



County of Yolo

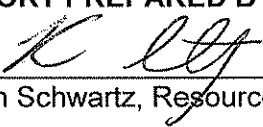
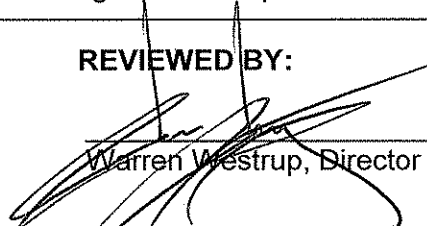
PARKS AND RESOURCES DEPARTMENT

Warren Westrup
DIRECTOR

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PLANNING COMMISSION STAFF REPORT

October 8, 2009

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| FILE: Granite Construction-Woodland Interim Management Plan. | |
| APPLICANT: Yolo County Parks & Resources Department 120 West Main Street Suite C Woodland, CA 95695 | |
| LOCATION: Approximately four miles northwest of Woodland, accessed off CR 18A (APN: 025-350-35) (Attachment A) | SUPERVISORIAL DISTRICT: 5 TH (Sup. Chamberlain) GENERAL PLAN: Agricultural ZONING: Agricultural General (A-1) with Special Sand and Gravel Combining Zone (S-G) FLOOD ZONE: Various SOIL TYPE: Various |
| ENVIRONMENTAL DETERMINATION: Categorical Exemption | |
| REPORT PREPARED BY:  Kevin Schwartz, Resource Specialist | REVIEWED BY:  Warren Westrup, Director of Parks & Resources |

RECOMMENDED ACTIONS

That the Yolo County Planning Commission take the following actions:

1. **HOLD** a public hearing on the project and receive comments;
2. **ADOPT** the Findings (**Attachment C**) in support of determining that the mining operations are in compliance with all Conditions of Approval;
3. **ADOPT** the Categorical Exemption pursuant to the California Environmental Quality Act and Guidelines (**Attachment D**); and
4. **RENEW** the Interim Management Plan (**Attachment B**) for Granite Construction for another five years.

REASONS FOR RECOMMENDED ACTIONS

Sec. 10-5.810 of the Yolo County Surface Mining Reclamation Ordinance allows an operator engaged in surface mining operations along lower Cache Creek to extend its Interim Management Plan (IMP), subject to the approval of the Yolo County Planning Commission, for a term not to exceed five years, if the operator has fully complied with the terms of the IMP. Granite's existing IMP expires at the end of October, 2009. County staff and the Department of Conservation, Office of Mining Reclamation, have reviewed Granite Construction's IMP, and have determined that the operation is in compliance with the terms of the IMP. Staff recommends an extension of the IMP for another five years.

BACKGROUND AND ANALYSIS

The Off-Channel Mining Plan and its implementing ordinances provide the regulatory framework for mining and reclamation of lands covered by the Cache Creek Area Plan. These authorities were adopted by the County Board of Supervisors on July 30, 1996.

A five-year Interim Management Plan was approved for the 115-acre Granite Woodland mining site along Cache Creek (APN: 025-350-35) in 1999, per State Surface Mining and Reclamation Act (SMARA) requirements. Pursuant to approval by the Board of Supervisors on December 3, 2002, Granite Construction (Granite) relinquished all rights to operate asphalt concrete and ready-mix plants at the site but retained the right to take material from existing stockpiles and to carry out approved mining and reclamation plans. In effect, this means that the gravel mine has been idle since that time. The Interim Management Plan was renewed for five additional years in 2004. Granite's existing IMP expires at the end of October, 2009.

Section 2727.1 of SMARA describes an idle mine as:

"Idle means to curtail for a period of one year or more surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date".

As required by SMARA Article 5 Section 2770 (h), "if the lead agency finds that the surface mining operator has complied fully with the interim management plan" then the lead agency may renew the interim management plan for another period not to exceed five years. Both of these actions are the subject of this item.

Staff has concluded that the operator has fully complied with the existing IMP. Accordingly, it is entitled to request renewal of the IMP pursuant to Section 2770(h) and Section 10-5.810 of the Yolo County Code. Staff recommends that the Planning Commission approve renewal of the IMP, as maintaining the present activities at the site—as reflected in Attachment B hereto—appears to be an appropriate course of action.

PUBLIC AND AGENCY COMMENTS

The IMP extension request has been circulated for limited public review prior to this public hearing at the Planning Commission. While it has not been (nor is it required to be) circulated to the general public, it has been submitted to the Department of Conservation for review and comment. The requirements and comments of the Department have been taken into consideration in the review of the IMP for this time period extension.

Pursuant to the requirements of the California Environmental Quality Act, the IMP extension approval by the Planning Commission is Categorical Exempt under Section 15307, Class 7 of

the CEQA Guidelines. Actions taken by a regulatory agency to assure the restoration, maintenance, and enhancement of natural resources where the regulatory process involves procedures for protecting the environment, are Categorically Exempt from further review under CEQA.

APPEALS

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of that Board within **fifteen** days from the date of the action. A written notice of the appeal specifying the grounds and an appeal fee immediately payable to the Clerk of the Board must be submitted **at the time of filing**. The Board of Supervisors may sustain, modify, or overrule this decision.

ATTACHMENTS

Attachment A: Map of Granite Construction Woodland Facility along Lower Cache Creek

Attachment B: Granite Construction Woodland Facility Interim Management Plan

Attachment C: Findings

Attachment D: Notice of Exemption

ATTACHMENT A MAP OF GRANITE CONSTRUCTION WOODLAND FACILITY



ATTACHMENT B
GRANITE CONSTRUCTION
WOODLAND FACILITY

INTERIM MANAGEMENT PLAN

The following Interim Management Plan is prepared in accordance with Section 2770 (h) of the Public Resources Code. The mining status of this site became "idle" on June 30, 1999, as defined in PRC Section 2727.1, and reclamation activities are on-going.

Interim Management Plan

1. The Financial Assurances currently in the amount of \$23,453.00 will remain in effect for the duration of the Interim Management Plan (IMP). Financial Assurances will be updated as required based on the Financial Assurances Cost Estimate made by Granite Construction Company on an annual basis and approved by the Yolo County Parks and Resources Department and the Department of Conservation's Office of Mine Reclamation.
2. The site will be maintained free of trash.
3. All perimeter fences, gates, and landscaping will be maintained and inspected regularly. All gates will remain locked when the site is unoccupied and "No Trespassing" signs will be maintained around the perimeter.
4. All side slopes will be maintained at a maximum of 3:1 (horizontal to vertical).
5. The levee breach on site will remain open to allow natural site reclamation. The breach will continue to allow high flows in Cache Creek to disperse into the old mining pit, which will act as a flood detention area and also create valuable wetland habitat.
6. The levee will be visually inspected periodically throughout the rainy season to monitor stream flow activity, bank stability, and erosion. Vegetation in the flood detention area will be monitored for wetland species success and weed abatement. If excessive weed growth occurs, a weed control specialist will be contacted.
7. This IMP will be reviewed and updated annually, and will remain in effect as long as the mining status of the site is "Idle".

ATTACHMENT C

FINDINGS 2008 ANNUAL MINING COMPLIANCE SUMMARY REPORTS

(A summary of evidence to support each FINDING is shown in Italics.)

Upon due consideration of the facts presented in this staff report and at the public hearing, the Yolo County Planning Commission finds the following:

California Environmental Quality Act (CEQA) and Guidelines

That the recommended Class 7 Categorical Exemption is the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines.

Pursuant to the requirements of the California Environmental Quality Act, the Interim Management Plan extension approval of the Planning Commission is Categorically Exempt under Section 15307, Class 7 of the CEQA Guidelines as an action taken by a regulatory agency to assure the restoration, maintenance, and enhancement of natural resources where the regulatory process involves procedures for protecting the environment.

Surface Mining and Reclamation Ordinances and Associated Approvals

Sec. 10-5.810 of the Yolo County Surface Mining Reclamation Ordinance allows an operator engaged in surface mining operations along lower Cache Creek to extend its Interim Management Plan (IMP), by approval of the Yolo County Planning Commission, for a term not to exceed five years, if the operator has fully complied with the terms of the IMP. Granite's existing IMP expires at the end of October, 2009. County staff and the Department of Conservation Office of Mining Reclamation have reviewed Granite Construction's IMP, and have determined that the operation is in compliance with the terms of the IMP. The review performed by staff, and public hearing before the Planning Commission, fulfill the requirements of SMARA Article 5, Section 2770 (h), and Section 10-4.703 of the County Surface Mining Ordinance.

ATTACHMENT D

COUNTY RECORDER

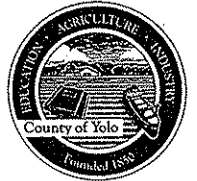
Filing Requested by:

Yolo County Parks and Resources Department
Name
120 West Main Street Suite C
Address
Woodland, CA 95695
City, State, Zip

Notice of Exemption

To: Yolo County Clerk
625 Court Street
Woodland, CA 95695

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814



Project Title: Granite Construction-Woodland Interim Management Plan

State Clearinghouse Number: N/A

Applicant: Yolo Parks and Resources Department
Attn: Kent Reeves, Principal Natural Resource Planner
120 West Main Street Suite C
Woodland, CA. 95695

Project Location: Approximately four miles northwest of Woodland, accessed off CR 18A (APN: 025-350-35)

Project Description: Renew the Interim Management Plan for Granite Construction for another 5 years.

Exempt Status: Categorical Exemption, Article 19, Section 15307, Class 7 under the California Environmental Quality Act (CEQA) Guidelines.

Reasons why project is exempt:

Class 7 of the CEQA Guidelines allows an exemption for actions taken by regulatory agencies to assure the maintenance, restoration and enhancement of natural resources where the regulatory process involves procedures for protection of the environment.

Lead Agency Contact Person: Kent Reeves, Principal Natural Resource Planner

Telephone Number: (530) 406-4888

Signature (Public Agency): [Handwritten Signature] Date: 9/29/09

Date received for filing at OPR:

FILE # FILE NAME RECEIPT #

AUTHORIZED SIGNATURE FEE STATUS