

# Groups appeal rock quarry

**Craig Cassidy, Sonora Union Democrat, 5-6-11**

Two groups filed a lawsuit in Stanislaus County Superior Court on Wednesday that could stall development of a rock quarry in western Tuolumne County.

The Twain Harte-based Central Sierra Environmental Resource Center and a group of plaintiffs calling itself Friends of the Mother Lode argue that Tuolumne County should have required the project to undergo a formal environmental-impact analysis before being approved by the county.

In early April, the Tuolumne County Board of Supervisors voted unanimously to move forward with the plan without requiring a full Environmental Impact Report. It signed off on a “mitigated negative declaration” instead.

State laws require EIRs for projects that have significant impacts on the environment that can’t be readily offset, or “mitigated.”

EIRs, however, are costly for developers and can delay projects by months or even years.

Tuolumne County leaders determined the quarry’s impacts could be reduced to acceptable levels by project conditions and decided an EIR wasn’t needed.

Several residents and government leaders in Stanislaus County think otherwise.

Stanislaus County and the cities of Oakdale and Riverbank are particularly upset over what they say will be increased rail traffic through their towns.

The City of Riverbank in mid-April sought a court order to block the project.

If built, the 135-acre quarry, off Cooperstown Road nine miles south of Knights Ferry, would yield an estimated 56 million tons of rock over its 75-year lifespan.

Much of the project’s road gravel, railroad ballast, rip rap and like products would be transported via rail.

The quarry is sought by the property’s owners, Jamestown residents Jack and Tricia Gardella, and Resource Exploration and Drilling, a Sacramento-based limited-liability corporation headed up by former Granite Construction Co. geologist Pat Embree.

Neighboring property owners have also raised concerns about the project, noting up to 33 explosive charges could be detonated a year to free up rock.

The project, however, has plenty of supporters. Among them are Larry Cope, director of the Tuolumne County Economic Development Authority, Tuolumne County Chamber of Commerce President and Chief Executive Officer George Segarini, Blue Mountain Minerals and the Tuolumne Band of Me-Wuk Indians.

The quarry, supporters note, will create some 45 jobs and provide a much-needed boost to the economy in Tuolumne and Stanislaus counties.

The project was recommended for approval earlier this year by the Tuolumne County Planning Commission.

Andrew Grundman, attorney for the plaintiffs, a coalition of “Stanislaus and Tuolumne county residents,” alleges the county’s negative declaration was insufficient and didn’t clearly address impacts like nitrogenoxide emissions into the atmosphere and how railroad traffic would impact Oakdale.

The opponents claim 60-railcar trains would block city traffic, in three- to four-minute intervals, at least six days a week.

Sonora environmentalist Jerry Cadagan, spokesman for the Friends of the Mother Lode, claimed the county flouted the state Environmental Quality Act in approving the plan.

“We are still a society of laws, and those laws must be followed whether everyone likes them or not,” he said in a prepared statement.

John Buckley, executive director of CSERC, the other plaintiff, said his group was not opposed to the project on its face, but wanted the county to follow the EIR process.

“Our center is not saying there shouldn’t be a mine on the site. We simply want the law followed,” he said.

Tuolumne County officials say county residents are protected from bearing the cost of a lawsuit through an indemnification agreement with the Gardellas and Resource Exploration and Drilling.

Tricia Gardella, reached this morning, said she had not seen the lawsuit but knew a deadline for filing one was approaching.

“There have been so many studies done,” she said. “Everything’s been covered ... I don’t know.”