



Why is the County pursuing these amendments?

The State Mining and Geology Board (SMGB) requires that cities and counties develop “Mineral Resource Management Policies” for any lands that are designated as containing significant mineral resources. These policies are designed to ensure that sand and gravel resources are available to support the region’s construction needs. Essentially, the state forecasts how much sand and gravel must be produced to meet a region’s consumption needs. They then map the lands that could supply the forecasted demand. In 2015, the state updated the mapping for the County’s significant mineral resources. This requires use to update our Mineral Resource Management Policies.

What does this have to do with mining?

The state periodically assesses the production and consumption levels of important mineral resources. Amongst these resources are sand and gravel, which are typically used in the production of construction materials such as asphalt and concrete. Mining activities are inherently incompatible with most urbanized uses. A concern arises: If all of the land containing sand and gravel were urbanized, there would be no local sources of sand and gravel. The State Mining and Reclamation Act seeks to address this by requiring jurisdictions to implement development standards on land that is designated as a regionally significant mineral resource. These development standards are a component of the County’s Mineral Resource Management Policies. Essentially, this approach tries to ensure that the mining we will need to meet future construction demand can be done in the appropriate places without creating a new land use conflict.

How will this affect existing mining operations?

These amendments do not address mining operations, as these are already regulated by existing ordinances and land use permits. The proposal would only restrict incompatible development from occurring at existing mines. Incompatible development includes large scale urbanized uses, such as commercial retail and multi-family residential uses. Beyond that, existing mining operations would continue to legally operate pursuant to their underlying land use permit and conditions of approval.

How will this affect new mining operations?

It will ensure that incompatible development (commercial retail, dense residential, etc.) does not occur on lands where future mining is likely to take place. New mining operations will still be subject to existing land use permit requirements. This includes analysis of potential environmental impacts, inclusion of mitigation measures, and a public hearing before the Planning Commission. Even if the proposed mine is in a designated Mineral Resource Area, the Planning Commission may still deny it, if it finds that a new mine would be incompatible with the adjacent development.

How will this affect properties near mining operations?

Properties within a one-quarter mile of an existing mine will be placed within the Mining Disclosure Zone (MDZ) combining designation. There are no ordinance requirements or restrictions associated with this designation. It is proposed merely as a way of providing constructive notice to potential landowners that mining is occurring nearby.

Why don't these amendments address issues with existing mines, like traffic, noise, and air quality?

In some cases, existing legal mining operations were established before modern mining regulations were in place. Most, however, would have been approved by the County under a land use permit which contains project specific requirements, called conditions of approval. In either case, legally established operations have a right to continue operating as approved under a concept commonly referred to as "grandfathering." The County only gets to evaluate environmental impacts and modify mitigation measures when a new proposal is made or when a mine seeks to expand beyond its permitted boundaries or amend its conditions of approval.

I'd like to know more about the requirements for a specific mine. Where do I find this information?

You would be looking for the conditions of approval for that mine. You can contact our research clerk, Kelly Walsh at (805) 781-5977. She will need to gather some basic information, like parcel number or address. Most of the active mines in San Luis Obispo County were permitted more than 25 years ago. As a result, permit records may only exist on microfiche. Mines that were more recently permitted may have digital records.

What if I believe an existing mine is violating its conditions of approval?

You can contact Code Enforcement to have them investigate any potential violations. Remember, though that the grandfathering concept is still in play. The earlier the mine was established, the less likely that there were specific requirements in place to address such things as noise, traffic, and air quality.

Does this make it easier to get a mine permitted if it's in the Mineral Resource Area?

No. The same land use permit and environmental review process we follow now will be used.

Does it make it more difficult to get a house permitted if it's in the Mineral Resource Area?

No. Constructing a house on an existing legal lot of record will follow the current process. This amendment would, however, prohibit new subdivisions resulting in lots of less than 10 acres in Mineral Resource Areas.