



# County of Yolo

## PARKS AND RESOURCES DEPARTMENT

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### PLANNING COMMISSION STAFF REPORT

January 28, 2010

**ZF 2007-071:** Hearing to receive Oral Comments on Draft Environmental Impact Report for the Granite Esparto Mining and Reclamation Project

**APPLICANT:** Michael Hedding, Construction Materials, Granite Construction Company  
4001 Bradshaw Road, Sacramento, CA 95827 or P.O. Box 15287, Sacramento, CA 95851, (916) 855-4400

**LOCATION:** 390 acres along Cache Creek in central Yolo County, adjoining County Road 87, approximately one mile north of the town of Esparto (northerly parcel APN 048-220-022 totaling 286.4 acres and southerly parcel APN 048-220-015 totaling 103.6 acres)

**GENERAL PLAN:** 048-220-22 -- Agriculture (AG)/Mineral Resource Overlay (MRO); 048-220-15 -- Agriculture (AG)/Open Space (OS)/Mineral Resource Overlay (MRO)

**ZONING:** 048-220-22 -- Agricultural Preserve (AP)/Sand and Gravel Reserve (SGR); 048-220-15 -- Agricultural General (A-1)/Sand and Gravel Reserve (SGR)

**FLOODING:** 048-220-22 -- Zone C: Less than 1% chance of 100-year flood; 048-220-15 -- Zone C: Less than 1% chance of 100-year flood, Zone A: 100-year floodplain;

**SOILS:** 048-220-22 and 048-220-15 -- Loamy alluvial land, Class IV, Storie 59; Brentwood silty clay loam, Class I, Storie 81; Riverwash, Class VIII, Storie ---; Soboba gravelly sandy loam, Class IV, Storie 25; Yolo silt loam, Class I, Storie 100

**ENVIRONMENTAL:** Draft EIR (SCH # SCH #2009022036)

**REPORT PREPARED BY:**

  
Heidi Tschudin, Contract Planner

**REPORT REVIEWED BY:**

  
Warren Westrup, Director

## **RECOMMENDED ACTIONS**

Staff recommends that the Planning Commission take the following actions:

1. Receive a staff report regarding the Draft Environmental Impact Report (DEIR) for the Granite Esparto Mining and Reclamation Project; and
2. Provide an opportunity for the public to comment on the adequacy of the DEIR.

## **REASONS FOR RECOMMENDED ACTIONS**

The purpose of the hearing is to receive testimony from any interested party regarding the adequacy of the subject DEIR as an informational tool for making decisions regarding the Granite Esparto project. Although the California Environmental Quality Act (CEQA) does not require a public hearing to receive oral comments on Draft EIRs, it is the County's practice to do so. The State guidelines for determining the adequacy of an EIR provide the following guidance:

*An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure. (CEQA Guidelines, Section 15151)*

Staff will be available to answer questions about the project and process, however the purpose of the meeting is not to discuss or debate the merits of the project. The decision whether to approve or deny the project will be made by the Planning Commission and Board of Supervisors in subsequent hearings.

Please note there will be no transcription of oral comments at this meeting. Comments received will be summarized by staff for inclusion in the Final EIR. Those who wish to have their verbatim comments incorporated in the Final EIR must submit their comments in writing.

The CEQA Guidelines require that formal written responses be prepared and made available for relevant comments received on the DEIR. These responses, plus the DEIR, will comprise the Final EIR for the project.

## **BACKGROUND**

In October 2007, Granite Construction Company, Inc. (the Applicant) filed an application with the Yolo County Parks and Resources Department (YCPRD) for approval of commercial mining and processing of sand and gravel resources from a site in central unincorporated Yolo County. The application was deemed complete for processing on December 24, 2007.

The project falls within the planning area for the Cache Creek Area Plan (CCAP), which consists of two documents: the Off-Channel Mining Plan (OCMP) and Cache Creek Resources Management Plan (CCRMP). The OCMP governs off-channel mining and the CCRMP governs in-channel restoration. Both were adopted in 1996, and the CCRMP was subsequently updated in June 2002.

The CCAP establishes a detailed regulatory program that includes built in safeguards for slope stability, air quality, county roads maintenance, drainage and erosion, flood protection, groundwater quality and monitoring, noise control, setbacks from the creek, setbacks from adjoining towns, setbacks from roads and residences, topsoil protection, site aesthetics and maintenance, and habitat, among many other things. Yolo County's mining and reclamation program reflects "best practices" in the industry, and is generally is considered one of the, if not the, best in the state.

The proposed mining is consistent with both the General Plan and CCAP in that surface mining is an allowed use at the site. However, the Sand and Gravel Reserve (SGR) zoning overlay on the property indicates that the site is planned for mining after 2026. The applicant's proposal would open this area for mining earlier than anticipated. This is identified in the DEIR as a matter of policy to be decided when the County takes action on the project.

Both the requested total tonnage and the requested annual tonnage are substantially consistent with the County's mining program and covered by the cumulative CEQA clearance provided in 1996.

### **PROJECT DESCRIPTION**

Granite Construction Company (Granite) is requesting approval of a new 30-year Off-Channel Mining Permit to excavate, process, and sell sand and gravel resources. The 390-acre project site is located over a mile north of the town of Esparto. The proposed project site is located adjacent to and east of the existing Granite Capay Mining site, a project originally approved in 1996 and revised in 2002. The neighboring Granite Capay site (360 acres) has a 30-year permit that will expire at the end of 2026, and allows for 1,075,269 tons mined annually (1,000,000 tons sold). The Capay site includes facilities for rock processing, concrete, and asphalt.

Aggregate mining and processing is proposed on 313 acres of the 390-acre total. Granite proposes the mining of about 30 million tons (26.1 million tons sold maximum) of aggregate over a 30-year period at a rate of about one million tons per year (870,000 tons sold maximum). Extracted materials (sand and gravel) would be processed at a proposed new rock processing plant to be constructed within the southerly portion of the proposed mining area (Phase 1A)

In order to ensure that the requested tonnage falls within the OCMP approval and OCMP Program EIR analysis, Granite proposes to relinquish remaining rights to mine at the Granite Woodland "Reiff" site which includes an OCMP annual tonnage allocation of 420,000 tons mined (370,000 tons sold) and transfer that tonnage to this project. This tonnage together with 500,000 tons sold that remain unallocated under the OCMP equate to the 870,000 tons sold requested in this application. The Woodland "Reiff" site is proposed to be reclaimed and dedicated to the County as the applicant's "net gain" public benefit pursuant to Section 10-4.502 of the Reclamation Ordinance.

Granite is also requesting approval of the 20 percent exceedance flexibility allowed under Section 10.4.405 of the Mining Ordinance. This allows an operator to exceed their maximum tonnage totals by up to 20 percent in any given year as long as the running ten-year average does not exceed the maximum otherwise allowed for that period.

As a part of the application, Granite is proposing to mine to within 200 feet of the channel bank. The County's mining program allows for this so long as the applicant implements streamway stabilization improvements consistent with the CCRMP for the relevant creek frontage. Granite has proposed to implement these improvements and has requested approval of a Streambed Stabilization Plan and issuance of a Flood Hazard development Permit in order to do so.

In summary, the project will require the following County approvals and authorizations:

- Approval of a **Rezoning** to change the zoning designations from Agricultural Preserve with Sand and Gravel Reserve Combining Zone (A-P/SGR) to Agricultural Preserve with Sand and Gravel Combining Zone (A-P/SG) and from General Agriculture with Sand and Gravel Reserve Combining Zone (A-1/SGR) to General Agricultural with Sand and Gravel Combining Zone (A-1/SG).
- Approval of a 30-year Off-Channel **Mining Permit** for aggregate extraction and processing from a 313-acre mining area on portions of two adjacent parcels (Assessor's Parcel Numbers [APNs] 048-220-015 and 048-220-022). The total volume of aggregate mined would be approximately 30 million tons extracted (a maximum of 26.1 million tons sold).
- Approval of a **Reclamation Plan** for the proposed mining and processing areas to a combination of reclaimed uses, including agriculture, open space/dry pasture and open lake with associated habitat.
- Authorization to exceed the annual maximum aggregate production cap by up to 20 percent as provided in **Section 10.4-405** of the Off-Channel Surface Mining Ordinance (OCSMO). This has the effect of increasing the potential annual extraction in any given year from the requested base level of 1 million tons mined (870,000 tons sold) to 1.2 million tons mined (1,044,000 million tons sold).
- **Relinquishment of the existing mining entitlement** (420,000 tons per year) for the Granite "Woodland (Reiff) site" (115 acres comprised of APNs: 025-300-005, 025-300-032, and 025-350-009)
- Authorization to execute a **Development Agreement**.
- Approval of a **Demolition Permit** to remove an existing single-family home and various outbuildings.
- Approval of a **Streambed Stabilization Plan** to allow mining within 700 feet of and at least 200 feet away from the channel bank within the streamway influence boundary, as provided in Section 10-4.428(d) of the Yolo County OCSMO.
- Approval of a **Flood Hazard Development Permit** to implement proposed bank stabilization and the Test 3 boundary<sup>1</sup> along approximately 2,300 linear feet of creek bank from County Road 87 (Esparto Bridge) westward.

The proposed mining would occur in three phases. Phase 1A consists of 38 acres from which 536,000 tons would be excavated to a depth ranging between 26 feet and 75 feet. This phase would be completed in approximately one year at which time the plant and two settling ponds would be located in the Phase 1 area. Under this initial phase, the first mining would occur to construct two interim settling ponds in the area northwest of the proposed processing plant site in the southern portion of the project site (see Figure 3-2 in the DEIR). The aggregate excavated from the first pond would be stockpiled in the area proposed for the processing plant. As the second deeper pond is excavated, the stockpiled aggregate would be processed and the wash water would be discharged

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<sup>1</sup> Approved as part of the Cache Creek Resources Management Plan (CCRMP) and the Cache Creek Improvement Program (CCIP) (Yolo County 2002a), the "Test 3" boundary is a conceptual channel configuration for Cache Creek that requires reshaping to create a series of terraces and low flow channels that will stabilize the channel and allow it to behave more like a natural system.

to the first pond and fines would begin to fill the pond. The second pond would be constructed to receive fines from processing of the next mining phase.

Phase 1B consists of 69 acres from which 7.8 million tons would be excavated to a depth of 75 feet. In this next phase, the mining operations would shift to the northern portion of the site where three mining cells or ponds would be excavated. The three ponds would be separated by north-south trending levees. Reclamation of Phase 1B would be ongoing for the remainder of the mine life. Each of the three ponds would be sequentially reclaimed by filling the ponds with wash fines generated by processing of aggregate mined over the course of the project and the placement of topsoil and overburden material. The filling would create a final reclamation surface at least 5 feet above the groundwater table but lower than the existing and surrounding ground surface.

Phase 2 consists of 195 acres from which 21.7 million tons would be excavated to a maximum depth of 75 feet. This would be the main excavation pit for this operation and mining of this phase would last about 21 years. This final phase of mining would be reclaimed to create a large lake with shorelines dedicated to formation of shoreline habitat. The shoreline would be enhanced with varying sideslope gradients. Along the northern portions adjacent to the West Adams Canal and northeastern margins of the lake adjacent to County Road 87, the slope (from a depth of 5 vertical feet below the low groundwater to the top of the slope) would be 3:1 or flatter; along the remaining margins, the slope would be 2:1 or flatter. Wash fines from materials processed during Phase 2 mining operations would be contained in Phase 1B settling ponds.

The remaining 11 acres of the 313-acre mining site (not included in these three proposed phased areas) are comprised of haul roads and setback areas. The table below from the DEIR provides a summary of this information:

<b>Proposed Phasing Plan</b>					
<b>Mining Phase</b>	<b>Predicted Mining Period</b>	<b>Mining Area (acres)</b>	<b>Maximum Mining Depth (feet)</b>	<b>Aggregate Quantity (mined tons)</b>	<b>Mining Duration (years)</b>
1A	2010 – 2011	38	26 – 75	536,000	1
1B	2011 – 2019	69	75	7,800,000	8
2	2019 – 2030	195	75	21,700,000	21

The primary access to the plant would be an existing, two-lane paved driveway/haul road that intersects County Road 87 at the eastern margin of the project site. Traffic would enter the processing plant to load aggregate products and then proceed from the plant to the existing Granite processing plant located adjacent to and west of the project site. The plant site would share the existing truck scales at the existing plant site. Following weighing, the trucks would exit the project site traveling eastward on the driveway/haul road to its intersection with County Road 87.

At peak production the project is projected to generate up to 384 additional truck trips and 15 additional employee trips per day. All truck traffic, with the exception of local deliveries to Esparto, Capay, and Madison, is proposed to travel east on the plant driveway, north on County Road 87, east on County Road 19 and either north or south on Interstate (I-) 505. This is the same truck routing required of the existing adjacent Capay facility.

## SUMMARY OF DEIR

Pursuant to CEQA, the County and its consultant, Entrix, have prepared a Draft EIR (SCH #2009022036) which analyzes the potential adverse environmental impacts associated with the project as proposed. A Final EIR (Response to Comments) will be prepared following public review and comment. The County will consider this information when deliberating the project. Following certification of the Final EIR, the County may approve, reject, or modify the project.

### Significant Environmental Impacts

In all issue areas, with the following exceptions, impacts are either identified as less-than-significant, or measures are identified to fully mitigate project impacts to a less-than significant level. Issues that would remain significant for the revised project are:

- **Impact 4.3-1:** The project would remove 287 acres of Prime or Unique Farmland from production for up to 30 years, permanently converting 213 acres to nonagricultural use.
- **Impact 4.4-2:** The project would violate an air quality standard or contribute substantially to an existing or projected air quality violation (due to fugitive dust emissions).
- **Impact 4.4-3:** The project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (PM<sub>10</sub>).
- **Impact 4.5-1:** Project activities would adversely affect sensitive wildlife species (Swainson's hawk).
- **Impact 4.6-1:** The project has the potential to result in significant adverse physical impacts as a result of increases in greenhouse gas emissions.
- **Impact 4.6-2:** The project has the potential to conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.
- **Impact 5-4:** The project would contribute to cumulative climate change.

### Mitigation Measures

Mitigation measures in the DEIR take the form of modifications to and requirements of the project. Some of the notable mitigation measures identified for the County's consideration are summarized below:

- Mitigation Measures 4.3-1a and 1b require 1:1 mitigation for loss of agricultural land.
- Mitigation Measure 4.3-3 requires revisions to the reclamation plan to increase reclamation to agricultural if possible.
- Mitigation Measure 4.5-1c requires 1:1 mitigation for loss of Swainson's hawk foraging land.
- Mitigation Measure 4.6-1 requires the applicant to achieve net zero emissions of greenhouse gases.
- Mitigation Measure 4.13-1 requires the applicant to assume joint maintenance responsibility for the roadway segments that comprise the approved truck route.
- Mitigation Measure 5.3a and b are alternative measures that address the issue of the requested permit length being out of synch with other permits issued in 1996 by either requiring the length of the permit to be no more than 17 years or by making a finding that synchronized permits are not necessary for the success of the CCAP.

## CEQA Alternatives

Alternatives to the project that have been analyzed in the EIR are summarized below.

**No Project Alternative (Existing Conditions).** This alternative analyzes the effects of taking no action. The allocation of 370,000 tons sold per year would remain assigned to the Granite "Woodland (Reiff) site", the other requested tonnage (500,000 tons sold) would remain unallocated, and the 115-acre Granite Woodland site would remain under the ownership of the Applicant. Implementation of streambank stabilization along Cache Creek may occur under this scenario, consistent with the Cache Creek Resource Management Plan (CCRMP).

**Reduced Tonnage/Acreage Alternative.** This alternative analyzes a project of reduced intensity. Under this alternative, one half of the requested tonnage would be extracted on a total and annual basis, approximately 500,000 tons mined annually (a maximum of 435,000 tons sold), assuming about one-half the project area (approximately 156 acres) mined to the full depth of the resource.

**Alternative Location.** This alternative assumes the same tonnage as requested under the project, but at an alternate Sand and Gravel Reserve (SGR) zoned site within the CCAP study area.

**Off-Site Processing Alternative (Sequential Mining).** This alternative analyzes sequential mining of the existing Granite Capay site first, followed by mining at the adjacent proposed Granite Esparto site. Mining at the Esparto site would be assumed to commence in 2021. Aggregate resources from both sites would be processed at the Granite Capay processing facilities. A new mining plant at the Granite Esparto site would not be included. This alternative assumes that the annual allotment of 1 million tons sold at the Granite Capay site would be increased by 870,000 tons sold annually which would allow for an accelerated pace of mining at each of the sites.

The DEIR concludes that the Off-Site Processing (Sequential Mining) alternative would be the "environmentally superior" alternative because it is similar to the proposed project in terms of meeting project objectives, but would reduce several impacts associated with the processing plant and would minimize conflicts with the Williamson Act contract given the different mining schedule.

## Public and Agency Comments

The DEIR is now available for public review or purchase at the public counter of the Parks and Resources Department at 120 West Main Street, Suite C, Woodland, California 95695. Interested parties may purchase hard copies of the document or electronic versions on CD. The document is also available online at the County's website located at <http://www.yolocounty.org/Index.aspx?page=1624> and at the Esparto Library.

Written comments on the DEIR will be accepted throughout the 46-day public review period which began December 14, 2009 and will end January 28, 2010 at 4:00pm. All comments must be received by 4:00pm January 28, 2010 and should be directed to:

Kent Reeves, Principal Natural Resources Planner  
Yolo County Parks and Resources Department  
120 West Main Street, Suite C  
Woodland, CA 95695  
[kent.reeves@yolocounty.org](mailto:kent.reeves@yolocounty.org)  
(530) 406-4888

## **NEXT STEPS**

Following the close of the DEIR comment period, the staff will oversee and/or undertake the following:

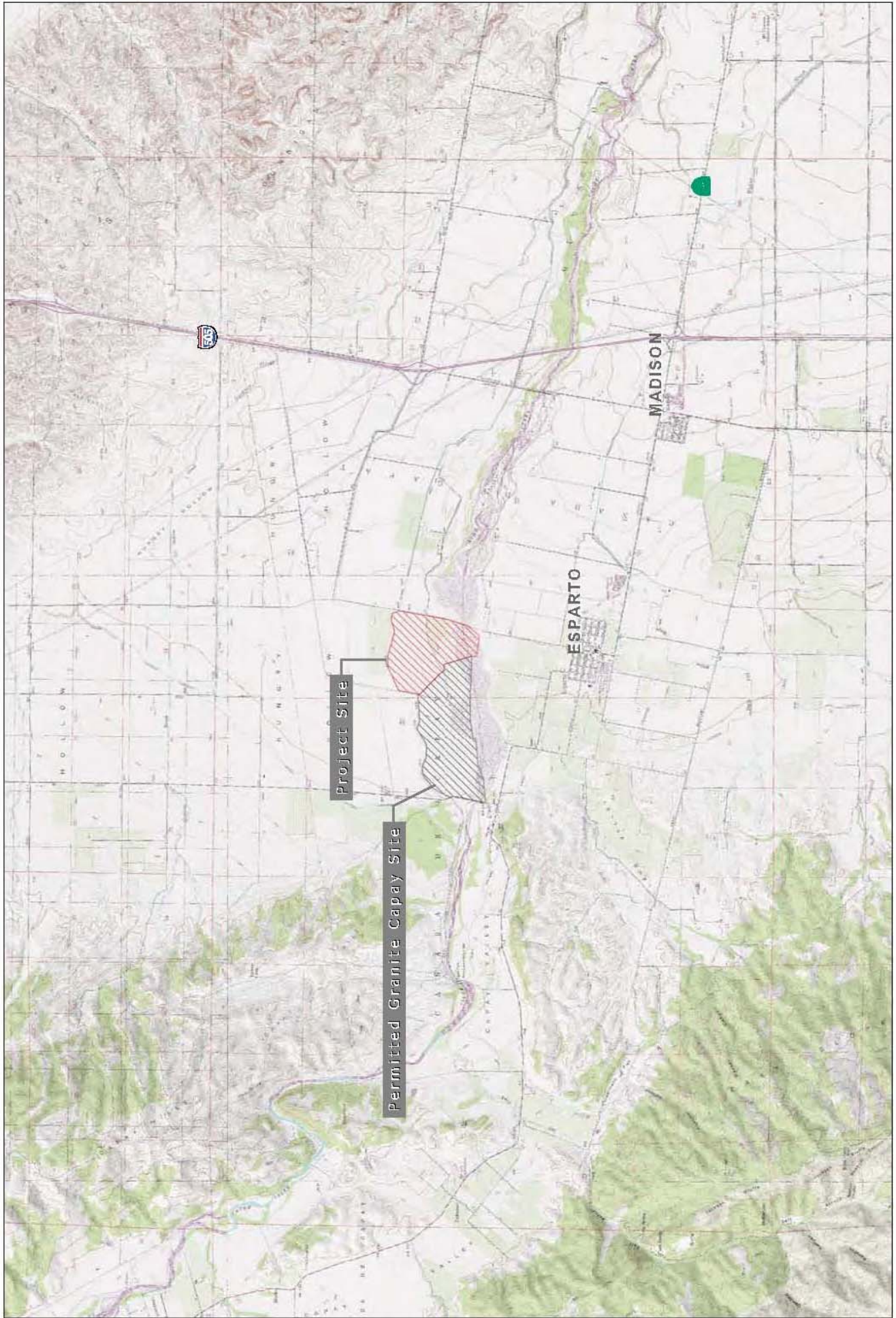
- Finalize the EIR
- Complete the analysis of the merits of the project
- Complete negotiations regarding "net gains"
- Draft the Development Agreement
- Prepare the conditions of approval and staff report
- Prepare necessary ordinances and resolutions as appropriate for final action on the project

At this time it is anticipated that the project will be scheduled before the Planning Commission and Board of Supervisors for final action in April/May 2010.

## **ATTACHMENTS**

- A -- Draft Environmental Impact Report for the Granite Esparto Mining and Reclamation Project (SCH #2009022036). This document was previously distributed. It can be reviewed or purchased at the County or accessed online.
- B -- Various Project Maps: Site Vicinity Map (DEIR Figure 3-1), Project Site Map (DEIR Figure 3-2), Proposed Mining Plan (DEIR Figure 3-3), Estimated Mining Sequence and Schedule (DEIR Figure 3-4), Proposed Reclamation Plan (DEIR Figure 3-5).

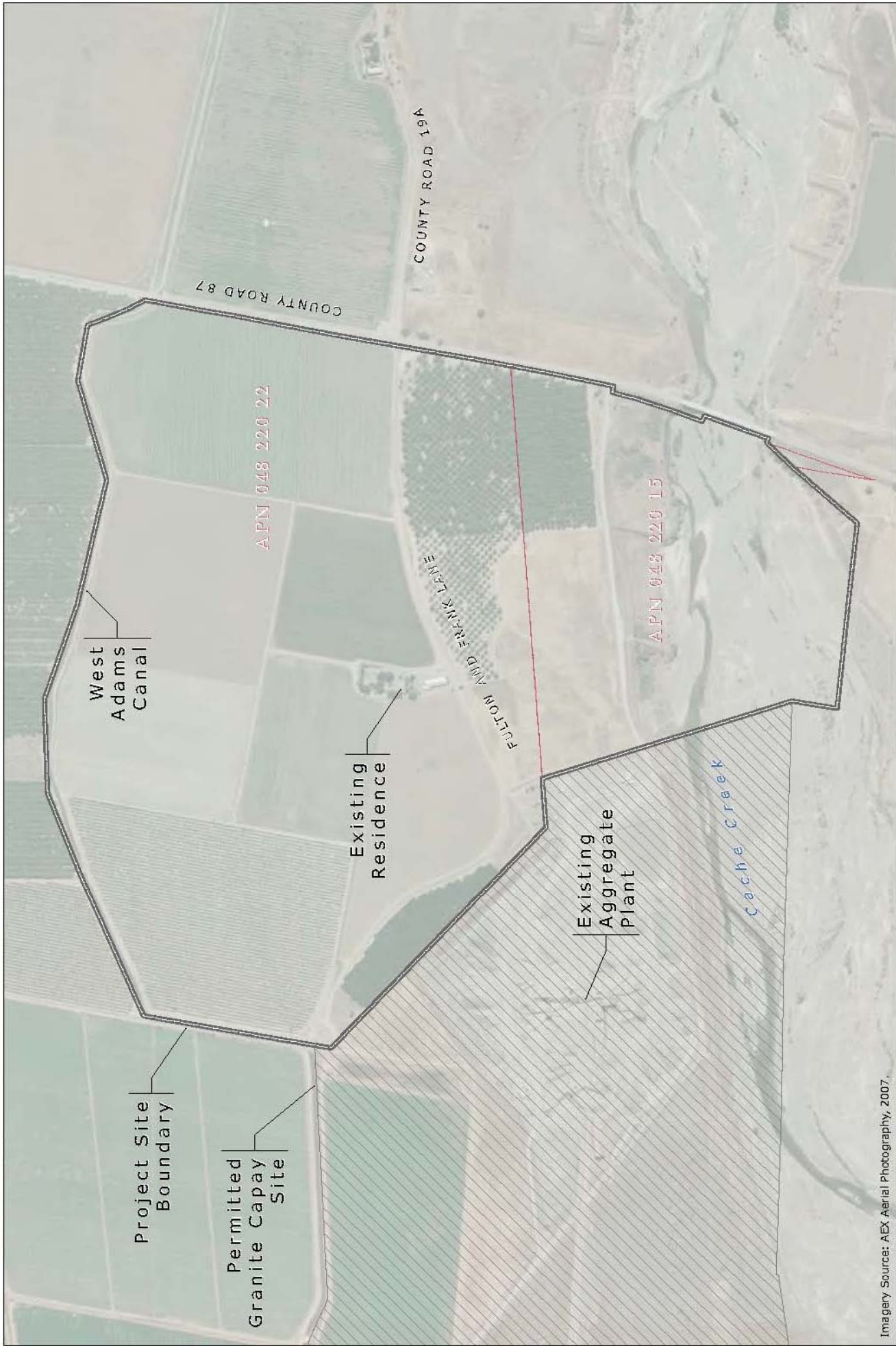




- LEGEND**
- County Boundary
  - Project Site
  - Permitted Granite Capay Site





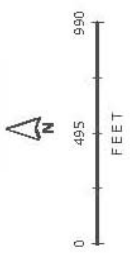


Imagery Source: AEX Aerial Photography, 2007.



**LEGEND**

- Project Site
- Parcel Boundary



**FIGURE 3-2**

DRAFT EIR  
 Granite Esparto Mining and Reclamation Project  
**PROJECT SITE MAP**



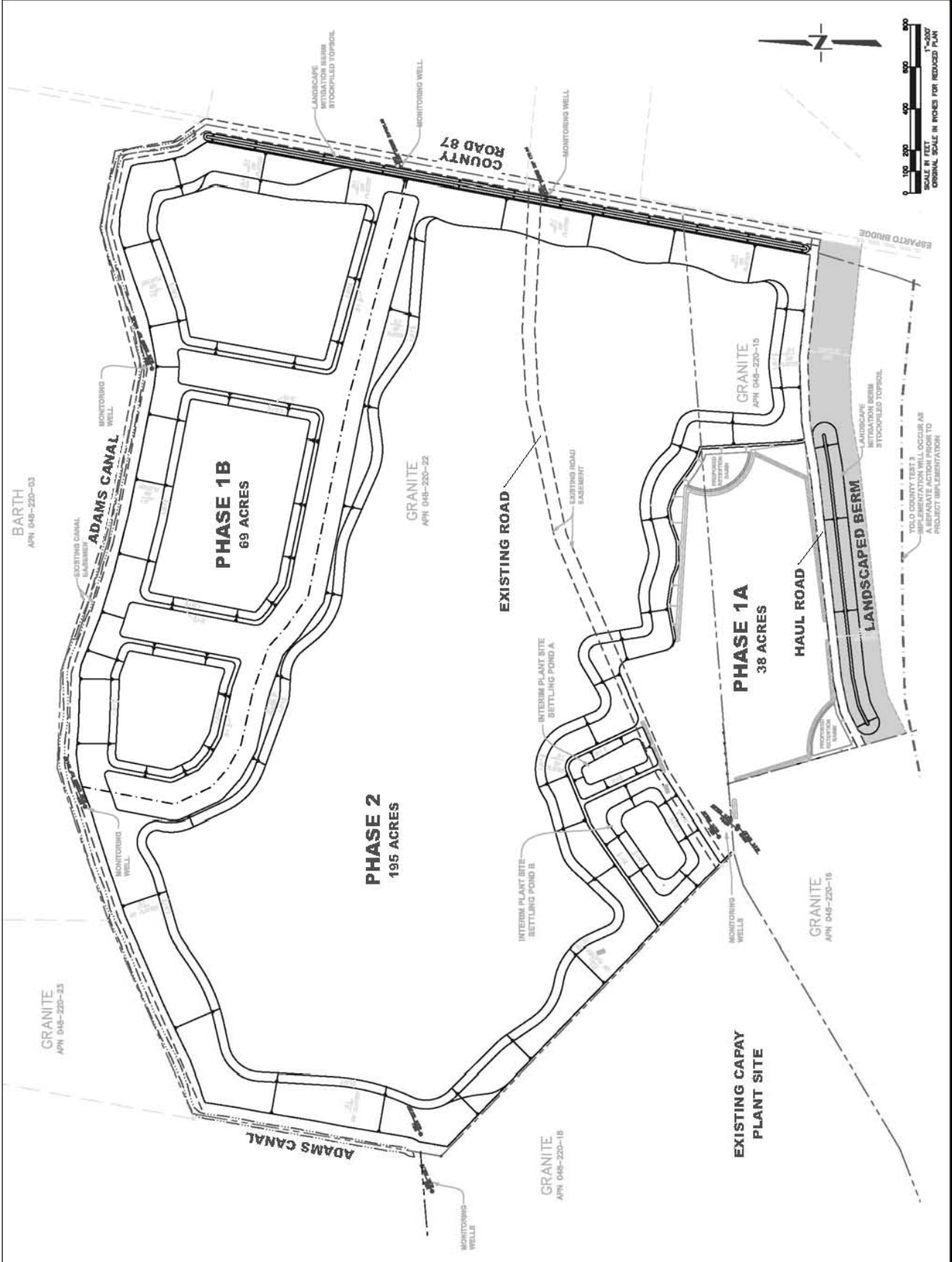
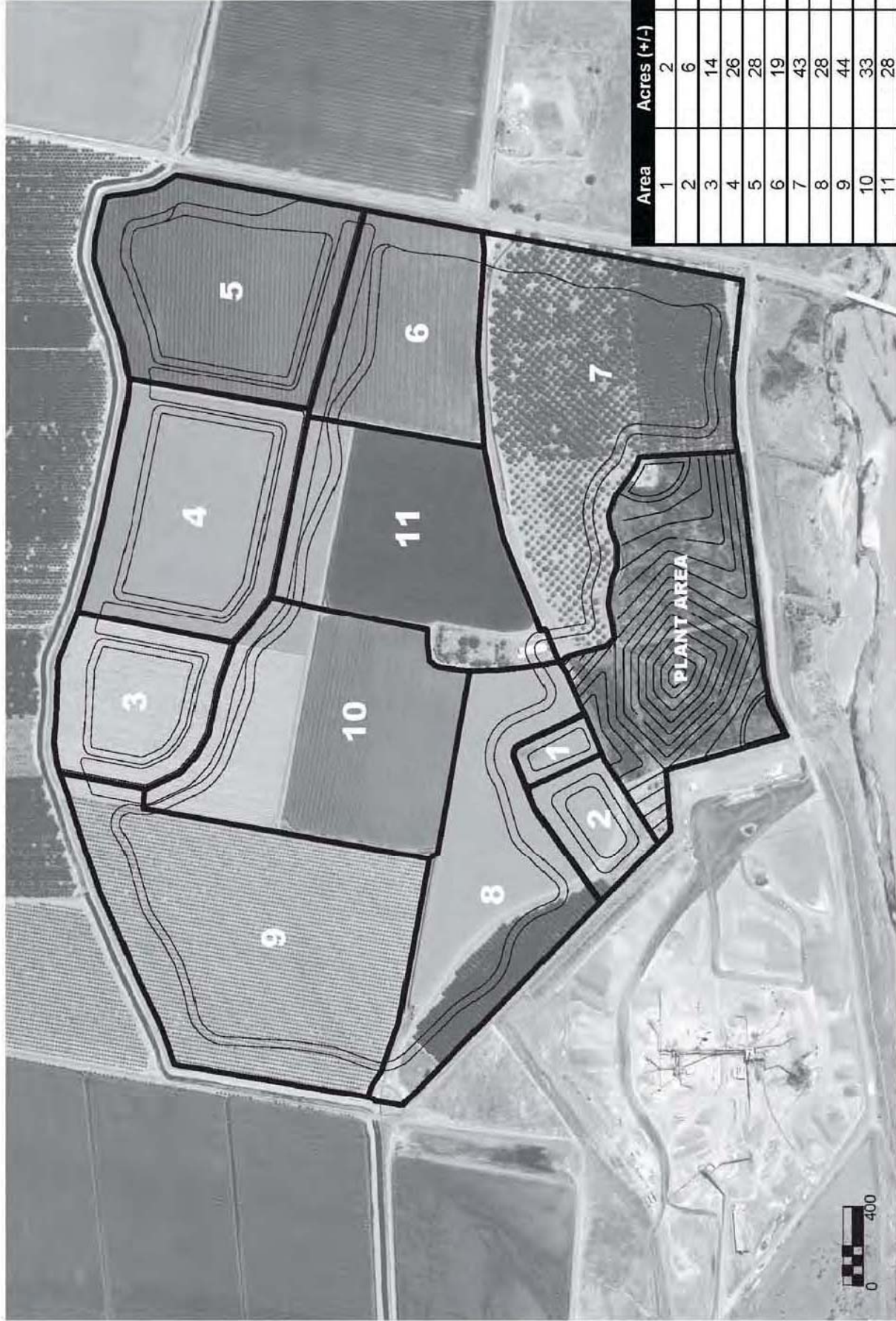


FIGURE 3-3





Area	Acres (+/-)	Active*
1	2	Year 1
2	6	Year 1
3	14	Year 1-2
4	26	Year 2-4
5	28	Year 4-7
6	19	Year 7-9
7	43	Year 9-14
8	28	Year 14-17
9	44	Year 17-22
10	33	Year 22-26
11	28	Year 26-30

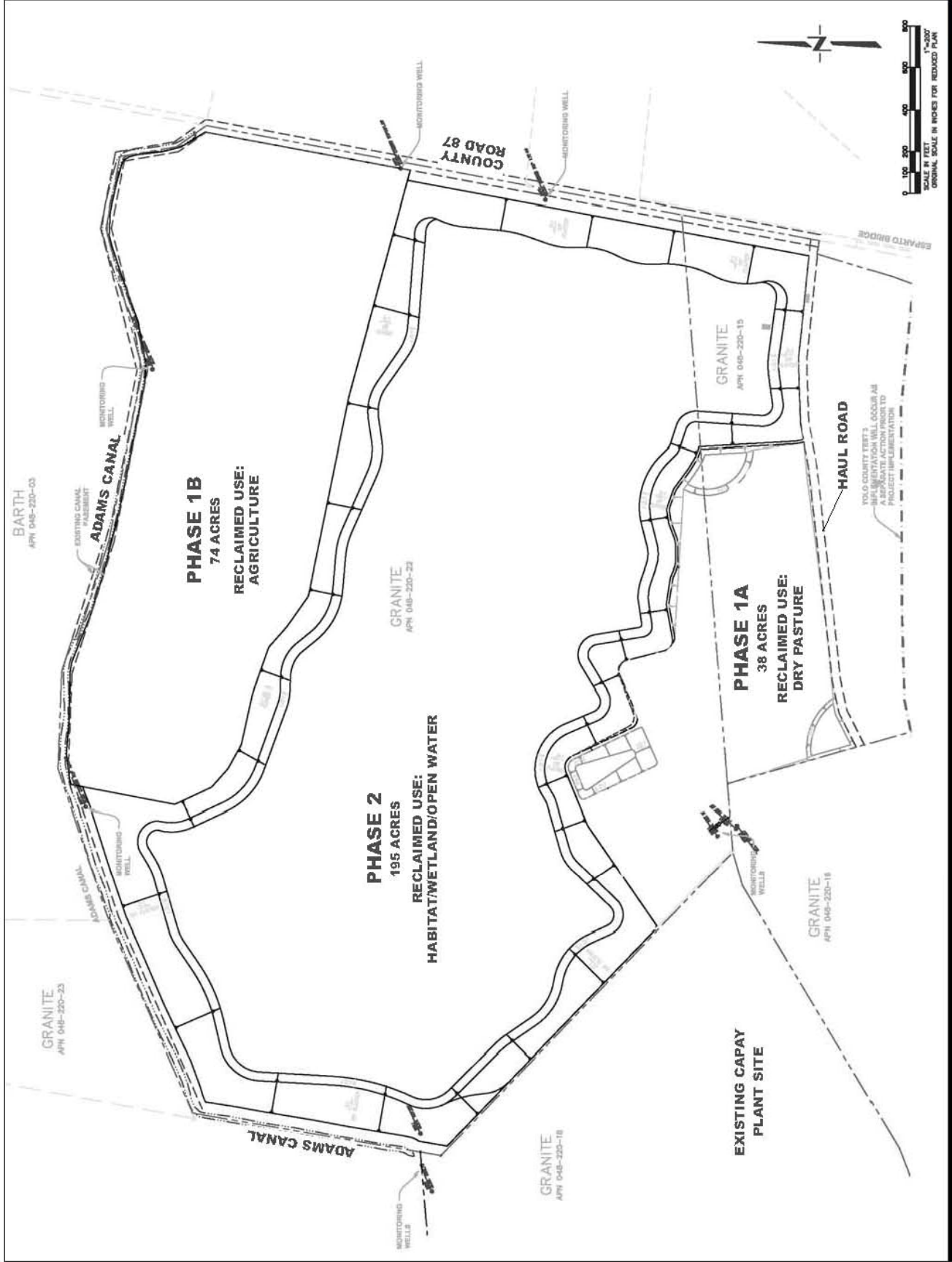
\*Schedule subject to change due to market fluctuations

Source: Granite Construction, Inc. Sept. 2009









**FIGURE 3-5**

DRAFT EIR  
Granite Esparto Mining and Reclamation Project  
**PROPOSED RECLAMATION PLAN**

