

TO: James L. App, City Manager
FROM: Ronald Whisenand, Director of Community Development
SUBJECT: Sand Mine Applications in the North County
DATE: May 20, 2008

Needs: That the City Council consider mitigation of impacts on City streets resulting from sand mine operations in the unincorporated area of the North County.

- Facts:**
1. In the last year, the County Planning Department has received five applications for sand mines in the North County (see attached map). Those applications and their status are as follows:
 - a) Pehl Mine on the Salinas River at North River Road and Wellsona Road; maximum yield 80,000 cubic yards per year. As a result of having received four appeals to the mitigated negative declaration this issue was continued to the County Planning Commission meeting of September 25, 2008.
 - b) Viborg Mine on the Estrella River at Estrella Road and Airport Road; maximum yield 45,000 cubic yards per year. The preparation of a negative declaration is in process, the hearing date has been continued to August 28, 2008.
 - c) Pankey mine on the Salinas River on Indian Valley Road north of San Miguel. This item was continued at the Planning Commission meeting of May 8.
 - d) Martin mine on San Marcos Creek, San Marcos Road west of Highway 101 and south of San Miguel. No hearing date has been set.
 - e) Viborg mine on the Salinas River on North River Road south of Wellsona Road. The applicant has this project on hold.
 2. Applications for the Pehl and Viborg mines indicate that Airport Road to Highway 46E will be the route used to transport sand from the mines.
 3. In recent years all land development applications approved within the City and using Airport Road for access have been conditioned to participate in the improvement of the intersection of Highway 46E and Airport Road.
 4. The Pehl and Viborg applications indicate a maximum of 64 trips per day. Based on the maximum yield of the mines and 260 yearly working days; the Pehl mine will average 15 fully loaded trucks per day and the Viborg mine, 9 fully loaded trucks per day. If empty return trips are included the average daily traffic for both mines is 48 trips per day.
 5. The weight of a fully loaded truck is 40 tons. The impact of a fully loaded truck is approximately equal to that of 15,000 cars.
 6. In accordance with General Plan policy of fiscal neutrality, land development within the City is typically conditioned to mitigate their traffic impacts by providing their share of transportation improvements.
 7. In October 2006, the City adopted a schedule of Development Impact Fees based upon a reasonable relationship between the amount of the fees and the portion of

cost of the public facilities attributable to the development on which the fee is imposed.

8. In a letter to the County Planning Department dated September 26, 2006, the City requested that the Jankris Winery on Dry Creek Road be conditioned to pave Dry Creek Road; pay the City's Development Impact Fees; and to participate in improvements to the intersection of Airport Road-Highway 46E.

**Analysis
and**

Conclusion: Airport Road Paving

The Pavement Management System developed for the City by Pavement Engineering, Inc. states that "larger-heavier trucks have very significant impacts to the pavement due to the high axle weights". They estimate that the impact on roads of one fully loaded truck is equal to that of roughly 15,000 cars. The City invested \$150,000 in Airport Road paving from Dry Creek Road to Propeller Drive in 2004. The return on this investment will be significantly undermined by the increased truck traffic.

The section of Airport Road north of Buena Vista Drive is rated among the lowest paving conditions in the City according to the Pavement Management Plan. This road may not support the addition of 50 daily heavy truck trips. The addition of regular daily heavy truck trips may leave this section of road impassable. An engineering analysis is needed to determine how quickly the paving would deteriorate as a result of these loads.

The City regularly receives complaints from their neighbors in the County regarding the condition of Airport Road paving north of the Airport entrance. The San Luis Obispo Council of Governments receives comments on un-met transportation needs throughout the County. This section of Airport Road is frequently mentioned and is therefore listed on the COG un-met needs list.

In accordance with the General Plan policy of fiscal neutrality, it appears that re-paving Airport Road from Buena Vista Drive to Tower Road is a reasonable mitigation of the impact of the truck traffic associated with sand mines in the County. The operators of the sand mines have a responsibility to those who depend upon Airport Road for their access to mitigate the damage to roads caused by truck traffic.

The City's 2005 Pavement Management program shows the cost to improve Airport Road from Buena Vista Drive to Tower Road at \$687,167. In today's dollars, the cost is approximately \$750,000. The Pehl and Viborg mines together could produce 6,250 yearly fully loaded truck trips for a total of 125,000 trips over the course of 20 years. Pehl and Viborg have retained Sierra Delta Corporation to estimate their truck trips with consideration towards the River's natural capability of replenishing the sand. Sierra Delta estimates a yearly average of 2,500 trips.

If required to provide the needed paving on Airport Road, the cost would range from \$6.00 to \$15 per loaded truck trip. The paving project could be completely paid for in the first year at a cost of \$120 per trip; \$55 per trip less than Viborg's estimate to import sand from Monterey County (maximum yield is expected during the first year of operation).

Comments on business viability by the mine operators can only be considered in light of profit and loss disclosure. Provision of fees based on truck trips on a continuous basis for the life of the mine may be another appropriate way to mitigate the mine's impacts on Airport Road paving. In this case, the entire length of Airport Road should be considered.

Airport Road-Highway 46E Intersection

The addition of 48 daily trips to the intersection of Airport Road and Highway 46E represents about one-half of one percent of the cumulative total average daily trips projected through General Plan build out. Reasonable mitigation for traffic impacts resulting from both the Pehl and Viborg sand mines would be payment of one-half of one percent of the estimated cost of the improvements to the intersection of Airport Road-Highway 46E identified by the City's Parallel Routes Study.

Policy

Reference: City General Plan.

Fiscal

Impact: The provision of improved paving on Airport Road from Buena Vista Drive to Tower Road, mitigates impacts to that section of roadway. However, the project will significantly reduce the life of the paving on the remainder of Airport Road.

Options:

- a.** Direct staff to write a letter to the County Planning Department requesting that they include conditions of approval of any sand mine permit contributing truck traffic to Airport Road to 1) improve Airport Road paving in accordance with the City's Pavement Management Program from Buena Vista Drive to Tower Road; and 2) to contribute one-tenth of one percent of the estimated cost of Airport Road-Highway 46E improvements for every 10 average daily trips projected by the application.

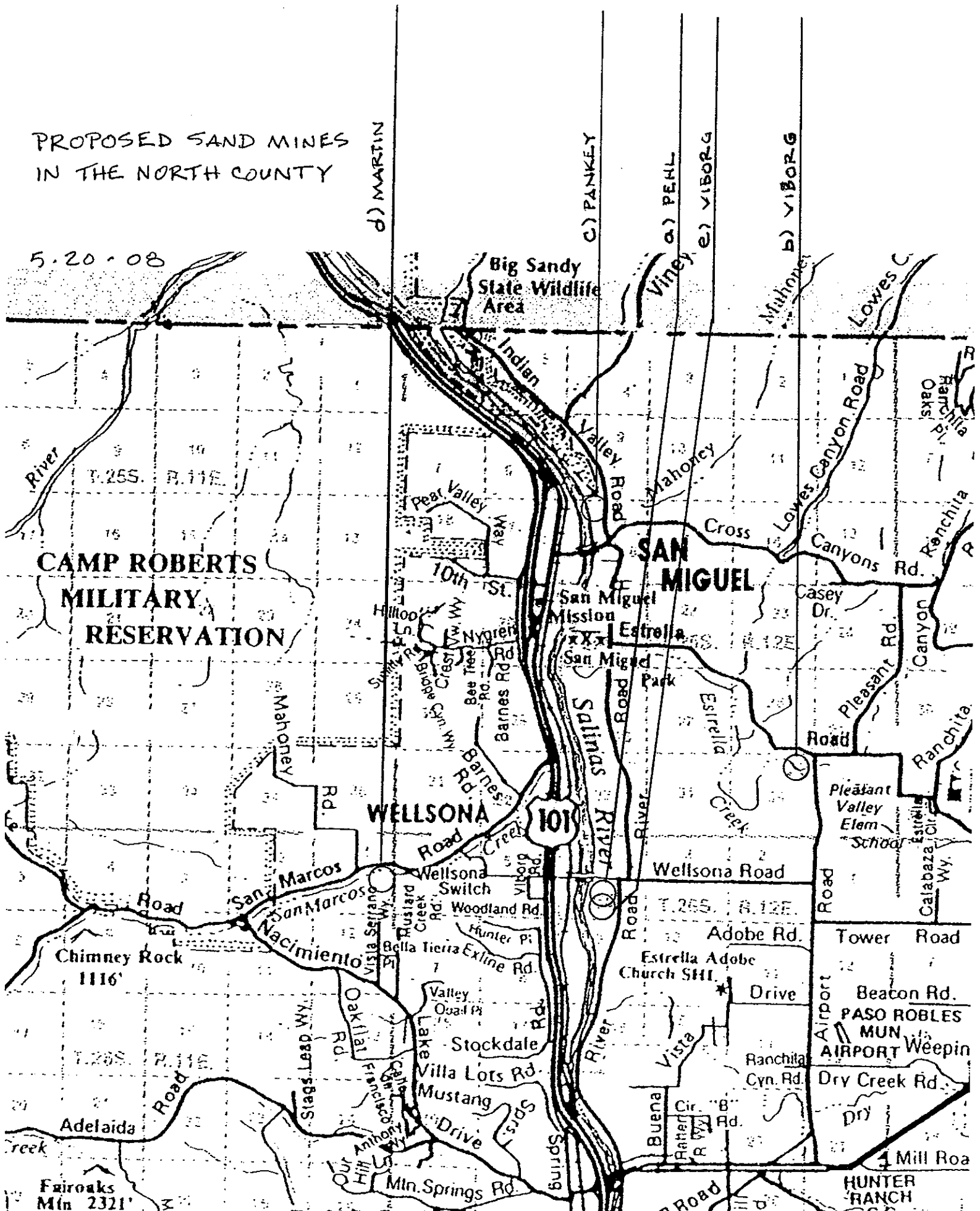
- b.** Amend, modify or reject the above options.

Attachments: (5)

1. Map of Current Sand Mine Applications in the County
2. Email from Paul Viborg, 4-3-08
3. Truck Trip calculations from Sierra Delta Corporation
4. Letter from Eugene Alonso, 4-7-08
5. Letter to County Planning regarding Jankris Winery, 9-26-06

PROPOSED SAND MINES
IN THE NORTH COUNTY

5.20.08



John Falkenstien

From: Jim App
Sent: Thursday, April 03, 2008 3:38 PM
To: Ron Whisenand; Doug Monn; John Falkenstien
Subject: FW: Sand Pits

fyi

From: VIBORGSANDGRAVEL@aol.com [mailto:VIBORGSANDGRAVEL@aol.com]
Sent: Thursday, April 03, 2008 1:45 PM
To: Frank Mecham; Gary Nemeth; John Hamon; Duane Picanco; Fred Strong; CityManager; jpp@prcity.com
Subject: Sand Pits

Dear Sirs,

My statements before the Paso Robles City Council on Tuesday night, April 1st were an effort to shed light on the shortage of sand that we are experiencing in our county right now. Currently, there are three proposed sand pits going through the permit process with the County of San Luis Obispo. Every "mitigation" that is put forth on these pits by the City and County, make each project less and less viable. Trucking sand from King City only costs approximately \$175 more per load in trucking costs over and above what it would cost to haul it from one of the local pits. However, if you add these extra costs together with the added air pollution from the extra mileage, it makes this option ludicrous. Please be aware that this very scenario is happening as we speak in an effort to meet the demand for sand in our county right now.

Please rescind the e-mail written by the City of Paso Robles requesting that John Pehl and myself must re-pave Airport Road as a condition of approval of our sand pits. I have not found that any of the wineries located in this area and on Airport Road have been included in this request. How can this responsibility be shouldered solely by John Pehl and myself? Please contact me at my office 238-4368 or by e-mail at viborgsandgravel@aol.com regarding this issue.

Respectfully
Paul Viborg

Planning your summer road trip? Check out [AOL Travel Guides](#).

SIERRA DELTA CORPORATION

935 Riverside Avenue; Suite 21
 Paso Robles, California 93446
 Phone: 805-239-9293
 Fax: 805-239-9309
 Email: sierradelta@sbcglobal.net

Average Truck Traffic Generated from Two Proposed Projects

| | | Pehl's Project | Viborg's Project |
|--|--|------------------------------|----------------------------|
| Annual Maximum | | 80,000 Cubic yds | 45,000 Cubic yds |
| Daily Cubic Yards Removed | | 500 Cubic yds | 500 Cubic yds |
| Cubic Yards in a Truck Max Weight 80,000lbs | | 20 Cubic yds | 20 Cubic yds |
| Workable Days in a Year | | 250 Days | 250 Days |
| Years for River to Replenish | | 5 Years | 5 Years |
| Calculations | | | |
| Trucks per day at max yardage | | 25 Trucks | 25 Trucks |
| Days Needed to Remove Annual Max | | 160 Days | 90 Days |
| Divided by 5yr River Replenishment | | 32 Days | 18 Days |
| Total Trucks Per Year | | 800 Trucks | 450 Trucks |
| Total Truck Trips Per Year(1/2 Empty) For Project Life | | 1,600 Truck Trips | 900 Truck Trips |

The above table shows the calculated truck trips for the Pehl and Viborg Operations, respectively. The calculations take into account that once the maximum amount of sand has been extracted from either site, no further extraction may occur until the river has deposited material back into the area of extraction. This is mandated by the Department of Fish and Game. Therefore an average five year time span for maximum amount to be extracted was used in the calculations. A maximum of 800 and 450 loaded trucks per year has been calculated using this method.

April 07th 2008

John Falkenstien
Paso Robles City Public Works
1000 Spring Street
Paso Robles, CA 93446

Mr. Falkenstein,

Per your request this letter is to provide you with background information concerning the proposed Sand Skimming Operations near Airport Road. Due to the request for the small minority of traffic being held liable to repave the road we feel it necessary to educate the Public Works department on other sources of potential funding.

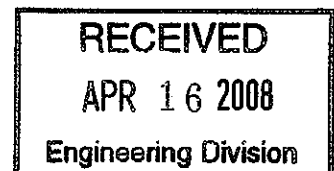
The projects are excavating sand from the Salinas and Estrella Rivers. There is a redline approach to the excavation. The mean sea level(msl) has been measured which determined the current elevation of the river. The projects can never reach a depth of more than 5' below the elevations surveyed. The maximum annual yields are depths of 2' respectively. Also, excavation must always subsist one foot above the water table. Hence, this process relies on the flow of the river. Years when the river does not flow extensively depositing another layer of sand, similar to last year, there will not be large amounts of aggregate to remove therefore, fewer truck trips.

In contrast, the winery business has trucks transporting commodities unconditional of the season, due to irrigation and manufacturing. Over three million cases of wine a year are shipped in the north county alone. All of the grapes must be transported to the manufacturers to be processed and then moved as cases to their destination. The weight limit of wine trucks, as well as all other agricultural trucks, is equivalent to that of sand trucks, 80,000lbs. The construction of roads in this area has been upgraded from the increase in truck traffic due to wineries.

With the aforementioned it is only acceptable that wineries and the agricultural industry as a whole bear the burden alongside the sand operators of repairing the city roads. Any other proposal would be unjust and bias.

Sincerely,

Eugene Alonso





CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

September 26, 2006

North County Team
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

RE: DRC2006-00051, Jankris Winery
Dry Creek Road, Paso Robles

Dear NC Team:

Thank you for the opportunity to comment on the application submitted by Jankris Winery on Dry Creek Road. Attached is your response form with our acknowledgement.

The City is supportive of the proposed crush facility. This type of development is consistent with numerous policies of the City's General Plan and Economic Strategy. It is our understanding that the property is currently within an "agricultural preserve" pursuant to the Williamson Act. The City is supportive of maintaining the property under contract and in agricultural use consistent with the City's draft Purple Belt program.

With regard to impacts on the City, the Jankris development will generate a certain measure of truck traffic on streets in the City of Paso Robles. In order to mitigate these impacts we recommend the following conditions of approval:

- Prior to occupancy, Dry Creek Road shall be paved a minimum of 24-feet wide in accordance with plans approved by the City Engineer.
- Traffic impact fees shall be imposed on future building permits in the amount of the fees in place, in the City, at the time the building permits are issued.
- The applicant shall enter into an agreement, with the City, to participate in the cost of design and construction of improvements to the intersection of Airport Road and Highway 46 East.
- The applicant should be made aware that the City has a tentative tract application that proposes to realign Dry Creek Road. The applicant should contact their neighbors to the south to discuss participation in road improvements.

Once this project is scheduled for hearing, please provide us notice of the hearing and a copy of your staff report. We do appreciate the opportunity to comment.

Sincerely,



John Falkenstien
City Engineer

encl (1)

cc: Ron Whisenand, Community Development Director
Susan DeCarli, City Planner
Doug Monn, Director of Public Works
James App, City Manager



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: September 6, 2006

TO: _____

FROM: Karen Nall, North County Team

PROJECT DESCRIPTION: DRC2006-00051, JANKRIS: Conditional Use Permit for 4 new winery buildings ranging from 33,339 sq. ft. to 63,799 sq. ft. 76.52 acre site located off Dry Creek Road in Paso Robles. APN: 026-191-035

Return this letter with your comments attached no later than: 14 days from receipt of this referral.
SEPTEMBER 21, 2006. Thank you.

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Please see attached letter.

9/26/06
Date

San Delanda
Name

237-3970
Phone