman (1/23/07) indicates that no such restrictions are in the GPS land use permit.</p>	<p>This revision has been done in Section 6.1.</p>
			<p>The impacts from the proposed expansion of the GPS mine should be included in Section 6.2.</p>	<p>Effects of the GPS mine were discussed in Section 6.1. Its traffic and related effects are comparatively less since it is an operating mine whose current trucks are part of the existing traffic volumes. Figure 2-8 is in Appendix A of the EIR, and shows in a schematic fashion the locations of the project and the other mines in the region.</p>
			<p>Referenced Figure 2-8 is missing.</p>	<p>Figure 2-8 is in Appendix A of the EIR.</p>
			<p>No actual analysis of cumulative traffic, air, or noise impacts is performed. It is inadequate to state that cumulative traffic volumes will be greater. Without quantification of the impacts,</p>	<p>Section 3.5.2.4 discusses cumulative (Year 2020) traffic effects—basing the cumulative discussion of traffic on regional projections as allowed by CEQA. With respect to Air Quality, cumulative effects are considered in light of the Clean Air Plan,</p>

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			the ability to devise mitigation measures that would reduce impacts below the level of significance is eliminated.	which is based on regional emissions projections for the entire Air Basin. The project's relationship to the Clean Air Plan is discussed in Section 3.7.2.6. Unlike a land development project, the effects of multiple sand and gravel mines will not necessarily be additive. The ultimate extent of cumulative effects will be determined more by market demand than by the number or exact location of sand and gravel sources. If more mines are permitted and serve the same general market area, then the production and related truck traffic and impacts for each mine will be less.
			The quality of life impact analysis must identify which aspects of the mine operation pose the greater impacts to quality of life and identify measures that reduce these impacts.	As explained in Section 6.3, effects on the quality of life are related partly to physical changes, but are also influenced by peoples' perceptions. The County does not have a specific threshold to define a quality of life impact. Therefore, the identification of which aspects of the mine operation contribute most to perception will vary from one individual to another. All of the mitigation measures will help to avoid or reduce the physical changes associated with the project.
013	1/22/07	Ojai Unified School District, Timothy B. Baird	Expresses opposition to the Diamond Rock mine proposal.	No response is necessary for this comment.
			Will have close to 400 trips per day allowed to drive past Mira Monte Elementary School and Nordhoff High School. The addition of 164 allowable trips will have a huge impact and will create an unsafe situation.	The 379 trips cited, including 164 from Diamond Rock, represent the total maximum trips associated with four existing or proposed expanded mines. Three of the four mines are located north of the Los Padres National Forest and Pine Mountain, and not all of their traffic travels to and from the south. The Diamond Rock project is estimated to generate a maximum of 28 trips per day (18 average) through Ojai, not 164.
			Report states that only two houses are located within 100 feet along Highway 33.	Section 3.6.3.2.4 in the noise discussion deals with residences near the project site, subject to operations noise, and focuses on two specific receptors. Section 3.6.3.3 addresses noise from trucks along the haul route and describes several locations where residences and schools are within 50 or 100 feet of SR 33.
			EIR does not address air pollution in the Ojai Valley.	Tables 3.7-15 and 3.7-16 address air emissions from average and peak truck traffic

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

Letter #	Date	Agency/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			Time restrictions are unenforceable.	volumes for the project. The last line of each table indicates that NOx and reactive organic compound emissions in the Ojai Valley planning area will be below the special 5 lb/day threshold for this area.  The EIR includes a combination of time restriction conditions, with inspection of records by County staff, and cooperation with Ventura County in the development of a notification system for complaints.
			There would be an overall increase in aggregate related truck traffic in the region.	The overall volume of aggregate consumption and truck traffic is a function of the market demand. Permitting of more mines in an area will result in less sales from each mine. The locations, however, do affect traffic volumes on specific roads and the EIR has provided estimates of the anticipated effects in Ojai.
014	12/27/06	Santa Ynez Band of Mission Indians Tribal Elders Council	Concerned with disturbing archeological sites. Dissagree with findings of less than significant impact based on the phase1 pedestrian survey results. Suggests there is no reason to assume there are no cultural resources below the surface until it is unearthed. Says more research and data is needed to fully understand the impact.	Mitigation measure CR-1 includes a standard condition for notifying the County and appropriate Native American representatives in the event unanticipated cultural remains are encountered during grading and site preparation process. This condition will be shown on plans and periodic inspections will be performed by County staff to ensure enforcement. The project excavation will occur in the active river bottom of the Cuyama River. Any archaeological material at this location would have been washed into the river from upstream areas. Although highly unlikely, it is possible that archaeological material may be encountered during sand excavation. State law regarding the discovery of any human remains would still apply.
			Proposes additional mitigation measures to monitor excavation work with archeologist and Native American monitors and stop work if cultural resources are found until mitigations are enacted.	

**TABLE H-3 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – LOCAL AGENCIES**

<b>Letter #</b>	<b>Date</b>	<b>Agency/Individual</b>	<b>Topical Area(s) Comments Received</b>	<b>Specific Responses to Comments</b>
015	No date	Chumash Council of Bakersfield, by david Paul Dominguez	Concern about potential discovery of buried archaeological remains, and recommends monitoring of all excavation	Project conditions will require observation and notification if any archaeological material is encountered in the excavation and site preparation work for the processing area. Continuous monitoring of the river bottom excavation is not considered necessary.

**TABLE H-4**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
001	1/25/07	South County Advisory Council, Ed Eby	<p>Westbound traffic impact analysis is not provided.</p> <p>Suggests that the LOS for the State Route 166/Highway 101 intersection is approaching a level-of-service F and that additional trucks from the project would accelerate that trend.</p> <p>Recommends addition of a section to address San Luis Obispo County traffic and safety impacts and potential roadway and pavement damage along SR 166 at each intersection. Recommends including a detailed traffic analysis, proposed intersection improvements, and a pavement management program for the Hwy 101/SR 166 intersection.</p>	<p>Effects to SR 166 are presented in Tables 3.5-6, 3.5-7, 3.5-8, 3.5-10, 3.5-11, and 3.5-12. The project will not affect existing LOS A on SR 166, or the cumulative LOS B on SR 166.</p> <p>Most of the new project traffic on SR 166 will replace existing Troesh traffic. The Troesh recycling yard and Hanson ready mix plant that would be served by the Diamond Rock mine are on Hutton Road. From this location, traffic to and from the Diamond Rock mine would not use the SR 166/US 101 ramps.</p> <p>Section 3.5.2.6.2 addresses operations on both SR 33 and SR 166. Tables 3.5-16, 3.5-17, and 3.5-18 provide operational and accident data for SR 166.</p>
002	1/22/07	Ojai Valley Municipal Advisory Council, Steve Offerman	<p>Time restrictions on truck travel are unenforceable due to the indirect relationship between the mine operator and independent truck drivers.</p> <p>Recommends establishing procedures to review in advance any Sunday or holiday trucking.</p> <p>States that truck traffic will accelerate pavement damage and mitigation measures should be included to address this.</p> <p>States that truck traffic degrades the visual environment and interferes with other users of SR33, a State Scenic Highway.</p>	<p>Mitigation measure TR-1 provides that the County (of Santa Barbara) will inspect records regarding timing of trips and complaints received.</p> <p>Given other restrictions this additional condition is not considered appropriate.</p> <p>Roadbed wear issues along State Route 33 are addressed in Section 3.5.2.6. All trucks will comply with state weight limits, for which the state highways are designed.</p> <p>Section 3.8, Visual Resources, describes potential impacts on visual resources. The criteria for assessing visual impacts suggested by CEQA (Section 3.8.2.1) relate more directly to physical changes to the environment. Section 3.8.3 (pages 3.8-12 through 3.8-16) discusses the Scenic Byway.</p>

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
003	1/26/07	Ojai Peace Coalition, Evan Austin	Expresses opposition to the project due to increased truck traffic on State Route 33.	The letter does not comment on the content of the draft EIR.
004	1/31/07	Los Padres Forest Watch, Jeff Kuyper	Alternate south-bound trucking routes should be analyzed.	Most of the truck is anticipated to go northwestward to and from the Santa Maria and Nipomo areas. Approximately 40% would be split between Kern County to the northeast and western Ventura County to the south. To avoid using SR 33 and still serve the western Ventura County market, trucks would travel north bound on SR 33, east on SR 166, south in Interstate 5, then west on SR 126. This routing would involve approximately three times the travel distance of using SR 33.
			The DEIR does not include an adequate discussion of the cumulative impacts and an assessment of their severity. Indicates that Section 6 does not present feasible mitigation measures to reduce the cumulative impacts. Cumulative impacts discussion does not address scenery and recreation along Highway 33, forest recreation, air quality and groundwater supply.	Section 6 describes potential cumulative impacts. In addition, Section 3.5.2.4 includes a discussion of cumulative traffic effects, based on regional projections of traffic volumes. Project contributions to noise levels along haul routes are in Section 3.6.3.3, and are would range from 5 dBA near Ventucopa to less than 1 dBA south of Ojai. These contributions are not cumulatively considerable. Mitigation measures required for specific topics will reduce or avoid the project's contribution towards cumulative effects and will reduce its influence on the quality of life in Cuyama Valley. Project contributions to cumulative traffic effects on scenery and recreation are related to the Scenic Byway, discussed in Section 3.8.3. Cumulative air quality effects are related to consistency with the Basin Plan, and measures to reduce overall pollutant generation within the Air Basin, discussed in Section 3.7.2.6. The cumulative overdraft condition in the groundwater basin is described in Section 3.3.1.1, and the basin-specific threshold used by the County to assess the significance of a project's contribution to that overdraft is in Section 3.3.2.1.
			Cannot avoid a finding or significance merely because outdoor recreation is not "precluded."	The issue of project effects on the Scenic Byway is discussed in Section 3.8.3 (pages 3.3-12 through 3.3-16). Contributions to noise levels along the haul route are discussed in Section 3.6.3.3. Table 3.6.13 provides a sense of episodic nature of truck traffic on SR 33 north of Ojai with estimates of 2 to 3 trucks per hour during the daytime for average and peak production years, respectively. CEQA defines a significant impact as a substantial adverse change in the environment (13 PRC 21068). The EIR concludes that the project's effects on visual quality (and noise

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			Safety concerns to recreationists on SR 33 must be addressed.	levels) along SR 33 to the south will be adverse, but not substantially so. Recreational use of the Scenic Byway is described in Section 3.8.3, and traffic safety and accident potential is also discussed in Section 3.8.3.3 (summarized from Section 3.5.2.6.2 in the Traffic discussion).
			The DEIR fails to adequately analysis and mitigate significant impacts to Scenic SR 33.	As noted above, several sections of the EIR discuss effects on SR 33 south of the project, and the Scenic Byway and issues related to it are specifically reviewed in Section 3.8.3.
			The DEIR must analyze whether the project would preclude future designation of SR33 as a State Scenic Highway north of the project site to SR 166.	The project will not affect eligibility of SR 33 for designation as a scenic highway.
			The DEIR needs to analyze impacts of truck traffic on the designation of Sespe Creek as a Wild and Scenic Rivew, and consistency with the US Forest Service Management Plan for the Los Padres National Forest.	Project generated truck traffic on State Highway 33 will not affect directly affect related adjacent land area near Sespe Creek. The Forest Service Management Plan and evaluation for Wild and Scenic River designation acknowledge the presence of SR 33, and the latter states:  Highway 33 was constructed in the 1930's to provide an important link for commerce and recreation between the San Joaquin Valley and the southcentral coast of California. It continues today to provide this same important link. This currently includes semi-trucks hauling gravel from inland valleys to the coastal urban areas.
			The DEIR must analyze and mitigate significant impacts to the Class II airsheds in the Dick Smith, Sespe and Matilija Wilderness areas.	The EIR describes the presence of the Class I wilderness area in Section 3.7.2.7. This proximity influences the APCD permitting process for the project.
			The DEIR fails to adequately analyze and mitigate significant impacts on groundwater in the Cuyama Basin. States that the proposed mine would consume between 55.24 and 77.11 acre-feet of water per year which exceeds the County significant threshold of 31 acre-feet per year.	Section 3.3.2.2.2 describes groundwater consumption. While the usage is above these limitations, the net consumptive use is far less (6.25 and 28.12 acre-feet of water per year) due to recharge and historic use adjustment. The effect on groundwater supplies is, therefore, less than significant as stated in the EIR.

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			The DEIR does not adequately analyze and mitigate significant impacts to wildlife due to truck traffic in the Los Padres National Forest. The DEIR must disclose potential increased vehicle strikes on wildlife crossing SR 33.	Project generated traffic through Los Padres National Forest will amount to 18 (average) to 28 (peak production) truck trips per 24-hour period, with most trips during the daytime. Existing ADT along this route is 600, and is expected to increase to 1,600. The effect of project generated will not be substantial when compared to that of other traffic, and is not considered a significant impact.
005	1/31/07	Los Padres Forest Association, Mike Havstad	Expresses concern for campers crossing SR 33 between the Wheeler Gorge Campground and the Wheeler Gorge Visitor Center.  Indicates that noise from passing vehicles currently impacts programs at the visitor center. The sound of trucks Jake braking at the end of the grade approximately ½ mile away is heard at the Wheeler Gorge area.  Recommends using 166.	Section 3.5.2.6.2 discusses traffic safety on State Routes 33 and 166. SR 33 has sufficient capacity to convey project related traffic without a significant effect on roadway operations. As a local jurisdiction, the County can only ensure that its land use decisions do not increase traffic volumes beyond their current capacities. Caltrans and the USFS are responsible for ensuring roadway safety and operational integrity on the highway and adjacent visitor facilities, respectively.  Truck noise issues are discussed in Section 3.6.3.3 (pages 3.6-10 through 3.6-21). In most segments, truck noise is considered less than significant. Truck noise, and other traffic noise, is audible at several Forest Service sites along SR 33. Northbound trucks slowing down as they approach the congested area around Wheeler Gorge may rely on Jake brakes.  The alternative of using SR 166 (east to Interstate 5, then south to SR 126 and west to Ventura) increased travel distance by a factor of 3.
006	Jan 31, 07	Keep Sespe Wild Committee, Alasdair Coyne	The DEIR should use US Forest Service methodology to assess the value of the recreational experience and to determine the extent to which it would be impacted from the Diamond Rock mine and the proposed expansions of the other mines in the area.  Says that SR 33 separates the Dick Smith Wilderness and the Sespe Wilderness near the summit. Indicates that wildlife crossing SR 33 will be susceptible to injury and/or death by the proposed volumes of trucks.	The high value of recreational uses is acknowledged in the EIR. The effect of this project and other mines in the area is to place truck traffic on SR 33. While the road is narrow and winding and steep, it is a State highway and is designed to handle the anticipated traffic volumes and vehicle types. The Forest Service Management Plan also acknowledges the presence of the highway and its use by gravel trucks and other commercial traffic.  While the additional traffic volume may contribute to road kill mortality, the effect would not be substantial when compared to that from existing traffic volumes, and is not considered a significant impact.

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			The air quality impacts must be analyzed against the Ojai Valley threshold of 5lbs NO <sub>x</sub> per day at the highest volume of daily truck trips.	Tables 3.7-15 and 3.7-16 (last lines) show that average and peak emissions in the Ojai Planning Area would be less than the 5 lbs/day NO <sub>x</sub> threshold.
007	No Date	Environmental Coalition of Ventura County, Janis McCormick	<p>States that the Diamond Rock mine would put 92 truck trips per day on SR 33 and that proposed GPS, Lima, and Ozena would add an additional 55, 240, and 132 trips respectively. Assumes cumulatively that these operations would add 500 truck trips per day on SR 33.</p> <p>Indicates that these additional truck trips would hurt the tourist economy, pose a danger to other users of SR 33 and add to air pollution and noise problems in the Ojai Valley.</p> <p>Recommends requiring the applicant to use SR 166 to access Hwy 101 or Interstate 5.</p>	<p>Truck trips from the project and proposed GPS mine expansion would add 92 trips and the proposed GPS expansion would add an additional 55 trips – only some of which would go into Ventura County. The proposed expansion of the Ozena mine would add a maximum of 50 round trips per day. Under the proposed project, none of the additional trips would go south on SR 33. There are no planned expansions to the Lima mine so truck trips would be unchanged.</p> <p>Noise, air pollution, safety, and visual resource impacts from the project could effect recreation in the Los Padres National Forest. Given the relatively low number of truck trips anticipated through the forest (18-28 trips per day), the effects are not considered a significant impact.</p> <p>Using SR 166 east to Interstate 5, then south to SR 126 to return west to Ventura, would triple the travel distance for trucks needing to go south. The route on SR 166 westward to US Highway, and then south is longer.</p>
008	Jan 31, 07	Los Padres Chapter of Sierra Club, Alan Sanders	<p>The DEIR does not list all of the sensitive species that could be expected to be found in the wilderness areas. The DEIR does not identify the impacts associated with each species and mitigations to reduce the impacts.</p> <p>The DEIR does not disclose the true impact of truck traffic on the air quality of areas within Ventura County – Many questions remain on the true number of trucks.</p> <p>Concerned that water quality will be impacted from diesel and other petrochemicals into the area watersheds. States that the DEIR does not identify sources of pollutants and mitigation measures to reduce the impact.</p>	<p>Sections 3.4.2.4 and 3.4.2.5 in Biological Resources, describe sensitive species likely to be present and affected by the project. Potential impacts to particular sensitive species are described in Sections 3.4.3.7 (blunt nosed leopard lizard), 3.4.3.8 (San Joaquin kit fox), 3.4.3.9 (loggerhead shrike and Lawrence's goldfinch), and 3.4.3.10 (other species).</p> <p>Tables 3.6-15 and 3.6-16 present the impacts of truck traffic on air quality in Ventura County, summarized in the last two lines of each table.</p> <p>Section 3.1 discusses water quality including the potential introduction of petroleum hydrocarbons into water (in Section 3.1.2.2.8), Mitigations are in the draft Storm water Pollution Prevention Plan (SWPPP) and Spill Containment, Prevention, Control, and Countermeasure Plan.</p>

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			<p>The DEIR does not consider traffic impacts from the addition of slower moving trucks on SR 33 and that the increase in trucks will create hazards for other motorists, pedestrians and cyclists.</p> <p>Suggests that there is an absence of urban noises in wilderness areas along SR 33 and that the addition of any noise associated with diesel engines in the wilderness areas along SR 33 must be considered an adverse impact.</p> <p>The DEIR does not give serious consideration of Aesthetics. Suggests that there is a severe adverse impact at the project site due to urbanization of a mostly wild area.</p> <p>Suggests the impact of truck traffic associated with the project along SR 33 will result in a severe adverse impact to aesthetics the national forest, wilderness areas, wild and scenic rivers and scenic highway.</p> <p>Suggests that since the project will provide aggregate for construction purposes it is growth inducing.</p> <p>States that since the lead agency knows that there are several other mining projects close to the projects, truck trips from all projects must be considered. Suggests that the impacts from truck traffic associated with the 4 mines are severe and adverse.</p>	<p>Section 3.5 describes the impacts on SR33 from the introduction of additional truck traffic from the proposal.</p> <p>Section 3.6 discusses noise impacts and mitigations along SR 33.</p> <p>Section 3.8, Visual Resource, describes potential impacts on visual resources. Impacts were evaluated against the Santa Barbara County Visual Aesthetics Guidelines.</p> <p>Section 3.8.3.5 discusses impacts of additional truck traffic from the project on aesthetics along SR 33. The section provides a description of the analysis used to designate the impact as adverse but less than significant.</p> <p>Section 7.0 analyzes the growth inducing potential for the project and provides an explanation as to why the proposed project would not induce growth.</p> <p>Section 6.2 evaluates the cumulative impacts of truck traffic from the project and other mines in the area and region.</p>
009	No Date	Los Padres Chapter of the Sierra Club, Mike Stubblefield	States that the Diamond Rock mine would put 92 truck trips per day on SR 33 and that proposed GPS, Lima, and Ozena would add an additional 55, 240, and 132 trips respectively. Assumes cumulatively that these	Truck trips from the project and proposed GPS mine expansion would add 92 trips and the proposed GPS expansion would add an additional 55 trips – only some of which would go into Ventura County. The proposed expansion of the Ozena mine would add a maximum of 50 round trips per day. Under the proposed project, none

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			operations would add 500 truck trips per day on SR 33.  Indicates that these additional truck trips would hurt the tourist economy, pose a danger to other users of SR 33, add to air pollution and noise problems in the Ojai Valley.  Recommends requiring the applicant to use SR 166 to access Hwy 101 or Interstate 5.	of the additional trips would go south on SR 33. There are no planned expansions to the Lima mine so truck trips would be unchanged.  Noise, air pollution, safety, and visual resource impacts from the project could effect recreation in the Los Padres National Forest, but the effects are not expected to be substantial relative to the existing traffic and its effects on SR 33.  The SR 166 route (east to Interstate 5, then south to SR 126 and west to Ventura) increases the trip distance to the west Ventura market area by a factor of 3. The route using US Highway 101 is longer.
010	Jan 17, 07	Friends of the Santa Clara River, Ron Bottorff	Indicates concern over impacts on safety, noise, air quality, and volume of truck traffic from the project and two other gravel mines planned for the Cuyama Valley.  Supports the Reduced Mining Area Scenario/Reduced Annual Production alternative.	Section 6.0, Cumulative Impacts, discusses impacts of this project in the context of other projects and mines in the region. Cumulative traffic impacts are also addressed in Section 3.5.2.4, based on regional projections of future traffic volumes.  This comment expresses support for a project alternative, and does not require a response.
011	Jan 23, 07	Ojai Valley Green Coalition, Ken Wright	Indicates that the Diamond Rock Mine is one of three proposed for the area. States that it is important to consider all applicants at the same time rather than individually.  Suggests that there will be substantial impacts to quality of life in Ojai and the Wheeler Gorge area.	Section 6.0, Cumulative Impacts, discusses impacts of this project in the context of other projects and mines in the region. Cumulative traffic impacts are also addressed in Section 3.5.2.4, based on regional projections of future traffic volumes.  Truck traffic would increase by 18-28 trips per day through Ojai, for average and peak year production. Mitigation Measure TR-1 would help to avoid traffic effects during peak hours at the SR 33/SR 150 intersection. Air emissions effects from truck traffic would not be significant in the Ojai Valley or other areas of Ventura County. The effects of truck traffic on safety and recreational uses along SR 33 are legitimate concerns and are discussed in the EIR, but the highway design is capable of supporting the projected increases in traffic.
012	Jan 31, 07	Mira Monte Beautification Committee, Rosemary	Indicates that additional truck traffic from mining will add to congestion and decrease sales tax revenue in the Ojai Valley.	Truck traffic would increase by 18-28 trips per day through Ojai, for average and peak year production. Mitigation Measure TR-1 would help to avoid traffic effects during peak hours at the SR 33/SR 150 intersection.

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
		Beilschmidt	Requests a mitigation measure to compensate the businesses in Ojai and Ventura County for lost business and compensate the City of Ojai and Ventura County for lost sales tax revenue.	The focus of the EIR is on physical changes to the environment, not economic or social effects. It is recognized that an increase in traffic may be disruptive, but the project includes a condition to minimize the effect on peak hour congestion and other traffic effects would be less than significant. In this context, it is not clear that there would be any discernable effect on retail sales, sales taxes, or other measures of business activity.
013	12/24/06	Ojai Valley Youth Foundation, Caryn Bosson	Expresses opposition to the project due to increased truck traffic through Ojai on SR 33 and concerns over pedestrian safety.	Section 3.5.2.6.2 discusses traffic safety on State Routes 33 and 166. SR 33 has sufficient capacity to convey project related traffic without a significant effect on roadway operations. The EIR presents information on traffic safety and accident data.
014	1/2/07	Cleaire Advanced Emission Controls, Tim Taylor	Recommends that any trucks associated with the project be required to meet the lowest emission standards that are practical and cost effective.	Required Mitigation Measure AQ-2 in section 3.7.3 requires the operator to utilize clean diesel, catalytic converters, diesel particulate traps if determined reasonable and feasible.
015	01/09/07	Ojai Valley Chamber of Commerce, Scott Eicher	<p>Characterizes the traffic in Ojai on SR 33 at a level-of-service D during non peak and F during peak commuting times.</p> <p>Concerned with potential for accidents with the addition of the trucks from the project. Indicates that the trucks will be too large for the upper section of SR 33 which has narrow lanes and sharp curves.</p> <p>Trucks currently have noise and odor impacts.</p>	<p>Section 3.5 contains an analysis of traffic conditions with and without the project. The analysis shows LOS A and B for all segments of SR 33 except the section of SR 33 south of SR 150 which has a LOS E. Traffic impacts in Ventura County were evaluated based on Ventura County thresholds of significance. This analysis shows the additional trips from the project would have a significant but mitigable impact on the section of SR 33 south of SR 150. This impact is mitigated with Mitigation Measure TR-1 which restricts southbound trucks between 6:30 and 9:00 am and northbound trucks between 3:30 and 6:00 pm.</p> <p>Section 3.5.2.6.2 discusses traffic safety on State Routes 33 and 166. SR 33 has sufficient capacity to convey project related traffic without a significant effect on roadway operations. As a local jurisdiction, the County can only ensure that its land use decisions do not increase traffic volumes beyond their current capacities. Caltrans is responsible for ensuring roadway safety and operational integrity.</p> <p>Section 3.6.3.3.3 includes estimates of the increase in traffic noise levels through Ojai, and indicates that the increase from the project would be 1 dBA or less. The</p>

**TABLE H-4 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – ORGANIZATIONS**

Letter #	Date	Organization/Individual	Topical Area(s) Comments Received	Specific Responses to Comments
			Trucks currently do not follow guidelines for travel times and they will continue to ignore limitations because there is no apparent penalty for non-compliance.	EIR does not explicitly address odors from truck exhaust, but it does analyze emissions of criteria pollutants (NO <sub>x</sub> and reactive organic compounds). The health risk assessment performed for the project also examined the effects of and the potential health effects of on highway truck exhaust. Both analyses indicated that the increases from the project truck traffic would be less than significant.  Mitigation measure TR-1 provides that the County (of Santa Barbara) will inspect records regarding timing of trips and complaints received. Santa Barbara County is also cooperating with Ventura County in the development of standard conditions and a complaint and notification procedure to identify and respond to truck drivers who may violate motor vehicle laws.
			Truck traffic will negatively impact tourism much of which is based on the Los Padres National Forest and wilderness areas.	Noise, air pollution, safety, and visual resource impacts from the project could effect recreation in the Los Padres National Forest, but the effects are not expected to be substantial relative to the existing traffic and its effects on SR 33.
			Encourages Santa Barbara County to “rethink” decision to permit an increase in gravel truck trips through the Ojai Valley.	This last comment expresses opposition to the project and does not require a response.

**TABLE H-5  
DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
<p>During the Public Review period over 200 individual letters and e-mails were received. To address these comments in a practical fashion, two specific letters are summarized in this table with responses. This is followed by a general presentation of summary comments from individuals representing interest in the Cuyama Valley region, and a similar presentation of comments from individuals representing interests in the Ojai Valley or nearby areas in Ventura County. All of the letters were reviewed, and all are reproduced in Appendix I.</p>				
001	1/31/07	Kerry Shapiro on behalf of Troesh Materials, Inc.	Information in this letter submitted by the applicant was reviewed in its entirety. Corrections of obvious editorial errors and some clarifications suggested have been included in the text of the Final EIR. Remaining comments are summarized here for information and the letter is included with other comment letters.	
<b>Throughout the document</b>				
			Requests that “significant, but mitigable” be changed to “ <b>potentially</b> significant but mitigable” through out the document.	The meaning of Class II impacts is clear, and language throughout the document is consistent with County usage.
			Requests that references to Troesh Ready Mix, Inc be edited to <b>Troesh Materials, Inc.</b>	References to Troesh Ready Mix, Inc have been changed to Troesh Materials, Inc., except for historical references where appropriate.
<b>Purpose and Need for the Project</b>				
			The executive summary does not identify the key role the project would play in meeting demand for aggregate materials.	The importance of an aggregate material supply and the role of the proposed project in that supply is acknowledged by the County and described in Section 2.7 of the EIR, and elsewhere as necessary. Additional information related to this issue may be submitted by the applicant.
<b>Quality of Life Impacts</b>				
			Section ES.4.2.1 cumulative quality of life impacts are identified as Class I impacts (significant and unmitigable). Repeated in sections ES4..5 and ES.5.Counties notice of availability (11/29/06) says that quality of life impact is Class 2. This should be corrected in the Revised DEIR.	This revision has been made in the EIR, in response to communication from the County Planning and Development Department.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
			<b><u>Traffic Impacts</u></b>	
			The statement in Section ES.4.2.4 that, If all or a substantial amount of truck trips were directed to Ventura, the project would potentially have a significant impact to State Route 33 due to the addition of one or more peak hour trips, is unsupported and should be revised. If the above statement is left in, Troesh suggests that the conclusion in the EIR be changed to read “the project would potentially have a significant impact on State Route 33 due to the addition of one or more peak hour trips on <b>the Ojai to Casitas Springs</b> portion of State Route 33”.	The criteria or threshold for this determination is explained in Section 3.5.2.1.2 (final bullet describing County of Ventura criteria). The clarification of the SR 33 segment involved in this conclusion is made in the Final EIR.
			<b><u>Alternatives</u></b>	
			States that the discussion of alternative in Section ES.5 does not provide specific reasons why the alternatives identified are rejected except for the environmentally superior alternative, Reduced Mining Area Alternative. Suggests adding language explaining that these alternatives were rejected because they fail to meet the basic project objective of developing a new supply of high quality aggregate.	The issue of feasibility of alternatives or other mitigation measures, as well as any overriding considerations related to the project, will be addressed in the staff report for the Conditional Use Permit.
			<b><u>Miscellaneous</u></b>	
			Page ES-1, 3 <sup>rd</sup> paragraph line 9. Text should be edited from “Loma Frieda” to “Loma Prieda”	This correction has been made.
			Page ES-4 2 <sup>nd</sup> paragraph line 9. Should be edited to read “If all <b>four</b> aggregate mines (GPS, Ozena...	This paragraph in question has been edited.

**TABLE H-5 (CONTINUED)**  
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<b><u>Introduction</u></b>				
			Suggests adding a new section (1.1.2 Project Purpose and Need) to describe the decreasing supply of sand and gravel in the region and the importance of the project in meeting projected needs.	This issue is addressed elsewhere in the EIR.
<b><u>Project Description</u></b>				
			Section 2.7 Contribution to Regional Aggregate Supplies does not account for the importance of the project's production to the supply of aggregates in the region. Pg 2-22 - The Division of Mines and Geology 50-year aggregate consumption estimates used in the DEIR are from 2002. Data from 2006 is available that shows 16 million tons less available permitted aggregate than the estimate in the revised DEIR.	The EIR used the most current data available at the time. Additional, and more current, information regarding the consumption and production of aggregate resources in the region may be presented at public hearings.
<b><u>Environmental Setting, Impacts and Mitigation</u></b>				
			Pg 3.1-18, first paragraph – reference to Chart 3-8 should be Figure 3-6	The reference is correct. The charts were not reproduced in all copies of the Revised Draft EIR but have been included in the Final EIR.
			If suggested condition W-3 is identified for the project, request that it be revised to allow Troesh to remove culverts in advance of major flooding events to avoid possibility of the culverts being washed downstream.	The sense of the condition is to maintain flows in the river. Temporary culverts with periodic removal would be allowed. The Project Description notes that all such improvements in the river channel would be removed prior to anticipated flood conditions.
			Recommends changing the text in the first paragraph (p3.3-2) to "The Environmental Checklist in Appendix G of the CEQA Guidelines, <b>item VIII, Hydrology and Water Quality</b> , provides the following..."	This revision is not necessary.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

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			Table 3.4-1 – there is no reference to or data for riparian trees a habitat type discussed on pg 3.4-3	Section 3.4.2.1.4 explains that the riparian trees are planted along the eastern bank, an area described as “disturbed river bank” in Table 3.4-1.
			Pg 3.4-3 second paragraph line 4 – the discussion of mixed alluvial scrub habitat indicates high and moderate densities. Table 3.4-1 and Figure 3-13 indicate mixed alluvial scrub in the river channel occurs in moderate and low densities.	The text discussion in Section 3.4.2.1.2 has been revised.
			Pg 3.4-5 last paragraph line 4. The reference should be to Figure 3-14, not 3-12.	This correction has been made.
			Pg 3.4-6, second paragraph, line 1 – The text should be revised to “For this project, CDFG jurisdiction on the east side of the river likely could coincide with the Corps ordinary high...”	This revision is not necessary.
			Pg 3.4-6, first paragraph, last line - should be modified to read “No amphibians were observed during the surveys, although the irrigation pond – which is located outside of project boundaries and will not be effected by the project – may support some amphibians.”	The text was revised.
			Section 3.4.2.5.4, 3 <sup>rd</sup> bullet – The text should be clarified to state that the pairs of nesting goldfinches observed by Bumgarner Consulting (2003b) during the non-nesting season.	The text notes that the breeding status of the Lawrence’s goldfinches observed was uncertain.
			Pg 3.4-14 and 15 – The references to Figures 3-17 and 3-18 are confused. The section references Figure 3-17 for habitats that would be affected during Phase I. Figure 3-18 shows the habitat impacts from Phase I mining. The section references Figure 3-18 for habitats that would be affected during Phase II. Figure 3-17 shows the habitat impacts from	Figure numbers have been corrected.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
			Phase II mining.	
			Pg 3.4-15 – References to Figure 2-4 should be edited to reference Figure 3-13.	Text has been changed to reference both figures.
			Pg 3.4-17 first paragraph the text should be edited to “The potentially long period of time for habitats to recover after mining is completed is ...”	In the context of the discussion, this clarification is not necessary.
			Pg 3.4-19 , second paragraph – The text needs to be revised to clarify that the exclusionary fencing proposed for the project is intended and designed to preclude the “blunt nosed lizard from entering the mine pit and thus direct impact is expected for this species.	The text has been revised to express this intent of the exclusionary fencing.
			Pp 3.4-20 to 3.4-21 should reference mitigation measures BIO-3 and BIO-10 as also mitigating potential impacts to the blunt nosed lizard.	Reference to these mitigation measures was added to the discussion in Section 3.4.3.7.
			Pg 3.4-21, second paragraph line 6 – The reference to BIO-13 probably should reference BIO-12 (there is no BIO-13).	This correction has been made.
			Pg 3.4-25. Comments on BIO-1. Points out that the US Fish and Wildlife Service, Army Corps of Engineers, and the California Department of Fish and Game may also impose measures on the project in addition to those required by the county.	Adjustment to this mitigation measure as the result of permit conditions by other agencies would be allowed by the County upon review and a determination that the changes would be at least as effective as the original mitigation measure.
			References to “flood control berm” should be changed to low-flow diversion berm”	This clarification has been made throughout the section.
			The blunt nosed leopard lizard is referred to sometimes as “leopard lizard” and some times as “blunt nosed leopard lizard”. All references should be “blunt nosed leopard lizard”.	This clarification has been made throughout the section.

**TABLE H-5 (CONTINUED)**  
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Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
<b>Traffic and Circulation</b>				
			Pg 3.5-1 Suggest defining AADT, trip, and round trip for clarification and that all subsequent discussion use truck trips or round trips as appropriate.	Improper references throughout the EIR to “round trips,” where one-way trips were intended, have been corrected.
			Pg 3.5-5 all references to round trip should be changed to trip in the bullets.	Improper references throughout the EIR to “round trips,” where one-way trips were intended, have been corrected.
			Pg 3.5-8 to 3.5-11 the Revised DEIR analyzes impacts on SR 33 in Ventura County based on Ventura County’s thresholds.. Troesh believes that there is no legal basis for the County to impose Mitigation Measure TR-1 given that there is a questionable basis for the County to determine a potentially significant impact on SR 33. Also suggests that Santa Barbara County has no authority to mitigate outside of its own jurisdictional boundaries and that no other Santa Barbara project is subject to similar out-of-county limitations based on another County’s significance thresholds	The EIR presents the thresholds used, and offers a mitigation measure (TR-1) capable of reducing or avoiding the impact. Imposition of the condition is within the Santa Barbara County authority in granting the Conditional Use Permit for the project.
			Even assuming the County has a legal basis for TR-1, Troesh believes that such mitigation must be in proportion to the project’s identified impact.	The EIR presents the thresholds used, and offers a mitigation measure (TR-1) capable of reducing or avoiding the impact. Imposition of the condition is within the Santa Barbara County authority in granting the Conditional Use Permit for the project.
			Suggests that TR-1 should consider alternative means to reduce impacts on SR 33 without imposing an absolute ban.	The EIR presents the thresholds used, and offers a mitigation measure (TR-1) capable of reducing or avoiding the impact. Imposition of the condition is within the Santa Barbara County authority in granting the Conditional Use Permit for the project.
			Section 3.5.2.6.2, pg 3.5-9 to 3.5-11 analyze 2020 cumulative impacts. These should be detailed in Section 6 of the document.	Section 6.0 dealing with Cumulative Impacts has been re-organized and expanded to improve clarity and to reference other portions of the EIR where specific cumulative effects are discussed.
			Pg 3.5-17, first paragraph line 11 – sentence should be edited to ..the County can only ensure that its land use	This correction has been made.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
			<p>decision do <b>not</b> increase traffic volumes on...”</p> <p>Pp 3.5-18 to 3.5-19 – Suggested Condition TR-3 appears to be inconsistent with the scope of the County’s jurisdiction. The county has limited jurisdiction over health and safety, which are properly regulated by Caltrans. However unlike Mitigation TR-1, TR-3 is a suggested project condition and thus the County is not concluding that it is legally required under CEQA.</p> <p>The DEIR claims data in Table 3.6-1 are derived from West Coast Environmental (2003). However, the data do not match those provided by West Coast Environmental. The ambient CNEL levels identified in Table 3.6-4 and Table 3.6-8 are inconsistent.</p> <p>Table 3.6-9 – The trip distribution percentages are incorrect. The trip distribution percentages in the bullets on pg 3.6-11 and in the memo from Scott Cohen (Revised DEIR, Appendix B) should be used in Tables 3.6-9 and 3.6-12.</p> <p>The use of daytime, evening and nighttime is confusing given that the terms have specific meanings in the context of noise analysis.</p> <p>Pg 3.6-7, last paragraph – indicates that nighttime hours are from 10:00 pm to 5:00 am and Table 3.6-5 indicates daytime hours are from 5:00 am to 6:pm. However, 5:00am to 7:00 an should be weighted +10 dB in the CNEL calculation because those hours are designated as “nighttime” hours (County of Santa Barbara Environmental Thresholds and Guidelines Manual). It is not clear if this was done.</p>	<p>Mitigation measure TR-3 presents a series of conditions that would help to minimize effects or concerns related to operational and safety issues associated with truck traffic. County staff considered these conditions, but not all are incorporated into conditions recommended for the Use Permit. Specifically, the second bulleted item in TR-3, related to additional time restrictions derived from school hours, was not incorporated due to the imposition of the peak hour restriction of TR-1.</p> <p>The values in Table 3.6-1 were computed averages, based on hourly data in Attachment 1 of the referenced WCE report. There are several alternate procedures for adding and averaging logarithmic numbers. The values for this, and other tables, have been recomputed. The corrections are not substantial and do not alter the discussion or conclusions in the EIR.</p> <p>Tables 3.6-9 and 3.6-10 have been revised to reflect the updated estimates of directional distribution. The discussion and conclusions of the EIR are not affected.</p> <p>Time periods relating to daytime, evening, and nighttime have been corrected in Tables 3.6-1 and 3.6-5, where the times relate to the definition of CNEL. In the context of the proposed operations, the time periods are drawn from the project description.</p> <p>Tables 3.6-5 through 3.6-7 present estimated changes in noise levels during specified times as the result of project operations. The CNEL results in Table 3.6-8 are estimates based on distributing the projected increases into the CNEL time periods. The increases themselves are not “weighted +10 dBA.”</p>

**TABLE H-5 (CONTINUED)**  
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			<p>Suggests that a qualitative standard for identifying Class II impacts to residences in the projects vicinity is problematic. Suggest that the noise contribution of the project is not proportional to its impact.</p> <p>Suggests that it is appropriate to limit the projects contribution to ambient noise levels to 5 dBA or less and the project should be required under mitigation NS-1 to design a sound wall that is tailored to the proposed layout and equipment. Raises practical questions regarding specific mitigation measures.</p> <p>Suggests that limiting processing on Sundays (mitigation NS-2) is overly restrictive.</p>	<p>Different jurisdictions have established a threshold for increases in noise levels. Under most circumstances, a 3 dBA increase is the smallest increase that a person will be able to detect. Increases of 3 dBA or 5 dBA are commonly used as thresholds of significance, but Santa Barbara County has not adopted a specific threshold for acceptable increases.</p> <p>Mitigation NS-1 has been revised to emphasize the use of the perimeter barrier, and to provide flexibility in minimizing noise from on-site equipment.</p> <p>Mitigation measure NS-2 would not prohibit Sunday loading and truck deliveries, but would restrict them to a daytime period, unless other times were approved by County Planning and Development.</p>
			<b><u>Air Quality</u></b>	
			<p>Pp 3.7-1 to 3.7-4 discussion applicable air quality standards. This should be edited to discuss recent changes in PM<sub>10</sub> standards that would exempt the project on the basis of lack of observed health effects from crustal PM<sub>10</sub>.</p> <p>Other fugitive dust controls, pursuant to SB 656 are being developed.</p> <p>Pg 3.7-4 top of page should be revised to indicate that the 2004 CAP is now effective.</p> <p>Pg 3.7-4, the first bullet identifies the SBCAPCD's New Source Review Rule limit as the applicable significance threshold. States that project area is actually in an area that meets that CAAQS and therefore the attainment threshold of</p>	<p>Changes in the NAAQS were entered into Table 3.7-1. These changes do not affect the EIR text. The final rule cited indicates a federal administration proposal not to subject certain sources, including mining, to the proposed standard. It is not certain how or if this federal intent will be implemented by the California Air Resources Board or local air districts.</p> <p>Section 3.7.1.2.4 has been updated to reflect this information.</p> <p>This change has been made.</p> <p>County Planning and Development has interpreted the threshold to be 55 pounds/day.</p>

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

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			<p>240 lbs/day NO<sub>x</sub> should apply.</p> <p>Notes that air quality data is only provided for the entire county. Suggests that this is not meaningful in the Cuyama Valley. Believes that the air quality would be better in the Cuyama Valley because ozone would be transported from the more heavily populated coast and be dispersed while traveling over the rugged mountains.</p>	<p>The EIR notes recent improvements in air quality, but will not speculate regarding current air quality in the Cuyama Valley.</p>
			<p>Pg 4.7-6 – Total construction emissions are stated to be less than 25 tons yet there is no source identified for this number. County should clarify this.</p>	<p>The County does not have a specific threshold of significance for construction related emissions. The specific reference has been removed, without altering the conclusion of the EIR.</p>
			<p>Pg 3.7-10, the second bullet should be changed from 70,000 to 750,000 tons.</p>	<p>This correction has been made.</p>
			<p>Pg 3.7-19 , paragraph 3 – suggests that the description of health effects from diesel described in this section are inaccurate. The SBCAPCD has provided written guidance that acute risk from exposure to diesel exhaust cannot and need not be quantified using existing methods and factors.</p>	<p>The paragraph in question is clear that the effects described are attributable to occupational or experimental exposures.</p>
			<p>Pg 3.7-23 states that the project would contribute to regional population growth by providing a new source of aggregate</p> <p>Suggests several changes in mitigation measures.</p>	<p>The discussion in Section 3.7.2.6 has been edited to clarify the point that the project is consistent with the Clean Air Plan.</p> <p>County staff reviewed all suggestions. Some air quality mitigation measures were modified for clarification.</p>
			<p>Section 3.10.2.2.2 – The second sentence should be revised to “The proposed mining operations would <b>be</b> adjacent...”</p>	<p>This correction has been made.</p>
			<p>Pp 4-6 to 4-8, The discussion of Mitigation measures W-1 and W-2 are confusing in this section because they apply to the proposed project rather than the proposed alternative.</p>	<p>These measures were originally developed as alternative design features, and then were defined as mitigation measures. The text of Section 4.5 has been revised.</p>

**TABLE H-5 (CONTINUED)**  
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Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
			Provides additional background material explaining why the alternative sites were rejected. States that the information was presented to the county in June 2005.	The text of Section 4.7 references the alternative site information provided by Troesh, and summarizes the descriptions for potential alternate sites in the Cuyama Valley region.
			Pg 4-10 , States that the second sentence incorrectly states that all potentially significant impacts can be mitigated to less than significant is incorrect because a class I impact has been identified by for NO <sub>x</sub> emissions.	The introductory paragraph in Section 4.8 has been corrected to identify the Class I air quality impact anticipated with the project.
			Provides an explanation why various alternatives were rejected.	This information is not repeated in the EIR, but may be referenced as part of the staff report and decision process regarding the application.
			<b><u>Cumulative Impacts</u></b>	
			Notes that cumulative impacts are addressed in multiple sections of the Revised DEIR and are not necessarily included in Section 6.	References to discussions of cumulative effects have been added to Section 6 of the EIR.
			Section 6-2, pp 6-1 and 6-2 fails to include the GPS mine within the discussion of cumulative impacts of truck traffic even though Section 6-1 notes the mine generates 55 ADT.	Since the GPS operation has been ongoing, it may be considered part of the existing conditions. The discussions of cumulative effects have been reorganized to present the effects more clearly.
002	1/31/07	Jennifer Lee	This letter reviews many of the specific issues unique to the Cuyama Valley region, not all of which relate directly to the Diamond Rock project or this EIR.	
			Requests that the project and other new mines not be allowed in the Cuyama Valley. Suggests that the area is being compromised for the benefit of surrounding urbanized areas.	This comment expresses opposition to the project. The EIR process is intended to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities, identify the ways that environmental damage can be avoided, and to prevent or reduce significant damage to the environment through the use or project alternatives or mitigation measures when the governmental agency finds the changes to be feasible. No response is necessary.
			Requests a delay in permits for new mines or expansion of existing mines until a comprehensive study of aquifers in the	Most of Cuyama Valley lies within San Luis Obispo County, but the groundwater basin lies mostly within Santa Barbara County. Both Counties recognize the groundwater

**TABLE H-5 (CONTINUED)**  
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			Cuyama River Basin has been done.	basin is in a condition of overdraft, and has been for over 25 years. Section 3.3.1.1 of the EIR describes the overdraft condition of the basin. Agriculture is the dominant use of groundwater, and the project's use of groundwater will be less than the Santa Barbara County threshold.
			Suggests that a Basin Conservation Plan should be implemented as soon as possible in the Cuyama River Basin.	The need for water conservation in the Cuyama Valley has been recognized. Such a plan will require the cooperation of the local water districts and suppliers and the four Counties with jurisdiction in the Cuyama Valley.
			Expresses concern that the Cuyama River valley is being drained of water and converted into a mining area.	Section 3.3.2.2.2 describes the project's impacts on groundwater levels. Over 70% of the water used in the proposed project would be recycled. The land is currently in agricultural production and irrigated with groundwater. While there could be a small increase in groundwater consumption, the proposed project would not result in significant groundwater impacts.
			Requests that the Diamond Rock, Ozena and GPS project/expansions not be permitted because large and deep excavations would cause irreversible damage to the aquifer and water table.	Aggregate mines typically operate above the aquifer. Section 3.3.2.2.1 describes the project's impacts on the quality of groundwater. The Diamond Rock Mine would typically operate above the groundwater level. During periods of high runoff, groundwater could rise above the bottom of the pit. However, exposure of the groundwater is expected to be infrequent and of short duration so the impact is considered adverse but not significant.
			States that the Cuyama Valley Basin is the most overdrafted basin in Santa Barbara County and that there are no additional water sources available for the area.	Water planning documents in both Santa Barbara and San Luis Obispo Counties recognize the severe overdraft condition of the groundwater basin in the Cuyama Valley.
			Requests that the Diamond Rock Mine denied because truck traffic for the proposed mine would exceed Santa Barbara County emission thresholds by 3 to 5 times.	Tables 3.7-10 through 3.7-13 describe daily and annual haul truck emissions in average and peak production years. Required mitigation measure AQ-3 places a limit of 50 haul truck loads per day. This 50 load limit could be modified only if mitigation measure(s) approved by the SBCAPCD are implemented that would result in haul truck emissions not exceeding the NO <sub>x</sub> threshold. With this mitigation, truck traffic emissions would not exceed Santa Barbara County thresholds.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter #	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
			Requests a detailed explanation of how Santa Barbara County can justify additional serious and unmitigated air pollution in the Cuyama valley.	Sections 21081a and 21081b of the California Environmental Quality Act specify findings that must be made by the public agency to approve a project. The lead agency may approve a project with significant impacts on the environment if it finds that that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. This is discussed in more detail in the staff report.
			Requests air quality monitoring equipment for the Cuyama Valley and cooperation of Santa Barbara, Kern, San Luis Obispo, and Ventura counties in the effort.	Design and implementation of the ambient air quality monitoring network is the responsibility of the local air pollution control districts.
			Requests new air quality regulations and enforcement in the Cuyama Valley and apply current pollution restrictions to all existing mines.	Ambient air quality must meet federal, state, and local requirements. Air quality is regulated by the US EPA, the California Air Resources Control Board and local air pollution control districts. The County may deny a project, require mitigation measures that could include restrictions and measures to enforce compliance, or approve a project alternative if it finds that the project would have significant environmental impacts. Section 3.7.1.2 describes the agency roles with regard to air quality in more detail.
			Requests prohibition of additional mining traffic along SR 33 between SR 166 and Ojai. Suggests that 18 wheel trucks are too large to stay in their lane and endanger oncoming traffic.	Section 3.5.2.6.2 discusses traffic safety on State Routes 33 and 166. SR 33 has sufficient capacity based on its design standards to convey project related traffic without a significant effect on roadway operations. As a local jurisdiction, the County can only ensure that its land use decisions do not increase traffic volumes beyond their current capacities. Caltrans is responsible for ensuring roadway safety and operational integrity on the highway.
			Requests allocation of additional funding and personnel to enforce compliance of truck traffic between Ventucopa and Ojai on SR 33. States that traffic and road conditions are monitored one a day by the California Highway Patrol.	The California Highway Patrol is responsible for traffic monitoring on state roadways. The County does not have the authority to allocate Highway Patrol resources.
			Requests turn lanes on SR 166 at the intersection of SR 33 south, at the Cuyama Elementary School, Cuyama High	This comment addresses risk from current truck traffic. Table 2.6-14 shows the percentage increase in truck traffic along SR 166. The project would increase current

TABLE H-5 (CONTINUED)

## DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS

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			School, and at Old Cuyama to reduce fatalities from truck traffic that already exists.	truck traffic by less than 2% along SR 166, and would not alter the Level of Service along that route.
			Requests widening and resurfacing of SR 166 between New Cuyama and the Kern County line. Requests and explanation of how Caltrans and Santa Barbara County will coordinate the project.	The Diamond Rock project effects on traffic along SR 166 are less than significant. The issue of the highway design and maintenance is managed by Caltrans.
			Requests an explanation of why the GPS excavation site in Ventucopa has been allowed to expand without going through a review and permitting process.	The EIR addresses the Diamond Rock Mine proposal. The EIR does consider impact of the project in conjunction with other area mining operations including the GPS Mine in Section 6.0, Cumulative Impacts, and in several issue areas. The GPS mine is in the process of updating its mining permit.
			Requests an explanation of why the Revised DEIR became available for public comment in December 06. Suggests that Santa Barbara County wanted to publish the report at a time when residents were away of participating with holiday activities.	The Revised DEIR was released on November 29, 2006 after revisions were made following comments on the first draft. The report was released as soon as it was finished. The public review period was from November 29 through January 19, and comments were accepted through the end of January.
			Requests publication of notices relating to mines in the Cuyama River Valley in the Cuyama Valley Newsletter. Provides information on the publishing deadlines and contact information. Also requests information sent to all Ventucopa and SR 33 residents by mail.	The county met all noticing required under the California Environmental Quality Act. Public meetings regarding the project have also been conducted in Cuyama.
			Requests information regarding current mining and excavation projects and related County ordinances so residents in the area can monitor compliance. States that it is difficult to file a complaint when necessary information is not readily available. Also states that it is difficult to contact officials who are able to travel to the Cuyama River Valley and respond to compliance issues in a timely manner.	County permits and associated reports are public documents, as are all ordinances. Many of these documents are available on-line for review.

**TABLE H-5 (CONTINUED)**  
**DIAMOND ROCK MINE PROJECT ENVIRONMENTAL IMPACT REPORT RESPONSE TO COMMENTS – INDIVIDUALS**

Letter	#	Date	Name	Topical Area(s) Comments Received	Specific Responses to Comments
				<p>Requests copies of all documentation of monetary benefits to Santa Barbara County resulting from the current and proposed mining operations in the Cuyama River Valley. Suggests that 2 or 3 families and companies will benefit at the expense of the other residents.</p> <p>Requests Ventura, Santa Barbara, San Luis Obispo, and Kern counties implement a planning and development process to preserve air quality and water supplies in the Cuyama River Valley.</p>	<p>Economic benefits to Santa Barbara County derive from material support provided to the construction and maintenance of the County infrastructure. Primary employment, secondary economic effects of that employment, and support of development necessary to accommodate population increase are part of those benefits. The specific question regarding family or company finances is outside of the scope of the EIR.</p> <p>A regional planning effort to coordinate actions in the four counties with jurisdiction in the Cuyama River Valley may be appropriate. Such an effort is beyond the scope of an EIR for a single project.</p>
<b>Cuyama Valley and Vicinity</b>					
	Various		Various	<p>Approximately 22 letters and e-mails were received from individuals in the Cuyama Valley area. The number is approximate due to some duplicate submittals and attachments. These letters originate from the communities of Ventucopa (Santa Barbara County), New Cuyama (San Luis Obispo County), and other unincorporated areas in these two Counties or in northern Ventura County.</p> <p>The major issues raised in all of these letters and e-mails are as follows:</p> <ul style="list-style-type: none"> <li>• Concern about additional truck traffic, and attendant safety, noise, pollution, and pavement wear on SR 33 and SR 166.</li> <li>• Concern about increased groundwater use and the potential to degrade groundwater.</li> <li>• General concern regarding the number and extent of surface mines and quarries in the region, and their</li> </ul>	<p>The original Draft EIR, circulated for public review in 2005, addressed traffic, noise, and air pollution effects based on standards and thresholds used by the County of Santa Barbara. In preparing the Revised Draft EIR, the analyses were updated to reflect current standards and to include a more thorough assessment of effects on SR 33 towards the south. In addition, the Revised Draft EIR includes additional information regarding safety and accident statistics for the state highways in the area, and the winding and scenic nature of SR 33 south of the project area as it passes through Los Padres National Forest.</p> <p>The analyses presented in the EIR are oriented around issues and thresholds as presented in the CEQA Guidelines and following the specific thresholds and procedures in Santa Barbara County’s Guidelines and Thresholds Manual. Based on this work, the project as proposed will have a single unmitigable impact—related to NOx emissions from operating equipment on-site, which will exceed the conservative threshold used by the County. In all other respects, the project impacts can be avoided or reduced to levels that are below the thresholds used to define significance.</p> <p>The only area where an unacceptable Level of Service leads to the identification of a potential traffic impact is in Ventura County on SR 33 south of SR 150. The project’s</p>

**TABLE H-5 (CONTINUED)**  
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			<p>cumulative effects.</p> <ul style="list-style-type: none"> <li>General concerns about the need for regional planning and more governmental responsiveness to issues in the Cuyama Valley and nearby communities.</li> </ul>	<p>effect on this cumulative impact can be avoided or substantially reduced through the timing restriction imposed by Mitigation Measure TR-1.</p> <p>Remaining effects on noise, air pollution, water consumption, visual resources, and other issues will all be less than significant or subject to mitigation measures that will reduce them to less than significant levels. This does not mean that the project will not have any effects, only that the effects will remain below the applicable thresholds.</p>
<b>Ojai Valley and Vicinity</b>				
Various	Various		<p>Approximately 277 letters and e-mails were received from individuals in Ojai or nearby areas in Ventura County. The objections raised by these commenters universally related to increased heavy truck traffic on SR 33, and its adverse effects on:</p> <ul style="list-style-type: none"> <li>Scenic resources and recreational activities through the Los Padres National Forest Lands</li> <li>Safety on surface streets crossed by the highways, particularly in Meiners Oaks, Ojai, and nearby communities</li> </ul> <p>Noise, air pollution, travel delays and inconvenience, and pavement wear on the streets and highways through Ojai.</p>	<p>Issues affecting SR 33 south of the project and through Ojai were a major reason for preparing the Revised Draft EIR. The EIR recognizes concerns related to heavy truck traffic and its noise, exhaust, and safety issues. Based on the analyses using accepted CEQA, Santa Barbara County, and Ventura County thresholds, however, few of these effects have the potential to be significant impacts. This is because the Diamond Rock project, and similar sand mines in the region are relatively small projects for the mining industry. Their market areas are generally dispersed, so the volume of truck traffic they generate in any one location is small relative to the current and forecast AADT volumes on the state highways. For this reason, the quantifiable effects of this traffic are, in most cases, below significance thresholds.</p> <p>The Revised EIR recognizes the scenic environment and special designations that reflect the recreational uses along SR 33. Such designations relate to controlling adjacent land uses and development, and not to the types of vehicles that travel on the state highway.</p> <p>SR 33 is a state highway, and is designed to handle traffic of a type and volume consistent with Caltrans design standards. The only area where traffic impacts would be potentially significant from an operational viewpoint is along SR 33 south of SR 150 to Casitas Springs. The Diamond Rock project can be conditioned to avoid or minimize its contribution to this impact. Noise levels will increase with truck traffic, but the increases in 24-hour average noise levels through the Ojai Valley area will be generally</p>

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					<p>undetectable (on the order of 1 dBA). Exhaust emissions from the haul trucks will not exceed even the very conservative localized threshold used in the Ojai Valley.</p> <p>The City of Ojai is clearly an urban area, and an increase in heavy truck traffic will contribute to traffic delays and attendant safety hazards. SR 33 and SR 150 both traverse Ojai, and there are no truck routes that bypass the downtown area, residential neighborhoods, schools, and other uses along the highways. Even if they do not involve significant impacts under CEQA, these traffic issues are important, and the County of Santa Barbara will coordinate with the County of Ventura in monitoring and responding to difficulties or patterns that contribute to traffic congestion and problems along SR 33.</p>