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# Citizens' group plans lawsuit to stop quarry-waste plan

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A lawsuit to stop Granite Rock Co. from going ahead with its project to transport quarry waste through the Anzar Hills and dump it into nearby canyons will be filed within the next two weeks.

So says an attorney for an Aromas citizens group.

The Friends of the Anzar Hills plans to sue San Benito County, alleging that the Board of Supervisors failed to comply with state and county environmental and zoning

laws in approving the Brigantino Overburden Project, said Jane Haines, the attorney representing the citizens group.

The supervisors voted 4-1 last month to give final approval of Granite Rock's request to dump 18 million cubic yards of overburden excavated from its Aromas quarry into two canyons on the Brigantino property in nearby Anzar Hills.

The overburden, consisting of soil and rocks, will be carried from the quarry via closed conveyors belts to the canyons over a 20-year-period.

The company had sought a permit to fill

Muertos, North and South canyons; the county agreed to two, with the possibility of granting a future permit for the third.

In granting the conditional use permit, the board sided with Granite Rock's claim that jobs would be lost and the 92-year-old company would suffer without the project.

By their vote, the supervisors rebuffed the county Planning Commission, its Planning Department staff, two independent mining engineers, and a study by the Parsons Brinckerhoff Corp., which all recommended an alternative plan.

County staff reports and the independent studies found that a pit-fill — disposal of the overburden in the existing quarry pit — would be a feasible and more environmentally-sound option. Kesler also said that to her knowledge, the company's claim that workers would lose their jobs if the project were denied was unsubstantiated by any data.

"The main thing in the board's vote was that Granite Rock said they would have to close this summer without the project," said Ruth Kesler, Board of Supervisors chairwoman, who cast the sole dissenting vote. "And (Granite Rock) objected to the pit-fill because it was near the San Andreas Fault. Well, guess where the overburden will be carried."

The lawsuit, which must be filed within 30 days of the board's Jan. 26 action, will ask San Benito County Superior Court for a writ of mandate ordering the board to rescind its approval "until and unless it complies with the laws," Haines said. A hearing on whether to issue the writ will then be scheduled by the court in three to six months, she said.