



# County of Yolo

## PARKS AND RESOURCES DEPARTMENT

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### CACHE CREEK TECHNICAL ADVISORY COMMITTEE (TAC) April 12, 2010 Summary Minutes

1. CALL TO ORDER:

The meeting was called to order by Eric Larsen at 10:00am.

Attendees: Tim Horner (TAC Hydrologist), Erik Ringelberg (TAC Riparian Biologist), Eric Larsen (TAC Fluvial Geomorphologist), Brian King (Teichert Aggregates), Steve Greenfield (Cunningham Engineering), Barry Cavanna (Syar), Ben Adamo (Granite Construction), Heidi Tschudin (Yolo County), Ken Trott (DOC), Molly Ferrell (Cache Creek Conservancy, CCC), Lynnel Pollock (CCC), Tanya Meyer (Yolo RCD), Dave Pratt, Marc Mammola (CEMEX), Max Stevenson (Yolo County Flood Control and Water Conservation District, YCFCWCD)

Staff: Kevin Schwartz and Warren Westrup

2. ADOPTION OF MINUTES OF THE PREVIOUS MEETING:

The minutes from 03/08/2009 were adopted. Tim Horner motioned for their adoption and Erik Ringelberg seconded the motion.

3. PUBLIC COMMENTS:

There were no public comments.

4. STAFF UPDATE:

4.1 Parks and Resources staff updates: Kevin Schwartz gave the County staff update. The Center for Land-based Learning's (CLBL's) SLEWS program for high school students had their last day out at Correll-Rodgers learning about and doing restoration. They installed several hundred trees and protective tree tubes, hundreds of shrubs and forbs, laid irrigation lines, weeded around plantings, and generally accomplished and learned a lot. The kids really enjoyed their experience and fully understood and appreciated the benefits of habitat restoration.

4.2 Cache Creek Conservancy (CCC) staff updates: Lynnel Pollock gave the CCC update. The CCC is having a fun run this Saturday. On April 21, there will be a riparian weed control workshop. Sign-ups for the workshop need to be done ahead of time. The Education program at the Cache Creek Nature Preserve (CCNP) has really taken off. As of June, the CCNP will have already had over 1000 students visiting the preserve. The CCC had a tracking day with the Boy Scouts that went very well. Currently, the CCC is working with the County, California Waterfowl, and other organizations on a NAWCA grant and have toured and identified sites for future restoration. Lynnel suggested that our group do a presentation to the TAC on the restoration proposed as part of the grant and have the TAC review the grant prior to submittal.

4.3 Yolo Resource Conservation District (Yolo RCD) staff updates: Tanya Meyer gave the staff updates. The Cache Creek Geomorphic Grant money was released by the state with 22% cost reduction and must be done by the end of April. Kamman Hydrology & Engineering will be completing the draft report soon and will do a presentation to the public on Thursday May 13 at 6PM at the Esparto Community Center. The Yolo RCD did grassland and riparian restoration with a WCB grant that had been frozen and then released. Working with the tribe and CDFA, the RCD is doing more tamarisk and arundo control upstream of the Casino. Tanya reminded everyone about the Riparian Weed Workshop on April 21 that will be held at the CCNP and co-run between the Yolo RCD and the CCC. This Wednesday evening the Yolo RCD is having a speaker on pollinators at their Annual Dinner. Tanya encouraged everyone to attend the May 1 Cache Creek Discovery Day at Cowboy Camp in Colusa County. The RCD did a search for an Executive Director and they had many good candidates. They closed the application process, have narrowed it down to 6 candidates, and will be doing interviews the second week of May.

4.4 Yolo County Flood Control and Water Conservation District (YCFCWCD) staff updates: Max Stevenson gave the staff updates. Max was sick for 1 week and on vacation for 1 week. Clear Lake is full and doing flood releases at 30 cfs. Indian Valley is still below 1/3 capacity, but the YCFCWCD may begin an unallocated season. No one is ordering water yet, but it is likely the irrigation season will start the first or second week of May. On September 15 allocations will end in order to do the Capay Dam repairs.

5. REGULAR AGENDA:

5.1 TAC updates: Tim Horner-Tami Leathers will be giving a presentation on historic channel patterns tomorrow. Give yourselves at least 30 minutes for parking at CSUS. Need to buy a parking permit. Last month we held a special TAC meeting to look at transects on Cache Creek which proved useful for future monitoring. Erik Ringelberg-Erik mentioned that we had a special TAC meeting to correlate cross-sections for geomorphic and biologic monitoring and that it went well. Eric Larsen-Eric is currently a visiting scholar at the Hydrologic Engineering Center (HEC) in Davis. They are writing a new program ecosystem function model. On Friday April 23, he will be leading a tour of Cache Creek with the ACE HEC.

5.2 Ken Trott, Department of Conservation (DOC), presentation on Lead Agency review by DOC: Ben Shelton is the team lead for Lead Agency review team. The purpose of the review team is to ensure lead agency compliance with SMARA. Ken manages OMR's compliance unit. The lead agency's purpose is to be able to work with operators better and in a cooperative manner to prevent OMR from having to take any compliance action. The Auditor, Program Analyst, Land Use Planner, and Geologists make up the review team. Each person on the team has a long history of mine review. The goal of the review team is to review each SMARA Lead Agency every 4-5 years. The State Mining and Geology Board can take over if the County is not functioning properly under SMARA.

The review includes review of OMR and Lead Agency files, including: Financial Assurances, Reclamation Plans, Inspection Reports, Annual Reports, Interim Management Plans, SMARA Funding Review. The OMR planner looks at the Lead Agency Policies: Mining Ordinances, Planning Actions, Mineral Resource Management, Classified/Designate Mineral Resources.

They are reviewing the actual mine sites and are hoping to review 1/2 of the actual mine sites of which there are over 1400. They will look at reclamation plans, mine boundaries, slope stability, surface and ground water, resoiling, and revegetation and compare what they find to the inspection reports. They find the main thing the lead agencies do not keep up on are the financial assurances.

Why are they doing these reviews? Timely documentation, up-to-date files, accurate inspections, adequate financial assurances.

They are doing this not as an enforcement unit. The idea is to create a report for each lead agency that will help them identify their strengths and weaknesses in order to support the lead agency, address non-compliance issues, recommend corrective measures and to provide assistance.

5.3 Protocol for entering aggregate mining sites: Lillie Noble from Teichert Aggregates requested that the protocol for entering aggregate mining sites be discussed at the TAC meeting. Brian King, Teichert, mentioned that according to MSHA requirements, mine operators need to log everyone into a mine site and do a safety training. Kevin Schwartz said that the County had sent out agreements to the property owners along Cache Creek in order to access their property to evaluate established transects along Cache Creek and do Creek monitoring. Tim mentioned that Water Quality sampling and personnel doing the sampling will need to go through the training and noticing. The mine operators (the plant managers and company administrators) need to be given sufficient notice prior to the County and its representatives, staff, etc. access their properties.

5.4 Granite Esparto Mining and Reclamation Project – TAC analysis of consistency of proposed Hydraulics Study and Streambank Stabilization Plan with County Cache Creek Area Plan and related ordinances. (Continuation of 03/08/2010 TAC meeting discussion): Heidi Tschudin, the contract project manager for the Granite Esparto Mining and Reclamation Project, gave a summary of where we are to date.

She summarized the various relevant pieces of information including the minutes from the March 8, 2010 TAC meeting, the TAC members formal written comments, the responses from Granite, the applicant, and the additional discussion about mercury TMDL generated by Bob Schneider.

There was discussion regarding whether the mercury TMDL affects the in-channel stabilization work proposed by Granite. The Parks Department confirmed that because the CCRMP general permits have lapsed, the applicant is responsible for compliance individually. Tschudin confirmed that more research will need to be done with the RWQCB and that the project will be conditioned to satisfy the applicable requirements.

The TAC discussed whether to include language in the motion that requires Granite to include the new Hg TMDL for compliance. Granite and the TAC felt the permit will have to comply with RWQCB requirements anyway and thus doesn't need to mention it separately. But in order to acknowledge Bob Schneider's concern about compliance with the TMDL's, the TAC decided to include language in the motion stating that the permit must comply with RWQCB 401 permit certification.

Tim Horner asked a question about confusing language in the ICMMO regarding use of in-channel and off-channel materials for various activities. The applicant clarified that they are proposing to use in-channel sediments in off-channel agricultural reclamation which keeps potential mercury traces out of the food chain where it can bio-accumulate. There was discussion about the implications of the TMDL and the loss of the general permits on restoration activities in the creek, including the work of the CCC. Tschudin indicated that this could be looked at as a part of the CCAP update process. There was also discussion that the Test 3 line needs to be digitized as part of the CCAP update.

The applicant clarified that mining is proposed to within 380 feet of the active channel although regulations allow for mining to within 200 feet under specified circumstances.

There was discussion about how the Correl-Rodgers work is able to move forward without the CCAP general permits. The County has interpreted that it does not require a 401 permit.

The TAC members individually confirmed their satisfaction with the proposed project. Tim Horner made the following motion seconded by Eric Larsen:

*The TAC finds that the Granite Esparto proposed in-channel improvements: are consistent with the CCRMP/CCIP and the In-Channel Maintenance Mining Ordinance; will implement the CCIP/Test 3 requirements; and support the request to mine no closer than 200 feet to the creek channel. The TAC hereby expresses support for the proposed activities with the following modifications:*

- 1. Submittal of HEC-RAS model in digital form;*
- 2. Compliance with RWQCB 401 certification;*

*The TAC further finds that Granite's proposal meets the intent of CCRMP Performance Standard 4.5.6 as well as other applicable requirements.*

Lynnel has concern about the fact that the permits have expired which allows them to do the work they need to do. Warren mentioned that this is the highest priority and that we have been and are working on this.

The TAC would like the draft minutes to be completed the week after the meeting. The agenda for the next meeting should be sent out 2 weeks prior to the meeting. The agenda should detail the aim of each item more clearly.

Eric Larsen-The inability for the TAC to communicate outside of a TAC meeting makes it very difficult to do what needs to get done. Ben Adamo and Lynnel Pollock expressed that the TAC is a part of the Cache Creek Stakeholders Group and should be part of the meetings we have as a group. They understand the financial concerns, but still feel it is important to have them a part of the meetings.

The TAC will come to the next meeting with a list of CCRMP/CCIP items that each member is in charge of implementing and we will discuss its implementation, whether it is occurring or not and what priority each item is for the department or how we can implement.

6. ADJOURNMENT:

The meeting was adjourned at approximately 12:30pm.

Respectfully submitted by,

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