



County of Yolo

John Bencomo
DIRECTOR

PLANNING AND PUBLIC WORKS DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

September 9, 2010

FILE # 2010-002: Appeal of Zoning Administrator approval of a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within a 246-acre parcel.

APPLICANT: Jack L. Spence, Inc.
PO Box 335
Orland, CA 95963

APPELLANT: Brenda Cedarblade
917 Main Street
Woodland, CA 95695

LOCATION: The project site is bounded by Best Ranch Road formerly known as County Road 18A to the north, a commercial horse ranch and agricultural land to the east, County Road 18C and agricultural uses, with associated residences to the south and Clark-Pacific Pre-cast concrete manufacturing to the west. Assessor's Parcel Number: 027-250-06 (**Attachment A**).

GENERAL PLAN: Industrial

ZONING: Agriculture General (A-1) and Heavy Industrial (M-2).

SUPERVISORIAL DISTRICT: 3RD

SOILS: Reiff very fine sandy loam (Ra) (Class I); Tyndall very fine sandy loam, drained (Tc) (Class I)

FLOOD ZONE: AE (areas within the 100-year flood, base flood elevation determined).

FIRE SEVERITY ZONE: None

ENVIRONMENTAL DETERMINATION: Categorical Exemption

REPORT PREPARED BY:

Donald Rust, Principal Planner

REVIEWED BY:

David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission takes the following actions:

1. **RECEIVE** a report from county staff regarding the Zoning Administrator's approval;
2. **HOLD** a public hearing to receive comments from the applicant, the appellant or their representative in support of their appeal, as well as comments from members of the public;
3. **DENY** the appeal from the appellant;

AGENDA ITEM 6.2

4. **DETERMINE** that a Categorical Exemption is the appropriate level of environmental documentation in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment B**); and
5. **ADOPT** the Findings (**Attachment C**) and Conditions of Approval (**Attachment D**);

REASONS FOR RECOMMENDED ACTIONS

An appeal of the Zoning Administrator approval of a Conditional (Minor) Use Permit to allow the stockpiling of up to 10,000 cubic yards of soil additive (gypsum) for sale to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within a 246-acre parcel.

BACKGROUND

The applicant intends to lease 0.5 acres (the "storage area") within the 246-acre project site from the property owner, Clark Pacific. The project site is bounded by a commercial horse ranch and agricultural land to the east, County Road 18C and agricultural uses with associated residences to the south, and the Clark-Pacific Pre-cast concrete manufacturing facility to the west and north. The project site was previously developed as a sugar beet processing, and production facility (formerly Spreckels Sugar), with associated large piles of lime chalk. The lime chalk by-product is currently sold for agricultural uses as a soil additive.

The Spreckels Sugar facility operated from the 1930's until the facility closed in December of 2002. As part of the sugar beet processing and packaging operations, a large amount of lime chalk waste was generated and stored in its current location along the eastern property line and south of the former wastewater settling ponds of the project site.

Briefly, the recent history of the project site is as follows. On April 1, 2008, the Board of Supervisors approved a General Plan amendment from Agricultural to Industrial; the Rezone of a 90-acre portion of the 246-acre parcel from Agricultural General (A-1) to Heavy Industrial (M-2); a Conditional Use Permit for the manufacture of concrete building components; a Development Agreement; and a Mitigated Negative Declaration as the appropriate level of environmental review for Clark Pacific to redevelop the former Spreckels Sugar facility pursuant to the Board of Supervisors Minute Order No. 08-91.

On January 20, 2010, the applicant, a lessee of Clark Pacific, filed an application for a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within the 246-acre parcel. The proposed storage area is located just west of the lime chalk waste piles and is currently zoned Agricultural General (A-1).

On July 29, 2010 a Zoning Administrator hearing was held at the Department of Planning and Public Works offices. Ted Wilson, the property owner of the commercial horse ranch on the adjacent parcel to the east of the project site, attended the hearing. At that time, Mr. Wilson indicated his opposition to the project and expressed his concerns.

ANALYSIS

Existing Operations at the Project Site

The Planning Commission is presumably familiar with the operations of Clark Pacific at its 90-acre precast concrete manufacturing facility on the site, as that project was the subject of considerable Commission proceedings in 2008.

The current landowner is under order from the Central Valley Regional Water Quality Control Board (CVRWQCB) to remove the lime chalk. In addition, the previous landowner installed groundwater monitoring wells to monitor levels of lime chalk leaching into the groundwater. In accordance with the CVRWQCB order, the on-site lime chalk waste piles are being removed. The lime removal operation is managed by the current property owner and monitored by the CVRWQCB and the Yolo-Solano Air Quality Management District (YSAQMD) to ensure compliance with applicable requirements.

Spence Trucking has been removing lime at this site since 1997, with other operators removing the lime from the site for several decades prior to that time. During its first ten years of operation at the subject property, neither YSAQMD nor the Yolo County Environmental Health Division (YCEH) received any complaints regarding the operation. In the last two years, there have been a dozen or so complaints filed with the YSAQMD and YCEH. These complaints are discussed in Ms. Cedarblade's letter regarding her opposition to the proposed Conditional Use Permit (**Attachment E**). Most of the complaints did not result in any subsequent action; however, the following YSAQMD enforcement actions have occurred regarding the lime removal operations:

- On January 17, 2008 Spence Trucking was notified of blowing dust due to their use of a bulldozer on the large stockpile mound and closest to the Cedarblade property. No fines were assessed.
- On May 22, 2008, Spence Trucking was cited for fugitive dust leaving the property, this was observed by YSAQMD staff and Spence was fined.
- On December 2, 2009, Spence Trucking was again cited based on a private video provided to YSAQMD staff by Ms. Cedarblade. Spence Trucking the violation was for the amount of dust kicked up in the air during the loading of the semi-trucks and Spence was fined.

Spence Trucking paid the fines related to the citations from May 22, 2008 and December 2, 2009. Spence Trucking continues to operate under their "Permit to Operate" permit (P-5289(t1)) issued and monitored by the YSAQMD

However, it should be emphasized that the lime removal operation is not part of the proposed Conditional Use Permit to stockpile gypsum at the project site, which is the subject of this hearing.

Proposed agricultural soil additive storage

As stated above, the applicant has applied for a Conditional Use Permit to stockpile gypsum to be used as a soil additive throughout Yolo County. The proposed storage area is an approximately 0.5-acre area within the 246-acre parcel, located just west of the lime chalk waste piles and currently zoned Agricultural General (A-1).

The applicant will utilize a water truck to wet down the dirt access roads within the project site, using an on-site well. Traffic to and from the project will consist of semi-tractor and trailer deliveries to the facility. There would be one vehicle trip associated with an employee commuting to the project site to operate the front-end loader and water truck, with the remaining five employees operating the semi-tractor and trailer deliveries, which consist of 6 full-time employees. There will be a minimal amount of solid waste generated from the proposed project.

The applicant will be required to follow a specific transportation route approved as part of the Conditional Use Permit. In addition, the applicant will be required to obtain an operating permit from the YSAQMD and provide a Dust Control Plan (**Attachment F**) as a standard Condition of Approval for this type of operation.

Relationship to the 2030 Yolo Countywide General Plan

The proposed agricultural soil amendment storage is consistent with, and is encouraged by, policies included in the recently adopted 2030 Yolo Countywide General Plan. The 2030 General Plan includes the following policies:

Agricultural Policy:

- AG-3.2 – Allow uses that support agriculture, such as agricultural commercial uses, agricultural industrial uses, direct product sales, processing farm-based tourism, agricultural research , and farm worker housing, on agricultural land subject to appropriate design review and development standards; and
- AG-3.8 – Encourage re-use, for agricultural purposes, of agricultural industrial facilities that are no longer needed due to changing economic conditions.

Economic Development Policy:

- ED-1.11 to “Support local efforts to create new products, services, and businesses that will expand the wealth and job opportunities for all social and economic levels.”

Compliance with the California Environmental Quality Act

The proposed agricultural practices and impacts were analyzed in the accompanying certified Final Environmental Impact Report (FEIR). For purposes of compliance with the California Environmental Quality Act (CEQA), the project is exempt from further CEQA review, as required under Public Resources Code (PRC) section 21083.3 and CEQA Guidelines section 15183. PRC section 21083(d) states:

“An effect of a project upon the environment shall not be considered peculiar to the parcel or to the project, for the purposes of this section, if uniformly applied development policies or standards have been previously adopted by the city or county, with a finding based upon substantial evidence, which need not include an environment impact report, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies for standards will not substantially mitigate the environmental effect.”

The Initial Study has been prepared and has determined the following:

- The certified General Plan FEIR adequately discussed potentially significant offsite or cumulative impacts of this subsequent agricultural soil additive storage;
- There is no substantial new information that shows previously identified significant effects will be more significant than described in the prior environmental impact report;
- When approving the 2030 Yolo Countywide General Plan, the county adopted all feasible mitigation measures relevant to a significant effect which this subsequent agricultural use will have on the environment; and
- The mitigation measures and policies identified in the 2030 Yolo Countywide General Plan and certified General Plan FEIR, plus other uniformly applied development policies or standards, will substantially mitigate the environmental effects of this soil additive storage, and will be incorporated into the project or otherwise undertaken in connection therewith.

Letter of Appeal regarding CEQA and Other Issues

In the Letter of Appeal (**Attachment G**) dated August 11, 2010, Mr. Mooney, an attorney who is the representative for Brenda Cedarblade, points out two typographical errors: (1) In the Initial Study, on page 3 of 38, item No. 8 indicates "Zoning: Currently zoned Agricultural Preserve (A-P)" and should have read: Agricultural General (A-1), however, throughout the rest of the document it does indicate that the current zoning is Agricultural General (A-1); and (2) In the Findings last paragraph on page 1 the words "winery project" and should have read: agricultural chemical, sales, and storage.

Mr. Mooney raises several concerns in the letter appealing the Zoning Administrator's decision, which is summarized below along with staff's response (in italics):

- The project is not exempt from CEQA as there are potentially significant environmental impacts associated with air emissions and groundwater contamination.

The proposed project would not conflict with any applicable air quality plans, has been conditioned to prevent the violation of air quality standards, would not impact criteria pollutants for which Yolo County is in non-attainment, create objectionable odors, or expose sensitive receptors to substantial pollutant concentrations. In the absence of any evidence having been presented by the appellant that demonstrates the potential for significant environmental impacts associated with air emissions, staff believes that the recommended CEQA Categorical Exemption is appropriate.

*Gypsum (or Calcium Sulfate) is low to moderately soluble in water. Gypsum in contact with water would be expected to dissolve to some extent and increase the concentrations of Calcium and Sulfate ions in the water as well as the Total Dissolved Solids (TDS). Pollution of groundwater above accepted standards would be dependent upon many variables including the flow and recharge of the groundwater, and existing soil. The CVRWQCB reviewed the project and determined that an industrial activity stormwater permit **is not** required for the proposed stockpile and removal activity. It did not raise any concerns with the project.*

- The Findings do not discuss what mitigation measures from the General Plan EIR have been applied to this project, nor did the General Plan EIR address the specific significant environmental impacts associated with the gypsum removal.

As noted previously, the county adopted all feasible mitigation measures as policies or action items when approving the 2030 Yolo Countywide General Plan. The mitigation measures and policies identified in the 2030 Yolo Countywide General Plan and certified General Plan FEIR, plus other uniformly applied development policies or standards, have been applied to the proposed project, where applicable. These include:

- *Policy LU-2.2: Allow additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate, depending on site characteristics and project specifics.*
- *Policy AG-3.2: Allow uses that support agriculture, such as agricultural commercial uses, agricultural industrial uses, direct product sales, processing, farm-based tourism, agricultural research and farm worker housing, on agricultural land subject to appropriate design review and development standards.*
- *AG-3.8: Encourage re-use, for agricultural purposes, of agricultural industrial facilities that are no longer needed due to changing economic conditions.*

- ***Policy Co-6.6 (Mitigation Measure AIR-1): Encourage implementation of YSAQMD Best Management Practices including those listed below to reduce emissions and control dust during construction activities.***
 - *Water all active construction areas at least twice daily.*
 - *Haul trucks shall maintain at least two feet of freeboard.*
 - *Cover all trucks hauling soil, sand, and other loose materials.*
 - *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut-and-fill operations and hydroseed area.*
 - *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).*
 - *Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.*
 - *Plant vegetative ground cover in disturbed areas as soon as possible.*
 - *Cover inactive storage piles.*
 - *Sweep streets if visible soil material is carried out from the construction site.*
 - *Treat accesses to a distance of 100 feet from the paved road with a 6 to 12 inch layer of wood chips or mulch.*
 - *Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.*

These practices, where appropriate, have been included in Condition of Approval No. 39. Based on this analysis, there is no indication that the minor amount of non-agricultural uses associated with the implementation of the 2030 General Plan would have any significant environmental impacts that have not been previously considered in the certified FEIR for the General Plan.

- ***The transportation and stockpiling of gypsum may result in significant air borne emissions. Details have not been provided regarding the frequency of watering, its effectiveness in mitigation air borne emissions, or any requirement to water the stockpile. Wind speeds increase at night, when there wouldn't be any watering of the stock pile, increasing the potential for air-borne dust.***

The applicant will be required to obtain all necessary Permits to operate the gypsum stockpile and submit an operational dust control plan to the YSAQMD, prior to the commencement of operations. The following items will be utilized as part of the dust control plan to control air borne emissions:

1. *An operable water truck will remain on site and accessible at all times, day and night;*
2. *The dirt access road is to be sprayed with water to minimize fugitive dust from truck traffic at any time there are visible emissions, and after the last truck of the day;*
3. *Truck staging areas shall be located near the gypsum loading area;*
4. *Staging and loading areas will be sprayed with water to minimize fugitive dust, including but not limited to: spraying truck load, truck body/tires, and the active piles;*
5. *A crust must exist on the gypsum areas not being actively to removed and shall be replaced on active areas at the end of each work day;*
6. *Traffic outside of the staging/loading areas will be minimized in order to preserve the crust over the gypsum;*
7. *Consult the available weather sources on a daily basis for updated wind forecasts, to maintain compliance with item #9;*
8. *The water application shall increase in volume and frequency during periods of high wind to minimize fugitive emissions anywhere on site;*
9. *When winds are in excess of 15 mph, sustained, and/or gusts in excess of 25 mph, the truck load, truck body/tires, and active pile will be sprayed with water after each truck load, at a minimum, and loading will be suspended if water spray is unable to contain*

fugitive dust. In addition, all loading will be suspended at any time wind gusts are in excess of 35 mph;

10. A stabilized entry will be maintained to minimize track out;
 11. Straw wattles shall remain in place and in good condition on each side of the entry;
 12. If tracking on the roadway occurs, the roadway is to be sprayed by the water truck immediately to minimize the impact;
 13. Hours of operation will be 6:30 a.m. to 5:00 p.m., except Sundays and Federal holidays; and
 14. Each person working within the gypsum loading area shall receive training on the dust control plan.
- Allowing operations to begin at 6:30 a.m. will impact Ms. Cedarblade's enjoyment of her property.

During the gypsum storage and removal operations, noise from this type of construction activity would add to the noise environment in the immediate project vicinity. Activities involved with construction type equipment would generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet and would include semi-trucks, a front-end loaders and a water truck. The nearest residence to the gypsum site is more than 1,000 feet away. Given the attenuation of sound over distance, as well as atmospheric and ground attenuation, it is expected that the noise level at the nearest residence would be reduced to less than 60 dB Ldn. Because gypsum storage and removal activities would occur during normal daytime working hours, there would no significant increase in ambient conditions associated with project.

It should be noted that Condition of Approval No. 12 for the Clark-Pacific precast facility Use Permit allows operating hours of 5:00 a.m. to 7:00 p.m. Therefore, this use would not result in any greater impacts than those already previously approved for a similar on-site use.

- Based on the history of lime removal operations, the noise and dust associated with the gypsum will impact Ms. Cedarblade's horses and the operation of her horse shows.

It should be noted that economic impacts are generally excluded from analysis under the CEQA.

Pursuant to the 2030 General Plan, noise levels within industrial and agricultural areas are normally acceptable up to 70-75 db Ldn. As indicated above, the project site is not bordered by any sensitive uses, as defined in the General Plan, and the expected levels of noise would not exceed those allowed in industrial and agricultural areas. The dust associated with gypsum storage and removal activities will require the applicant to obtain and comply with all necessary Permits to operate, including an operational dust control plan from the YSAQMD, prior to the commencement of operations. The appellant does not offer any additional evidence to support how the proposed gypsum operation would adversely affect the commercial horse stable.

- The Conditions of Approval fail to state what permits are required from the Yolo-Solano Air Quality Management District.

Spence Trucking will be required to obtain and operate under a "Permit to Operate" similar to the permit issued for the existing lime chalk removal operation [Permit No. P-5289(t1)]. The operator will be allowed to obtain the permit once the Conditional Use Permit has been approved by the County. However, the actual operating permit will be issued and monitored by the YSAQMD.

- Issuance of a permit by the Air Quality Management District may be viewed as a mitigation measure not addressed in the Initial Study.

As noted earlier, the proposed project would not result in any potentially significant environmental impacts associated with air emissions. Therefore, there is no need for any mitigation measures related to the application. The applicant will be required to obtain all necessary Permits to operate the gypsum stockpile and removal activities from the YSAQMD, prior to the commencement of operations. The requirement of the operating permit is part of the conditions of approval (COA # 21) and will be issued and monitored by the YSAQMD. The operating permit is a ministerial action of the YSAQMD.

Staff believes that the Notice of Exemption is the appropriate level of environmental documentation in accordance with the California Environmental Quality Act (CEQA). The Findings, with the typographical correction, are appropriate for the project and the Conditions of Approval address the operational components of the proposed stockpiling of gypsum at the project site.

COMMENTS FROM OTHERS

A "Request for Comments" was prepared and circulated for the project from January 25, 2010 to February 16, 2010. A number of agencies and organizations have been involved with and/or commented on this project, including the CVRWQCB, YSAQMD, Yolo County Environmental Health Division, Public Works Division, Building Division, and County Counsel. No other significant comments were received.

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 the Board of Supervisors within **fifteen days** from the date of the action. A written notice of appeal specifying the grounds for appeal, and an appeal fee immediately payable to the Clerk of the Board of Supervisors must be submitted at the time of filing. The Board of Supervisors may sustain, modify, or overrule this decision.

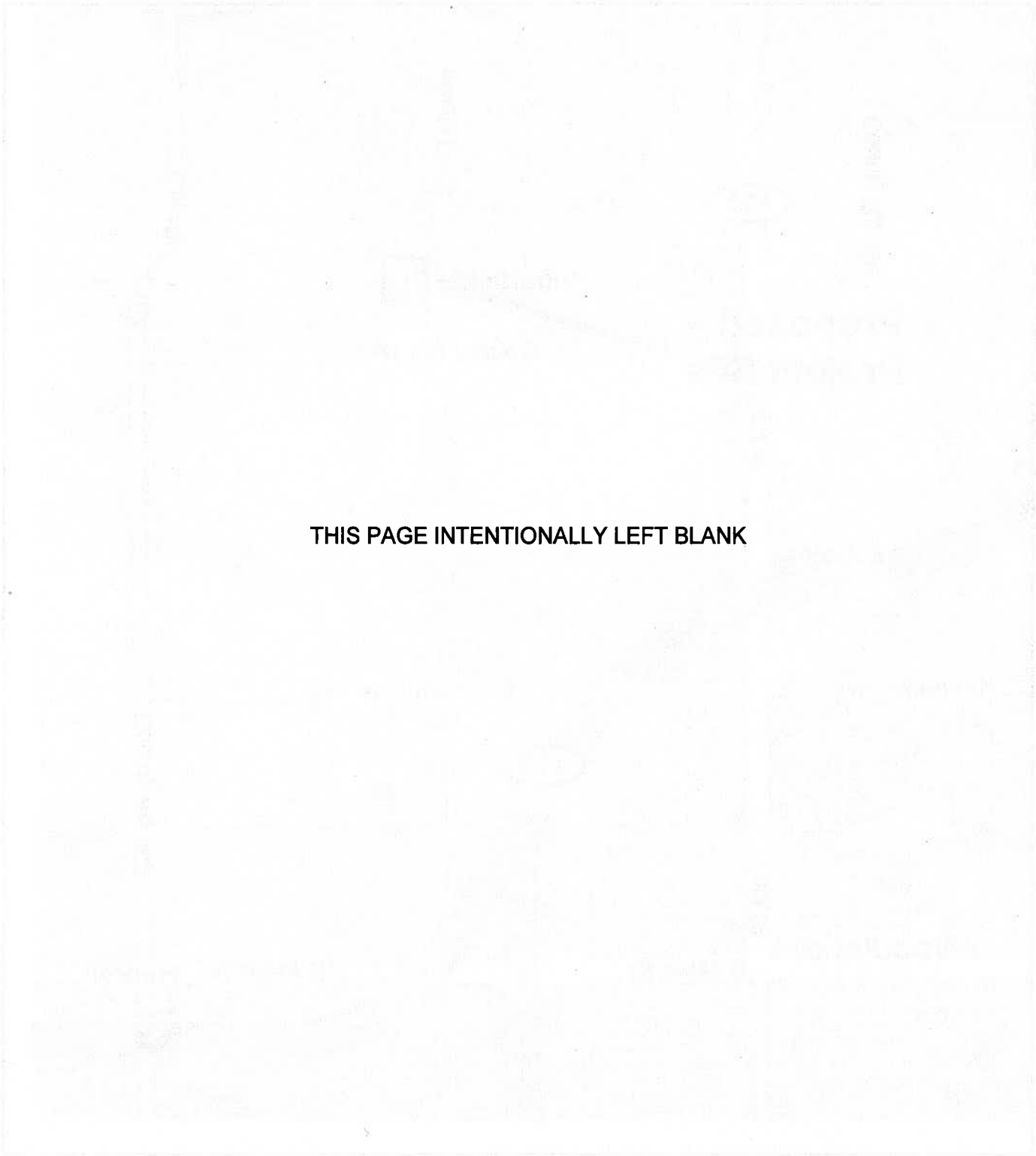
ATTACHMENTS

- A Project Location Map
- B Categorical Exemption
- C Findings
- D Conditions of Approval
- E Letter from Ms. Cedarblade in opposition to the proposed project (7/29/2010)
- F Proposed Dust Control Plan
- G Letter of Appeal from Don Mooney representing Ms. Cedarblade
- H Initial Study
- I Aerial Photograph
- J Photographs of the Existing Operations
- K Correspondence
- L Site Plan

ATTACHMENT A

Project Location Map





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ATTACHMENT B

CEQA - Notice of Exemption

ATTACHMENT D

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CEQA Notice of Evaluation

COUNTY RECORDER

Filing Requested by:

Yolo County Planning & Public Works Dept.

Name

292 West Beamer Street

Address

Woodland, CA 95695

City, State, Zip

Attention: Donald Rust

Notice of Exemption



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

Project Title: Zone File 2010-002 (Spence Trucking)

Applicant: Jack L. Spence, Inc. – Spence Trucking

Project Location: The project site is bounded by Best Ranch Road formerly known as County Road 18A to the north, a commercial horse ranch and agricultural land to the east, County Road 18C and agricultural uses, with associated residences to the south and Clark-Pacific Pre-cast concrete manufacturing to the west (APN: 027-250-06)

Project Description: The applicant filed an application for a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within the 246-acre parcel. The proposed storage area is located just west of the lime chalk waste piles and currently zoned Agricultural General (A-1). There will be a minimal amount of solid waste generated from the proposed project. The applicant will provide water to the project from the property owner's on-site well and apply the water through the use of a water truck. The traffic to and from the project will consist of semi-tractor and trailer deliveries to or from the facility five times each day. There would be one vehicle trip associated with an employee commuting to the project site to operate the front-end loader and water truck, with the remaining five employees operating the semi-tractor and trailer deliveries, which total six full-time employees.

Exempt Status: Exemption based on Public Resources Code (PRC) section 21083.3 and CEQA Guidelines section 15183.

Reasons why project is exempt: PRC section 21083(d) states:

“An effect of a project upon the environment shall not be considered peculiar to the parcel or to the project, for the purposes of this section, if uniformly applied development policies or standards have been previously adopted by the city or county, with a finding based upon substantial evidence, which need not include an environment impact report, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies for standards will not substantially mitigate the environmental effect.”

This type of agricultural land use was analyzed in the recently certified Final Environmental Impact Report for the 2030 Yolo Countywide General Plan (November, 2009, SCH#2008102034).

Lead Agency Contact Person: Donald Rust, Principal Planner **Telephone Number:** (530) 666-8835

Signature (Public Agency): _____ Date:

Date received for filing at OPR:

OFFICE OF THE
COUNTY CLERK

YOUR SIGNATURE AND SEAL ARE REQUIRED

DATE

TIME

PLACE

Office of the Auditor

IN WITNESS WHEREOF

I HAVE HEREBY SET MY HAND

AND SEAL

THIS _____ DAY OF _____

20____

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ATTACHMENT C

FINDINGS

ATTACHMENT C

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REVISIONS

FINDINGS

JACK L. SPENCE, INC. (SPENCE TRUCKING) CONDITIONAL USE PERMIT, ZF# 2010-002

The applicant for the Jack L. Spence, Inc. project (the "Project") has applied to the County of Yolo for a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive/soil amendment (gypsum) that will be sold to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within a 246-acre site in unincorporated Yolo County previously developed as an agricultural industrial facility (former Spreckels Sugar). In support of this decision, the Zoning Administrator makes the following findings:

A. California Environmental Quality Act

That the proposed Statutory Exemption, based on the Initial Study prepared for the project, is the appropriate environmental documentation in accordance with the California Environmental Quality Act (CEQA) and Guidelines.

The re-use of an agricultural industrial facility is consistent with, and is encouraged by, policies included in the recently adopted 2030 Yolo Countywide General Plan. The policies allow uses that support agriculture, such as direct product sales (gypsum used as a soil additive/soil amendment), subject to appropriate design review and development standards; encourage re-use of agricultural industrial facilities that are no longer needed due to changing economic conditions; and supports local efforts to create new create products, services, and businesses that will expand the wealth and job opportunities for all social and economic levels.

For purposes of compliance with the California Environmental Quality Act (CEQA), the project is exempt from further CEQA review, as required under Public Resources Code (PRC) section 21083.3 and CEQA Guidelines section 15183. PRC section 21083(b) states:

"An effect of a project upon the environment shall not be considered peculiar to the parcel or to the project, for the purposes of this section, if uniformly applied development policies or standards have been previously adopted by the city or county, with a finding based upon substantial evidence, which need not include an environment impact report, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies for standards will not substantially mitigate the environmental effect."

An Initial Study has been prepared and has determined the following:

- *The previously certified General Plan FEIR adequately discussed all potentially significant impacts of this project, including offsite or cumulative impacts;*
- *There is no substantial new information that shows previously identified significant effects will be more significant than described in the General Plan FEIR;*
- *In approving the 2030 Yolo Countywide General Plan, the county adopted all feasible mitigation measures relevant to a potentially significant effects that this project could have on the environment;*
- *The mitigation measures and policies identified in the 2030 Yolo Countywide General Plan, plus other uniformly applied development policies or standards, will substantially mitigate the environmental effects of this ~~winery project~~ agricultural chemical, sales, and storage, and will be incorporated into the project or otherwise undertaken in connection therewith.*

B. Conditional Use Permit

CONDITIONAL USE PERMIT

In approving the Conditional (Use Permit for the Project, the Planning Commission considers the factors set forth in 28 (Use Permits), as well as the applicable provisions of Articles 24 (General Provisions), and 25 (Off-Street Parking and Loading) of Chapter 8 (Zoning) of Title 8 (Land Development and Zoning) of the Yolo County Code. In granting the Conditional (Minor) Use Permit for the Project, the Zoning Administrator finds, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the General Plan, that the general conditions specified in Section 8-2.2804 are fulfilled, as described in detail below.

- a) The requested land use is listed as a conditional use in the zoning regulations.

The stockpiling of soil additive (gypsum) is listed as conditional uses in the Agricultural General Zone (A-1). The proposed use is a conditional use, as listed in the A-1 Zone "agricultural chemicals, sales, and storage."

- b) The requested use is essential or desirable to the public comfort and convenience.

The stockpiling of soil additive (gypsum) will contribute to the expansion of the local and regional economy. The use will generate 6 jobs and substantial direct and indirect fiscal benefits to Yolo County.

- c) The requested land use will not impair the integrity or character of a neighborhood or be detrimental to public health, safety or general welfare.

The applicant will have to comply with the Conditions of Approval of the Conditional Use Permit, which will utilize a designated truck route, appropriate dust control, the existing landscaping, conservation easements and agricultural buffers to prevent impacts to the aesthetics, agricultural resources, air quality, transportation, public services and biological resources from the proposed stockpiling of soil additive (gypsum).

- d) The requested use will be in conformity with the General Plan.

The proposed project will provide for direct agricultural product sales of a soil additive for the local farming operations throughout the County and provide employment, services, and tax base while minimizing hazards. The project is consistent with the current land use of the site and would not allow any expansion of the proposed use of the site beyond those specifically approved in the Conditional Use Permit.

- e) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

An existing domestic water well and septic system will serve the project site. County Road 100B will require no improvements and the applicant will participate in a cost sharing program with annual maintenance inspections.

- f) Sufficient off-street parking and loading facilities will be provided.

Sufficient off-street parking and loading spaces are provided on-site to meet the limited needs of, delivery vehicles, employees, and operational vehicles associated with the operation. All parking areas will be, graded and drained in accordance with Section 8-2.2513 of the Zoning Code. The parking and loading areas will be arranged so as to provide for safe and orderly loading, unloading, parking and storage.

ATTACHMENT C

CONDITIONS OF APPROVAL

ATTACHMENT C

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CONDITIONS OF APPROVAL

ATTACHMENT D

CONDITIONS OF APPROVAL JACK SPENCE TRUCKING USE PERMIT, ZF# 2010-002

ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:

PLANNING DIVISION – PPW (530) 666-8808

1. Development of the site shall be as described in this staff report for this Minor Use Permit (ZF 2010-002). Stockpile and removal operations of the soil additive (gypsum) shall be limited to those areas as shown on the approved Site Plan. Any minor modification or expansion of the proposed use shall be in keeping with the purpose and intent of this use permit, and shall be administered through Site Plan Review approved by the Director of the Planning and Public Works Department. The facility shall be operated in a manner consistent with the project's approval.
2. The use allowed under this Use Permit (ZF 2010-002) shall commence within one (1) year from the date of approval by the Yolo County Zoning Administrator, or said permit shall be deemed null and void without further action.
3. The applicant shall keep the site area free from flammable brush, grass, and weeds. All stockpiles of gypsum on the site shall be adequately maintained and appropriate dust control methods implemented.
4. The project shall be developed in compliance with all adopted Conditions of Approval for Zone File No. 2010-002. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as contained herein.
5. The project is as described and summarized in the Yolo County Zoning Administrator staff report, as adopted Conditions of Approval. Any subsequent substantive changes in the project description (as determined by the County Planning and Public Works Director) may only occur subject to the Planned Development Standards as adopted for the subject property.
6. Any alteration or expansion of these facilities or increase in the developed area of the site from that shown on the approved site plan may require submission of an additional application for review and approval.
7. Failure to comply with the Conditions of Approval as approved by the Zoning Administrator may result in: (1) Non-issuance of future building permits; (2) legal enforcement action; and/or (3) revocation of the Use Permit.
8. The applicant shall ascertain and comply with the requirements of all Federal, State, County and Local agencies as applicable to the proposed use and the project area. These include, but are not limited to: 1) *FEDERAL*: U.S. Fish & Wildlife; 2) *STATE*: Department of Fish & Game (DFG), Central Valley Regional Water Quality Control Board (CVRWQCB), California Occupational Safety and Health Administration (Cal-OSHA), Yolo-Solano Air Quality Management District, Cal Trans District 3, California Highway Patrol 3) *COUNTY*: Public Health-Environmental Health Services, Building Inspection Division, Code Enforcement, Public Works; 4) *LOCAL* Woodland Fire Department.
9. All construction and operational equipment shall be muffled and maintained in accordance with manufacturer's specifications.

10. Operational equipment shall be staged away from any surrounding residences or livestock.
11. The hours of operations shall be 6:30 AM to 5:00 PM, except Sundays and Federal holidays.
12. The applicant is required to follow a specific transportation route for the stockpile and removal operation of the soil additive (gypsum) and will provide printed information regarding the truck route to truck drivers and other contractors/vendors delivering products or services to the project site. All trucks are required to travel to and from the site using County Road 18C, west to State Route 113. No trucks shall travel east on County Road 18C.
13. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant/operator in such a manner, and with such frequency, to ensure the public health, safety, and general welfare. All on-site "No Trespassing" or other "Posted Area" signs shall be maintained in a clean readable condition at all times and all graffiti and vandalism shall be removed and repaired on a regular basis. The property shall be maintained so that is visually attractive and not dangerous to the health and welfare of the surrounding properties.
14. All costs of ownership, operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be the responsibility of the applicant, operator or the property owner.
15. If any County enforcement activities are required to enforce compliance with the conditions of approval, the applicant and/or property owner shall be charged for such enforcement activities in accordance with the Yolo County Code Schedule of Fees.
16. If human remains are discovered, all work must stop in the immediate vicinity of the find, and the County Coroner must be notified, according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. This requirement shall be noted on the approved Grading Plans. Contact the Yolo County Coroner at (530) 668-5820.
17. The applicant/property owner shall remove any soils that become chemically contaminated to a County approved disposal site so as to preclude any chemical leaching into the local ground water supply over time.
19. The project site shall be limited to one freestanding advertising sign. A Building Permit shall be obtained from the Building Division prior to installation of the sign. All signs may only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, or by direct stationary neon.
20. Failure to properly remove and clean up the site of all hazardous and non-hazardous wastes may result in the county contracting out for the necessary work. The applicant/property shall be liable for the full costs of any such clean-up work.
21. The applicant/operator shall obtain all necessary permits from the YSAQMD, including Permits to construct and operate or provide evidence that said permits are not required. Copies of all approved YSAQMD permits shall be submitted to the Planning Division prior to construction and/or operation of the source in question.
22. Mining of native on-site soils is prohibited.

23. All refueling and maintenance areas shall be protected by impervious surfaces designed to contain spills to the satisfaction of the Building Inspection Division and the Environmental Health Division.
24. The applicant/property owner is required to inspect project sites before and after storms to identify stormwater discharge from operational activities, and to identify and implement controls, if necessary.
25. The applicant shall obtain and annually renew a Business License from the Planning and Public Works Department for the life of the operation.

COUNTY COUNSEL (530) 666-8172

26. In accordance with Section 8-2.2415 of the Yolo County Code, the applicant shall agree to indemnify, defend, and hold harmless the county or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the county or its agents, officers, or employees to attach, set aside, void, or annul an approval of the county, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.
27. The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperates fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or if the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to that action. The county may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

PUBLIC HEALTH DEPARTMENT – ENVIRONMENTAL HEALTH DIVISION (530) 666-8646

28. All refuse and usable materials at the premises shall at all times be stored and handled so that health nuisances are not created. Permits from this office will be required when reaching threshold levels.
29. All refuse containing garbage shall be removed from the premises at least 1 time per week during operation to an approved solid waste facility.
30. Discovery of previously unknown contamination is possible during the stockpile and removal operation of the soil additive (gypsum). If, during stockpile and removal operation, the applicant discovers any potentially hazardous contamination, they shall consult with Environmental Health Division prior to the issuance of grading permit.

WOODLAND FIRE DEPARTMENT (530) 661-5855

31. The access roads within the facility shall remain unobstructed at all times, except for a driveway access gate, which may be closed during night time hours. An approved fire department key box is required for any access gate, installed prior to the commencement of operations.

PRIOR TO THE COMMENCEMENT OF OPERATIONS

WOODLAND FIRE DEPARTMENT (530) 661-5855

32. The above referenced project is protected by the City of Woodland Fire Department. Prior to any activities occurring on the project site, the applicant shall contact the fire department for verification of current fire protection development requirements. All new construction shall comply with the existing Uniform Fire Code requirements and all applicable statutes, codes, ordinance, or standards of the Fire Department.

PUBLIC HEALTH DEPARTMENT - ENVIRONMENTAL HEALTH DIVISION (530) 666-8646

33. The operator will be required to submit a Hazardous Materials Business Plan (HMBP) to Yolo County Environmental Health (YCEH) as soon as they store, handle, or use greater than the threshold quantity (55-gal, 500-lb, 200-ft³) of a hazardous material at this site. An HMBP is also required if they generate hazardous waste, operate underground or aboveground hazardous material or waste tanks, or are subject to RMP requirements.
34. The applicant shall obtain approval of a new permit to operate the public water system for this site, prior to the commencement of operations. The system must produce water of a quality that meets the requirements of a non-transient, non-community water system category. Failure to meet water quality standards may result in replacement of wells, installation of treatment facilities and/or other measures to meet compliance.
35. Prior to the commencement of operation, the applicant/operator shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, a Hazardous Waste Generator Permit, and/or an Aboveground Storage Tank Permit, For information, contact the YCEH - Hazardous Materials Division

PLANNING DIVISION – PPW (530) 666-8808

36. The applicant/operator shall comply with all requirements to prevent the potential for spray drift onto adjoining properties of pesticides, herbicides, and other substances listed as "registered pesticides" by the Yolo County Agricultural Commissioner's Office.
37. The applicant/operator shall disclose to all employees and visitors of the proposed project site that active farming operations occur on surrounding properties. Notification shall be prominently posted prior to the commencement of operations, disclosing that employees and visitors could experience inconvenience or discomfort resulting from accepted farming activities pursuant to the provisions of the County's Right-to-Farm Ordinance.
38. Prior to commencement of operation, the applicant/operator shall apply for and obtain air quality Authorities to Construct for all applicable pollutant emitting equipment. In addition, the facility shall apply best management practices in accordance with YSAQMD Rule 3-4, Section 300 to all applicable air pollutant-emitting equipment operating at the stationary source.
39. The applicant shall submit an operational dust control plan to the Yolo-Solano Air Quality Management District, prior to the commencement of operations. This plan shall ensure that dust controls measures are implemented during all phases of project construction and daily operations. The plan shall include short-term measures for use during high wind (greater than 25-mph gust) conditions. Control measures shall include surface stabilization (such as active watering) to comply with YSAQMD requirements. The dust control best management practices (BMPs) shall include but not be limited to the following:
- Apply nontoxic soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas inactive for four days or more);
 - Reestablish ground cover in disturbed areas quickly;

- Water active construction sites at least twice daily to avoid visible dust plumes;
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Enforce a speed limit of 15 MPH for equipment and vehicles operated in unpaved areas;
- All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard; and
- Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads.
- The operator shall wet down stockpiles on a regular basis and more frequently as needed during windy conditions. The operator shall also either shut down the operation or double the frequency/intensity of dust suppression efforts (as approved by YSAQMD) on days of extreme wind conditions as defined by sustained wind forces of 15 mph or greater.
- Stockpiled materials shall be kept to overall heights not exceeding 25 feet to reduce the exposure of stockpiled materials to wind erosion.
- Tune and maintain all equipment and use YSAQMD required low sulfur fuel. Also, maintain at least 2 feet of freeboard on all haul trucks.

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ATTACHMENT E

**Letter from Ms. Cedarblade in opposition
to the proposed project (7/29/2010)**

ATTACHMENT E

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Zone File 2010-002 -

Dear Zoning Administrator David Morrison, Mr. Don Rust, Project Manager and members of the Yolo County Board of Supervisors,

Please accept these as my cursory comments to the proposed changes being made to day at the Planning Commission meeting regarding Spence Trucking.

You can view some of the videos of the existing problems Spence Trucking Clark Pacific are causing here <http://www.youtube.com/user/SprecklesSugar> . I have more videos and photos that have not been uploaded. This new site does not take into consideration these issues or protect from these issues.

This is listed as a California Brownfield Site. The substances historically contained and drained through this lime from Spreckels Sugar; may be hazardous. The lime has not been tested and moving such may contaminate other properties and create the same problems we have been subject to. If it is not tested for known chemicals used in the operation at Spreckles, this lime and potential TAC's could also expose their employees to health risks.

Bottom line is the County is failing to protect the health and safety of the neighbors and moving it on the same site will subject other people to the horrors and costs associated with this material we have had to endure.

We object to the lime pile being moved and exposed and located in close proximity to our ranch as it will create and even greater hazard given our past experiences. It potentially will contaminate another location of a known hazardous material under order of removal.

When we bought our property this was a grass covered hill. We were told by the County Health office there were no problems with the site, which we found out is not true. The lime piles and unlined ponds are only about 10 feet away from our property line, adjacent to our cattle and horse pens, arenas, and very close to our barns and areas where children and adults ride. These piles have grass and trees that have grown and covered them. We have photos of the burrowing owls and a study done on the habitat that has used these abandoned piles. When the piles are covered, they do not create a dust hazard. However, the exposure of the lime and removal of the walls does.

I consider this a significant change and impact as such the new site requires a CEQA study and EIR. There has not been a CEQA study; which has not been done historically on the lime pile/ the pile dates back to the 1940's and was unlined and may contain toxic air contaminants etc..

They have been fined repeatedly for the same violations in operational standards the past years by YSAQMD for the existing site

Please be aware that over the past several years, as they cut into this pile it blows lime dust on to us. This has caused erosion of our roofing, SIGNIFICANT veterinary problems and medical problems. Our workers have gotten nose bleeds and other health issues they attribute to this

dust that once exposed from the lime pile drifts on to our ranch. They have been fined by YAQMD and there are numerous photos in their file of the damage there reckless behavior has caused. I have the veterinary reports from the violations as well as medical reports from our workers.

Their current permit requires the area to be sprinklered and it was when under Spreckles./ Spence has since removed all the piping etc.. They also load on windy days, specifically there was a problem over Thanks Giving 09 when we had high speed wind warning and they continued to load! we have videos of this dust This needs to be enforced. This is not being adequately addressed for the new site location.

Additionally, they need to cover the exposed areas as even with a cap it has a small PM that a jack rabbit running over the crust will expose to the wind and can blow onto our property and can result in damage.

The other consideration is the burrowing owls, bank swallows and elderberry bushes as well as the trees.

Additionally, we have nesting Swainson hawks that are endangered in the tree line along this operation. There are known nesting sites for hawks across from the proposed location according to the USDA maps. The trucks, noise, exhaust and lime that can drift up may cause damage to the hawks and their young and this should be studied.

Continued reckless removal of this hill and new hill being created will cause even more exposure and the dust to blow on our ranch. When it is covered and undisturbed with grass, we do not have the problems with the dust. When it is exposed like where they took down the piles in the past and the tractors drive over the area or we have a dust storm, the powder ends up all over the ranch and in our home and on our clothing etc... The new site does not have measures in place to protect against the known problems from the existing site. Thus we are creating an even bigger environmental problem.

Please be aware Spence Trucking / Clark Pacific is in total violation of the current operating permit for the off site loading of this substance.

If you review the AQMD files, you will find this is a significant problem dating back and the source of numerous written complaints to AQMD. recently they have been fined and as they have cut into this pile, and exposed it, it has dusted our ranch to the point of looking like a bag of flour was dropped on top of us multiple times recently. I have also sent video of this to the County in complaints. The dust ends up on the road and drifts in to the air when traffic drives over it. They do not water or clean the roads enough to prevent this from occurring.

The dust is an irritant and burns the eyes, lungs and skin.

They need to slow down rather than speed up and ensure the removal is done properly and it should be covered and posted. They will need to dig the down into the pits and remove all of the substance so it does not blow on us.

Plus if they pile it as they have in the past, even if it is watered the slightest disturbance or wind lifts this into the air and the air flow blows toward our ranch. So I do not approve of the method or pile style at this location that is occurring.

Of other concern are the hours of operation with the noise from the back up bells you can hear inside our home, emissions from the loading and trucks that you can smell on our property, the dust, the hours they do this including Sundays and Holidays.

We have and continue to loose business from the careless and reckless removal of this lime. This is a cost to us.

Pertaining to the new proposal and site:

1. There are no dust control methods identified in this document. This fails to protect us.

2. This site is close to us. 6:30 am is to early as their trucks are very nosy, the back up bells, loading clanging etc and will result in us not being able to enjoy our ranch and property. The noise is also stressful to our horses and will be a potential significant impact our horse shows.

3. This is a threat to public health given the historical problems with the lime and site as evidenced by neighbors and letters to YASQMD.

4. The dust can pose a fire hazard.

5. Watering twice daily is not even close to being enough. It needs to be continually sprinkled and also at night when the wind and Delta Breeze picks up and on weekends. This was required in the original permits.

6. Trucks need to be covered as this dust is fine and blows off the trucks. See Video. 2 feet of freeboard is not enough. it is not a rock.

7. Wind Speeds are not addressed and loading.

We are expecting strict regulation and protection from any decisions made to protect the commercial use of our ranch which includes spectators, adults with developmental disabilities many with compromised immune systems, the respiratory systems of our horses and livestock as well as protection of our property listed on the National Register of Historic Places and the habitat that occurs on and around the piles of lime.

This is nothing new and I would refer anyone interested to review their history of operation at YQMD in Davis. There are significant reports on file from the neighbors and our selves pertaining to this off site loading operation.

We do not approve of more being stored or a quicker removal due to the past problems. The lime needs to be watered and the sprinkler reinstalled as a basic first step.

We are in the process of consulting with an air quality expert over this issue and health risk. We personally feel for the health and safety; given the past violations the operation

should be halted until it is reviewed for the safety of neighbors and the environment by the State Regional Water Quality Control Board, State Air Quality and Yolo Solano Air Quality Control Board.

My cell is 530-304-0140

Please advise.

Brenda Cedarblade

Owner, Historic Nelson Ranch

Below is a history of some of the complaints that have been filed by us as examples of how we are being affected by this operation.

From: B Cedarblade <brenda@historicnelsonranch.com>
To: Dave Smith <dsmith@ysaqmd.org>; Paul Hensleigh <phensleigh@ysaqmd.org>; "David Stavarek <dstavarek@waterboards.ca.gov>Bill Brattain" <bbrattain@waterboards.ca.gov>; James Munch <jmunch@waterboards.ca.gov>
Cc: Matt Gonzalez <mgonzalez@gonzalezleigh.com>; Matt Springman <mspringman@gonzalezleigh.com>; Supervisor Duane Chamberlain <duane.chamberlain@yolocounty.org>; Supervisor Helen Thomson <helen.thomson@yolocounty.org>; Jim Provenza <jimprovenza@yahoo.com>; Assemblyman Jim Nielsen <Nielsen@assembly.ca.gov>; Assemblywoman Mariko Yamada <assemblymember.yamada@assembly.ca.gov>
Sent: Sun, May 2, 2010 6:50:37 PM
Subject: Spreckels Lime Piles Blowing Dust Again 5/2/10

Complaint to YAQMD & CA Regional Water Board - Spreckels / Clark Pacific Lime Ponds Blowing Off Site! Again.

I AM REQUESTING AN IMMEDIATE AND EMERGENCY CEASE AND DESIST FROM ALL LOADING OF THIS LIME & EXPOSED LIME FROM THIS OPERATION BE COVERED ASAP.

Today is Sunday May 2, 2010 - It is VERY WINDY . The TV said it is 40 miles per hour, but I am not sure what it exactly is here.

There are a history of the same complaint for this site and there are no actions being taken to protect the citizens from this health risk.

This site and ponds are listed as a California Brownfield site and was listed as a medium high priority with review to see if it meets for high priority by the EPA and the materials are blowing all over our ranch.

The lime ponds and piles are blowing on our ranch once again. It is very windy today and the wind was blowing in from the North and appears from the flags on the Spreckels / Clark Pacific site to be traveling East and carrying the lime dust across our ranch, home, borders and their horses. All Day LONG with no water trucks or sprinklers as required in the permit!

I requested that the lime that is exposed be covered many times.

It is causing health issues.

Personally, my eyes are burning and runny, throat tight and coughing and sneezing from being out in this. I had to use my inhaler as my lungs tightened up and I began wheezing when I went out in this in the South West area of our ranch to document what was occurring. I had white stuff caked in my eyes from observing the lime blowing from the road. From taking photos and moving horses, it is in my hair and the white dust got all over my camera and camera bag. It is now 6:49 and I had to come in and sit for the past hour and a half as I began to feel ill. My lungs still hurt when I breath.

Our borders and employees are also complaining and this is affecting our business.

We have 3 horses that have developed rashes again today along with runny eyes and coughing. One is very significant welts and watering eyes and it began along with the wind on Sat and is very pronounced today. We have had this problem with the heavy dust in the past. YAQMD has photos of the eyes of our horses and cattle running and the dust covering their backs from the piles.

There are 2 very large and tall piles that have been piled over the past several months in separate large mounds from the original main ponds and "mud pond" I believe. They are just sitting there not being watered down and there is dust drifting off of them. When birds and animals run up or across these piles without the wind, you can visibly see the dust plume up and in the wind there are gusts and sheets coming off of the top of these as well as when the wind gusts. The new piles they have made have sat there uncovered for some time and are very tall and large made from materials taken from the hill.

These were the original unlined ponds used by the Spreckles Sugar factory form 1940 and have not been tested for the known and unknown contaminates which were used on site. This is blowing on our ranch and onto neighboring homes.

There is also a County permitted home for adults that are severely disabled, many bed ridden to the West.

There is a major portion of the lime hill about 30 feet high that is now exposed and as they removed most of the South part of the old pond that created a "bowl" the dust just pummels our ranch, arenas, barns and cattle and horse areas. They have exposed a significant and large area of the hill both wide and high that catches the wind and comes

up and over onto our ranch, it is a larger exposed area as compared to what they normally had cut into in the past.

Looking South from the barn you can see the Sheets of wind carrying the dust from the lime pond travel through our trees and where our nesting Swainson Hawks have been hanging out and onto our ranch and it is opaque and hard to breath in. The dust and opaque color goes up above the trees, but is clearer facing to the East from the old house, where the lime is blocked by our structures. You can see the sheets and opacity coming through along the barn and trees. The little flags Clark Pacific had placed on the side of the lime pond where the elderberry bushes are and the hill is still covered with grass; are blowing wildly toward the East. Where the pile is covered in vegetation, there does not appear to be dust emanating, just from the exposed areas.

On our site we have small children riding and adults with developmental disabilities working outside in our community garden. Many have compromised immune systems and need to be protected from air contaminates.

The lime dust and whatever other materials and contaminates it contains have again come over and is all over the roof of our barn etc...

I am adding such detail as the last time this happened significantly was Nov 28, 2009 in a major wind storm. There were severe wind advisories on the radio and on TV this day. Yet, they had trucks lined up back to back loading from a dozer into the beds of uncovered trucks and the Dust was blowing on us in Sheets that were clearly visible from the Video on the weekend and we were absolutely covered with this dust; but YAQMD stated that I only got video and photos from their side and not our side. This even though they came out and took photos and I gave them photos of the white dust all over the grass, trash areas, animals, roofs etc...

I am unclear who is responsible as on the Water Quality sheets and other documents it lists Clark Pacific and other Spence Trucking. The historical aspects are filed under "J" in YAQMD, but the historical photos of the occurrences have been removed from the files.

That stated, Spence did not have a business license with the County, when last I checked, Clark Pacific did but not for the load out.

The AQMD order states that the piles are to be covered and watered. There is supposed to be a sprinkler system. While there was a water truck on site, it was not watering as far as I could tell when I checked from this morning to this evening, nor yesterday when I checked in the evening.

They are also supposed to have sprinklers. I have not seen any sprinklers since we have been here in 2000 and there is a pile of blue sprinkler pipe piled up.

There is also dust, lime clods, truck tracks, piles all along the road and sides of the road

from the operation. There is a pile washed up on the waddles form the East Gate. You can see the truck tracks made out of the lime on the road coming out of the load out facility onto the road and dust is brought up when other cars drive over it from 18C to Best Ranch and more significantly along the East Gate. The lime clods that have fallen off of trucks remain in the road and break open and plume and blow dust when cars travel over them.

We need to have their permit enforced and covered and watered continually and no loading in winds greater than 5 miles and hour and any piles they make covered immediately and not left to blow in the wind.

This white powdery talc like dust It is all over the inside of my home! The ponds they removed in the past now flat to the North of the lime hills, still sheet off the lime dust in the wind on the North side of the property as they did not dig down and remove the lime dust.

The white powder like talc is over the backs of the horses that were outside and visible on the horses that are not white. There is also white gooky gummy drainage from their eyes just like occurred with our cattle and was photographed by Jason Ellerman from AQMD back in 2008 when it looked like a bag of flour was dropped on top of our ranch when Sugarland farms cut a V into the side of the lime pond in a wind storm and it blew like a blow dryer on a bag of flour directly into our arena and on our hay.

I have washed the horses and have a call in for our veterinarian to come out and I was advised the borders have called their own vets as well.

As I have notified YAQMD - 2 of my workers are also complaining about serious nose bleeds and other medical issues and have had to seek medical attention.

THEIR PERMIT TO LOAD THIS STUFF NEEDS TO BE IN FORCED - THIS LIME AND PILES AND HILL NEEDS TO BE COVERED AND THE SPRINKLER SYSTEM WORKING!!!!!!!!!!

In the past the permit to load states they are also not allowed to load in winds greater than 5 miles per hour, and this needs to be in forced. Another suggestion is to cover the area they are loading and contain it, so the trucks driving over it do not stir up the dust which then drifts onto our ranch!!!!

I have clear video of what I am talking about if anyone care to review and I have advised and provided video and photos to YAQMD of the problems at length.

Please advise. This is NOT acceptable!

Also, others neighbors are also complaining and having effects; but state that in the past YAQMD did nothing when they asked for protection from the trespass of this lime dust.

This Brownfield site is a health risk for us and all surrounding properties. It needs to be contained properly.

My cell phone is 530-304-0140

Brenda Cedarblade
Owner, Historic Nelson Ranch

-- On Fri, 3/5/10, B Cedarblade <brenda@historicnelsonranch.com> wrote:

From: B Cedarblade <brenda@historicnelsonranch.com>
Subject: Demand for Fairness, Due Process and Equal Protection
To: rdrivon@yolocounty.org
Cc: "Matt Gonzalez" <mgonzalez@gonzalezleigh.com>, "Hansu Kim" <hansu@gonzalezkim.com>, "Erin Brockovich" <erin@brockovich.com>, "Duane Chamberlain" <dchamb8072@aol.com>, helen.thomson@yolocounty.org, "Jim Provenza" <jimprovenza@yahoo.com>, "Assemblyman Jim Nielsen" <Nielsen@assembly.ca.gov>, "Assemblywoman Mariko Yamada" <assemblymember.yamada@assembly.ca.gov>
Date: Friday, March 5, 2010, 4:14 PM

See attached letter to Yolo County Consel and for our request and demand for fairness, due process and equal protection. This is a **private letter** for your information and as it pertains to the selective enforcement actions being applied to our business and ranch and the serious environmental issues from the Spreckles site next door that is listed with Department of Toxic Substances as attached.

I apologize that it is a lengthy letter; but necessary to allow you the opportunity to understand the historical situation at hand.

I have included an overhead view of the PCC piles adjacent to our ranch.

If the video does not work, let me know. It shows the dust blowing from the PCC unlined pond piles onto our ranch.

<http://www.youtube.com/watch?v=OEAtk0B-eyA>(you will have to log into You Tube or)

```
<object width="425" height="344"><param name="movie"
value="http://www.youtube.com/v/OEAtk0B-
eyA&hl=en_US&fs=1&"></param><param name="allowFullScreen"
value="true"></param><param name="allowscriptaccess"
value="always"></param><embed src="http://www.youtube.com/v/OEAtk0B-
eyA&hl=en_US&fs=1&" type="application/x-shockwave-flash"
allowscriptaccess="always" allowfullscreen="true" width="425"
height="344"></embed></object>
```

530-304-0140

Sincerely,

Brenda Cedarblade

From:

"David Smith" <dsmith@YSAQMD.org>

[View contact details](#)

To:

"B Cedarblade" <brenda@historicnelsonranch.com>, "David Morrison" <David.Morrison@yolocounty.org>

Cc:

"John Bencomo" <John.Bencomo@yolocounty.org>, "Lonell Butler" <Lonell.Butler@yolocounty.org>, "Philip Pogledich" <Philip.Pogledich@yolocounty.org>, "Bruce Sarazin" <Bruce.Sarazin@yolocounty.org>, "Jeff Pinnow" <Jeff.Pinnow@yolocounty.org>, "Duane Chamberlain" <duane.chamberlain@yolocounty.org>, "Jim Provenza" <jimprovenza@yahoo.com>...
more

Message contains attachments

1 File (2KB)



- [<!--\[if !vml\]--> <!--\[endif\]-->image003.jpg](#)

Brenda,

Thank you for sending me a copy your 1/6/10 email to David Morrison. Your e-mail references the AQMD and our role related to controlling dust at the lime removal operation adjacent to your property. In addition, your email indicates that you have yet to hear back on a complaint you have made with the District. The District has reviewed your e-mail complaint, submitted on 1/5/10, and conducted a site visit on 1/5/10. At the time of our visit the operator was not actively loading lime and there were no visible emissions from the site. As an indication that we are taking the situation seriously, we have been conducting weekly inspections and plan on conducting an inspections when the operator is actively removing lime from the site. In order for us to be more effective, it would be helpful if you could contact me via telephone when wind conditions exist that result in fugitive dust being blown onto your property.

Your letter offers suggestions on how the operator may minimize fugitive dust from the operation. One of the suggestions is that the operator provide the sprinkler system required in their permit. The permit from the AQMD allows the use of a sprinkler system

or a water truck to control fugitive emissions. Currently the operator is using a water truck to control fugitive emissions.

In addition, you reference toxic air containments including "hexavalent CR, PCB's, asbestos, lead acetate and other materials". District staff has no knowledge or information that those material are present on either site you reference. If you have information or test results that would indicate that these materials are present please provide that information to the District.

The District fully intends to make sure the operator complies with the terms and conditions of their operating permit. As you are aware the operator has received three notices of violation from the District including one related to their operation on 12/2/09.

Thanks,

<!--[if !vml]--> <!--[endif]-->

David B. Smith

Supervising Air Quality Specialist

Yolo-Solano AQMD

1947 Galileo Court #103

Davis, CA 95618

(530) 757-3662

Confidentiality Notice:

The information contained in this email or facsimile is highly confidential and intended for the exclusive use of the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution, copying of this communication, or unauthorized use is strictly prohibited and subject to prosecution. If you have received this communication in error, please contact me.

From: B Cedarblade [mailto:brenda@historicnelsonranch.com]

Sent: Wednesday, January 06, 2010 10:28 PM

To: David Morrison

Cc: John Bencomo; Lonell Butler; Philip Pogledich; Bruce Sarazin; Jeff Pinnow; David Smith; Duane Chamberlain; Jim Provenza

Subject: RE: RE: Complaint- Cease & Desist

Dear Mr. Morrison,

Thank you for your email. If other agencies are looking into the dust, I would recommend they get the original complaint, photos, video and history from Dave Smith at AQMD.

The dust has been affecting us all as we have an outside operation and any help you can provide to assist us with properly re-mediating a Brownfield site without having it affect our property or the people is appreciated.

Also, do you have a contact person for the Spreckles property next door at the State or

Federal level?

As far as my health, thank you for your concern. I am concerned as well. I have not been well enough to even go into work at Tack Warehouse for extended periods of time. The severity of this incident and dust coming directly on to our horses, livestock, hay and property; is clearly evident in the photos and videos provided to AQMD and from their site inspection done by AQMD. I must say I feel my needs are being brushed off lightly by the County. This operation has a historical past including the not so distant past of the dust coming onto our ranch happening last year in 2008 and photos at AQMD show the white dust causing distress to our animals. It cost me over \$8,000 last year to replace our hay. The best explanation I have is to compare the dust blowing onto our ranch on a windy day is to a bag of flour being dropped over the top of our ranch. The difference is now they have uncovered the dust and large sections of the pile from all sides by removing the grass and exposed it to the breeze.

I would suggest requiring them to cover the exposed dust, provide the sprinkler system required in their permit, to not run large trucks over lime made hills for loading, to limit trucks driving on the dust as this creates a lot of dust, washing off dust from the roads that is particulized when traffic drives over it and wasking off the trucks as well as covering the loads prior to driving off site. I also would like a monitoring device placed on our property to track fugitive dust and potentially toxic TAC's (toxic air contaminates.)

I have had to file another complaint this week and have yet to heard back from AQMD; since then the North end of the hill has been totally un covered and is now picking up the dust in the North Wind and being diverted toward our ranch. This can be clearly seen in a large wind storm; but still happens in less evident breezes as the talc; which is white can be found covering our new TV, clothing in our closet, dishes, furniture etc.. in our home; as well as, the structures interior and exterior on the ranch. There is a lot more dust appearing than in the past and I think it is due to the sides of the hill being removed and exposing their ooperation in the direct path of wind toward our ranch. This dust is on our animals and creates eye irritation on the horses and cattle and may be the cause of their bloody noses.

We know the other ponds across from us which date after the ponds directly next to us may be subjecting us to toxic residues including asbestos and lead acetate. The wind may be carrying this material onto our ranch as well as we are in line with it only separated by an ag field to the South. Given the studies on the site, I can therefore

surmise the original ponds next to us used from 1940 to 2000 may include hexavalent CR, PCB's, asbestos, lead acetate and other materials. I cannot find where these original ponds have been tested for known toxics used historically at Spreckels. It is of great concern now they are operating in such a manner as to spread large quantities of this dust onto our property. If this documentation exists as to the testing on these ponds, can you please let me know.

I also have found that this lime removal operation is not permitted with a business license in Yolo County and re selling the product.

Thank you for acknowledging the bathrooms were completed; but also the indoor has had numerous inspections and I question the dates.

While I am glad I am no longer being threatened with being turned over to the DA because I have more permits, inspections and am in compliance as compared to every other barn and Ag building in this county. What I still cannot understand is why other places that all are open to the public and have people riding and showing in the indoor arenas as well as other commercial operations using Ag exempt structures much larger and intensively used as compared to ours. These include those with employees in their Ag exempt structures; but I am the only one being required to re-do an ag exempt permitted structure in the weeks following the filing of a CEQA lawsuit to protect our permitted use.

Again, can you look into Marlene Botters indoor arena permit at Willow Creek and is the size permitted the actual size?

Also, why is she still allowed to board at Creekside and at the other sites as from the time she turned us in through present day, she has not had business license or permits for her facilities. I base this on the County giving me an erroneously based 14 day letter to vacate all of the horses our premises last year; yet I cannot find so much as a business licenses for her 3 boarding facilities?

Also, a correction of this notice is we have had numerous inspections on the indoor and the electrical and plumbing all signed off for the indoor arena and the footings were

originally inspected and signed off by Bill Paulson who worked for the Yolo County Building Inspection department. I can provide photos.

I would also like to protest having to be required to put in a 60,000 gallon water tank for fire suppression. I had my permits and went through the Conditional User Permit process in 2004.

I will pay the \$64 for the extension, thank you for this. I would like to be on record for protest of the additional fee because I still do not think this is a fair fee given no one else is being required to bring their operations up to the standard we have been subject to.

Sincerely,

Brenda Cedarblade

--- On Wed, 1/6/10, David Morrison <David.M

--- On Thu, 7/29/10, Donald Rust <Donald.Rust@yolocounty.org> wrote:

From: Donald Rust <Donald.Rust@yolocounty.org>
Subject: RE: Notice of Hearing - ZA Meeting for Spence Trucking
To: "Aundrea Tyler" <Aundrea.Tyler@yolocounty.org>, "B Cedarblade" <brenda@historicnelsonranch.com>
Date: Thursday, July 29, 2010, 9:55 AM

Attached are the documents for Spence Trucking.

Don Rust, Principal Planner
(530) 666-8835 - Desk
(530) 666-8156 - FAX
donald.rust@yolocounty.org

From: Aundrea Tyler
Sent: Thursday, July 29, 2010 9:07 AM
To: Donald Rust
Subject: FW: Notice of Hearing - ZA Meeting for Spence Trucking

FYI

From: Brenda Cedarblade [mailto:brenda@historicnelsonranch.com]
Sent: Thu 7/29/2010 9:04 AM
To: Aundrea Tyler
Subject: RE: Notice of Hearing - ZA Meeting for Spence Trucking

Thank you!

I called Don Rust this morning and he told me to just pick it up at the meeting. I need to get it to my attorneys in SFO, so need it ASAP. just and FYI I think his comment violates the Brown Act.

Can you call me and give me an update as I will not have computer access.

Thank you very much.

Brenda Cedarblade

--- On Thu, 7/29/10, Aundrea Tyler <Aundrea.Tyler@yolocounty.org> wrote:

From: Aundrea Tyler <Aundrea.Tyler@yolocounty.org>
Subject: RE: Notice of Hearing - ZA Meeting for Spence Trucking
To: "Brenda Cedarblade" <brenda@historicnelsonranch.com>
Date: Thursday, July 29, 2010, 7:22 AM

Hi Brenda,

I will check and see what the Project Planner has available.

Thank you,

Aundrea Tyler
Business License Administrator
Planning Commission Clerk
Office Support Specialist
Yolo County Planning and Public Works
(530) 666-8808
aundrea.tyler@yolocounty.org

From: Brenda Cedarblade [mailto:brenda@historicnelsonranch.com]
Sent: Wednesday, July 28, 2010 10:44 PM
To: Aundrea Tyler
Subject: Re: Notice of Hearing - ZA Meeting for Spence Trucking

Hi Aundrea,

s there any packet out with complete info yet? If so please get this to me as early as possible.

Thank you

Brenda

--- On Mon, 7/19/10, Aundrea Hardy <Aundrea.Hardy@yolocounty.org> wrote:

From: Aundrea Hardy <Aundrea.Hardy@yolocounty.org>
Subject: Notice of Hearing - ZA Meeting for Spence Trucking
To: brenda@historicnelsonranch.com
Date: Monday, July 19, 2010, 9:14 AM

Good Morning,

A Notice of Hearing is attached for your information.

Regards,

Aundrea Hardy
Yolo County Planning and Public Works

ATTACHMENT F

Proposed Dust Control Plan

ATTACHMENT F

Proposed Dust Control Plan

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JACK L. SPENCE, INC.
P.O. Box 335
Orland, CA 95963
530-865-3144 Phone 530-865-2544 Fax

Location: Lime Load Out Facility
40600 Road 18C
Woodland, CA

Precipitated Calcium Carbonate (PCC)/Lime Load Out
Proposed Dust Control Plan

1. Operable water truck and operable sprinklers will remain on site and accessible at all times. In order to meet the remaining conditions, either a water truck or sprinklers may be used.
2. Access road is to be sprayed with water to minimize fugitive dust from truck traffic at any time there are visible emissions, and after the last truck of the day.
3. Truck staging areas shall be located near the PCC loading area.
4. Staging and loading areas will be sprayed with water to minimize fugitive dust, including but not limited to: spraying truck load, truck body/tires, and the active pile.
5. A crust must exist on the PCC in areas not being actively harvested for load out and shall be replaced on active areas at the end of each work day.
6. Traffic outside of the staging/loading areas will be minimized in order to preserve the crust over the PCC.
7. Consult the available weather sources on a daily basis for updated wind forecasts, to maintain compliance with item #9.
8. The water application shall increase in volume and frequency during periods of high wind to minimize fugitive emissions anywhere on site.
9. When winds are in excess of 15 mph, sustained, and/or gusts in excess of 25 mph, the truck load, truck body/tires, and active pile will be sprayed with water after each truck load, at a minimum, and loading will be suspended if water spray is unable to contain fugitive dust. In addition, all loading will be suspended at any time wind gusts are in excess of 35 mph.
10. Safety permitting, all loading/excavating shall work from the inside of the piles outward to preserve existing vegetation along the outside slopes of the piles.
11. A stabilized entry will be maintained to minimize track out.
12. Straw wattles shall remain in place and in good condition on each side of the entry.
13. If tracking on the roadway occurs, the roadway is to be sprayed by the water truck immediately to minimize the impact.
14. Hours of operation will be 6:30 a.m. to 6:00 p.m. Monday-Saturday.
15. Each person working within the PCC loading/excavation area shall receive training on the dust control plan.

Signed _____

Scott A. Cooper, President
Jack L. Spence, Inc.

Training Academy - 1000 South Grand Blvd.
St. Louis, MO 63104

The purpose of this document is to provide a comprehensive overview of the Police Training Academy's curriculum and objectives. The academy is designed to equip recruits with the necessary skills and knowledge to perform their duties as police officers in the City of St. Louis. The curriculum includes a mix of classroom instruction, practical exercises, and field training. The academy also focuses on developing the recruits' physical fitness, communication skills, and decision-making abilities. The training is structured to ensure that all recruits meet the same high standards of performance and professionalism. The academy's staff consists of experienced police officers and instructors who are committed to providing the highest quality of training to all recruits.

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The academy's curriculum is designed to cover a wide range of topics, including but not limited to: Law Enforcement Fundamentals, Police History, Police Ethics, Police Procedures, Police Tactics, Police Equipment, Police Communication, Police Interviewing, Police Investigation, Police Community Relations, and Police Physical Training. The academy also provides ongoing support and resources to its graduates, ensuring they are well-prepared for their new roles as police officers in the City of St. Louis. The academy's success is measured by the number of graduates who successfully complete the training and are hired as police officers, as well as the high level of job satisfaction and performance of these officers. The academy is a vital part of the City of St. Louis's commitment to providing the highest quality of police services to its citizens.

ATTACHMENT G

Letter of Appeal from Don Mooney representing Ms. Cedarblade

ATTACHMENT 9

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LAW OFFICES OF DONALD B. MOONEY

1204 Street South
Davis, California 95618
Telephone: (530) 758-2000
Facsimile: (530) 758-7100
dmooney@dbmooney.com

August 11, 2010

VIA FEDERAL EXPRESS

Planning Commission
County of Yolo
292 West Beamer Street
Woodland, CA 95695-2598

Re: Appeal of Approval and Conditions for Zone File #2010-002 Conditional
(Minor) Use Permit

Dear Members of the Planning Commission

This office represents Brenda Cedarblade regarding the Yolo County Zoning Administrator's approval of Jack L. Spence, Inc.'s (Spence Trucking) application for a Conditional Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. By this letter, and pursuant to County Code section 8-3232, Ms. Cedarblade appeals the Zoning Administrator's July 29, 2010 Approval and Conditions for Zone File #2010-020 Conditional (Minor) Use Permit on the grounds that it violates the California Environmental Quality Act and the County's Zoning Ordinance. Enclosed is a check in the amount of \$752.60 a fee for filing an appeal.

Ms. Cedarblade objects to the Zoning Administrator's approval of the conditional use permit on the grounds that it violates the California Environmental Quality Act, Public Resources Code, section 21000 *et seq.* The County's staff report claims that the approval of the project is exempt from CEQA review under Public Resources Code, section 21083.3 and CEQA Guidelines section 15183. The project is not exempt as it may have potentially significant environmental impacts associated with air emissions and groundwater contamination.

Section 21083.3's application is limited. When 21083.3 applies to an agency action, environmental review is limited to the environmental impacts that are peculiar to the project and that were not addressed as significant impacts in the previous EIR or that substantial new information shows will be more significant than described in the previous EIR. (Pub. Resources Code, § 21083.3(a), (b).) Additionally, for section 21083.3 to apply any agency with authority to mitigate significant environmental impacts of the project by imposing mitigation measures in the previous EIR must impose such mitigation measures as part of the project approval. While the Findings assert that the project is consistent with the General Plan and the General Plan EIR, neither the Findings

nor the Conditions of Approval identify what mitigation measures in the General Plan EIR would apply to this project.

Contrary to the County's determination, the General Plan EIR did not adequately discuss all potentially significant impacts associated with the project and the mitigations measures in the General Plan EIR will not substantially mitigate the environmental effects of the project.¹

The transportation and stockpiling of large quantities of gypsum (and possibly other materials) may result in significant air borne emissions that are not adequately mitigated. In fact, the staff report acknowledges the potential effects associated with air emissions. (See Staff Report at p. 2; see also Notice of Exemption.) The Project Description indicates that the property owner will provide water to the project and apply water through the use of the water truck. The Staff Report, however, fails to state the frequency of the water applications, nor does it indicate that the application of the water will reduce the potential significant impact to less than significant. Moreover, while the Conditions of Approval require the development of an operational dust control plan, the conditions do not appear to include any requirement regarding watering the stockpile material.

The Staff analysis mistakenly states that the use will not conflict nearby residences and the commercial horse stable. As discussed in the emails from Brenda Cedarblade there has been a long documented history of air quality problems associated with the existing lime pile at the former Spreckels Sugar site. The conditions of approval contain inadequate dust control methods. Allowing operations to begin at 6:30 am is too early as the trucks are very noisy, the back up bells, loading clanging and will impact Ms. Cedarblade's enjoy of her ranch and property. The noise and dust will also pose a potentially significant impact to Ms. Cedarblade's horses and the operation of horse shows.

The gypsum pile must be continually sprinkled and also at night when the wind and Delta Breeze picks up. The Initial Study and conditions of approval fail to address wind speeds. Based upon history of the lime pile currently existing at the Spreckels location, increase wind speeds can have a significant impact to air quality in the area, including on Ms. Cedarblade's horse ranch.

The Conditions of Approval also state that the operator must obtain all necessary permits from the Yolo Solano Air Quality Management District. The Conditions, however, fail to state what air permits are required. Moreover, neither the Findings nor

¹ It should be noted that the Zoning Administrators' Findings regarding mitigation measures mitigating the environmental effects refer to a winery project, not a project to stockpile 10,000 cubic yards of gypsum.

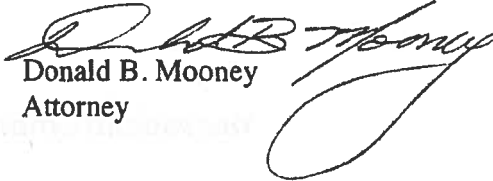
Planning Commission
August 11, 2010
Page 3

Conditions indicate whether the issuance of such a permit was addressed in the General Plan EIR or the mitigation measures in the EIR. Moreover, if the YSAQMD issues a permit, such permit may in fact be viewed as a mitigation measure not addressed the General Plan EIR.

The Conditional Use Permit also violates the County Zoning Ordinance. According to the Initial Study/Negative Declaration, the current zoning is Agricultural Preserve (A-P). The Conditional Uses for A-P are identified in Section 8-2.404 of the County Zoning Ordinance. Section 8-2.404, however, does not identify the activities of the proposed project as one of the enumerated conditional uses. As such, the project approval violates the Zoning Ordinance.

Ms. Cedarblade reserves the right to submit additional evidence and argument at the time this appeal is considered by the Planning Commission.

Sincerely,


Donald B. Mooney
Attorney

Enclosure

cc: Brenda Cedarblade
Donald Rust

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ATTACHMENT H

INITIAL STUDY

ATTACHMENT H

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INITIAL STUDY



**YOLO COUNTY
PLANNING & PUBLIC WORKS DEPARTMENT**

**INITIAL STUDY
ZONE FILE # 2010-002**

**JACK L. SPENCE, INC.
(SPENCE TRUCKING)**

July 16, 2010

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PROJECT INFORMATION

1. Project Title:

Jack L. Spence, Inc. (Spence Trucking) Conditional (Minor) Use Permit

2. Lead Agency Name and Address:

Yolo County Planning & Public Works Department
292 West Beamer Street
Woodland, CA 95695

3. Contact Person, Phone Number, E-Mail:

Donald Rust, Principal Planner – (530) 666-8835
donald.rust@yolocounty.org

4. Project Location:

The east side of County Road 100B, between County Road 18C and Best Ranch Road, north of the City of Woodland (APN 027-250-06), see Figure 1 - Project Location Map

5. Project Sponsor's Name and Address:

Jack L. Spence, Inc. (Spence Trucking)
PO Box 335
Orland, CA 95963
(530) 865-3144

6. Land Owner's Name and Address:

Reverse Exchange Properties, Inc.
740 University Avenue, Suite 160
Sacramento, CA 95825
(916) 921-1000

7. General Plan Designation(s): Designated as "Industrial" in the 2030 Yolo Countywide General Plan

8. Zoning: ~~Currently zoned Agricultural Preserve (A-P)~~ Agricultural General (A-1)

9. Description of the Project: See attached "Project Description" on the following pages for details

10. Surrounding Land Uses and Setting: The proposed project site consists of less than a 0.5-acre portion of a 246-acre parcel in Yolo County. Heavy Industrial, agricultural industrial and agricultural land uses surround the subject site. Proximate land uses include the California Northern Railroad and State Route 113 to the west, County Road 18C and agricultural-industrial and agricultural uses with associated residences to the south, a commercial horse ranch and agricultural uses with associated residences to the east, and agricultural uses to the north.

11. Other Project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the State Health and Safety Code, and the State Public Resources Code.

PROJECT DESCRIPTION

The "Project" Under CEQA

This Environmental Initial Study is prepared in accordance with the California Environmental Quality Act (CEQA). The term "project" is defined by CEQA as the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable, and all related projects that are directly linked to the project. The "project" which is the subject of this Environmental Initial Study involves the issuance of use permit, and is described below.

Existing Operations at the Project Site

The project site was previously developed as part of a sugar beet processing and sugar production facility (formerly Spreckels Sugar). As part of the sugar beet processing and packaging operations, a large amount of lime chalk waste was generated and stored in its current location, along the eastern property line and south of the former wastewater settling ponds. Currently, the lime chalk by-product is sold for agricultural uses as a soil additive.

Spence Trucking has been removing the lime chalk waste piles since 1997. The former and current land owners are under order of the Central Valley Regional Water Quality Control Board (CVRWQCB) to remove the lime chalk. In addition, the previous landowner installed groundwater monitoring wells to monitor levels of lime chalk leaching into the groundwater.

Proposed agricultural soil additive storage

The applicant has applied for a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. The proposed storage area is approximately 0.5-acre area within the 246-acre parcel. The project site is located on the east side of County Road 100B, between County Road 18C and Best Ranch Road. The proposed storage area is located just west of the lime chalk waste piles and currently zoned Agricultural General (A-1), as shown on Figure 2 – Aerial Photograph of the Project Site.

There will be a minimal amount of solid waste generated from the proposed project. The applicant will provide water to the project from the property owners on-site well and apply the water through the use of a water truck. The traffic to and from the project will consist of semi-tractor and trailer deliveries to the facility five times each day. There would be one vehicle trip associated with an employee commuting to the project site to operate the front-end loader and water truck, with the remaining five employees operating the semi-tractor and trailer deliveries, which consists of 6 full-time employees.

Relationship to the 2030 Yolo Countywide General Plan

The proposed agricultural soil amendment storage is consistent with, and is encouraged by, policies included in the recently adopted 2030 Yolo Countywide General Plan. The new county General Plan includes the following policies:

Agricultural Policy

- AG-3.2 – Allow uses that support agriculture, such as agricultural commercial uses, agricultural industrial uses, direct product sales, processing farm-based tourism, agricultural research, and farm worker housing, on agricultural land subject to appropriate design review and development standards;

INITIAL STUDY / NEGATIVE DECLARATION
APN: 027-250-06
JACK L. SPENCE, INC (SPENCE TRUCKING)
ZF # 2010-002

- AG-3.8 – Encourage re-use, for agricultural purposes, of agricultural industrial facilities that are no longer needed due to changing economic conditions.

Economic Development Policy

- ED-1.11 to “Support local efforts to create new products, services, and businesses that will expand the wealth and job opportunities for all social and economic levels.”

Compliance with the California Environmental Quality Act

The proposed agricultural practices and impacts were analyzed in the accompanying certified Final Environmental Impact Report (FEIR). For purposes of compliance with the California Environmental Quality Act (CEQA), the project is exempt from further CEQA review, as required under Public Resources Code (PRC) section 21083.3 and CEQA Guidelines section 15183. PRC section 21083(d) states:

“An effect of a project upon the environment shall not be considered peculiar to the parcel or to the project, for the purposes of this section, if uniformly applied development policies or standards have been previously adopted by the city or county, with a finding based upon substantial evidence, which need not include an environment impact report, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies for standards will not substantially mitigate the environmental effect.”

The following Initial Study has been prepared and has determined the following:

- The previously certified General Plan FEIR adequately discussed potentially significant offsite or cumulative impacts of this subsequent agricultural soil additive storage;
- There is no substantial new information that shows previously identified significant effects will be more significant than described in the prior environmental impact report;
- When approving the 2030 Yolo Countywide General Plan, the county adopted all feasible mitigation measures relevant to a significant effect which this subsequent agricultural use will have on the environment; and
- The mitigation measures and policies identified in the 2030 Yolo Countywide General Plan, plus other uniformly applied development policies or standards, will substantially mitigate the environmental effects of this soil additive storage, and will be incorporated into the project or otherwise undertaken in connection therewith.

Environmental Factors Potentially Affected

The environmental factors checked below could potentially be affected by this project, involving at least one impact that is still a "Potentially Significant Impact" (before any proposed mitigation measures have been adopted or, alternatively, have been made or agreed to by the project proponent) as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emission | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use/ Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because the project is consistent with an adopted general plan and all potentially significant effects have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT, the project is exempt from further review under the California Environmental Quality Act under the requirements of Public Resources Code section 21083(d).

Signature (prepared by): Donald Rust, Principal Planner
Yolo County Planning & Public Works Department

Date

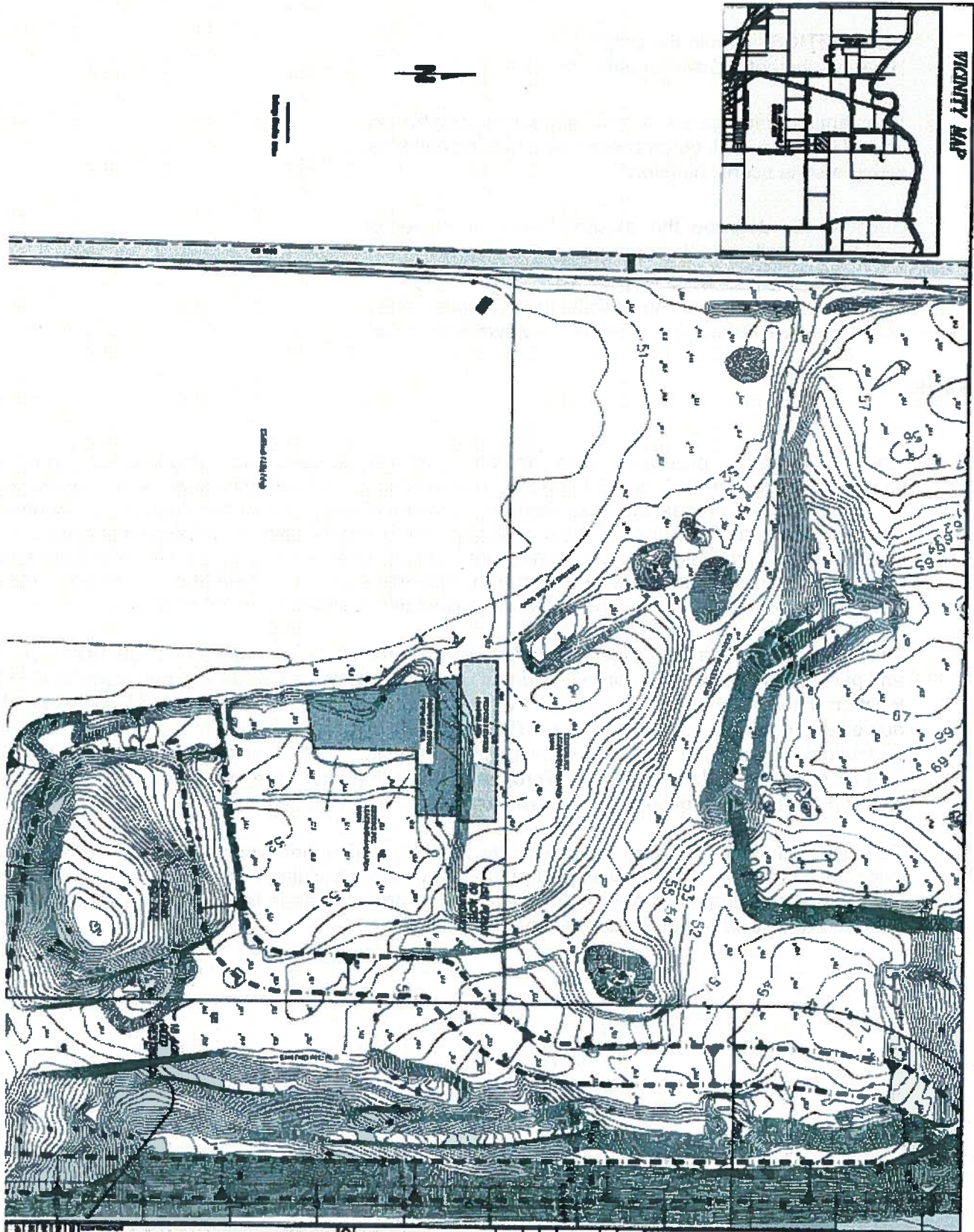
Figure 1 - Project Location Map



Figure 2 – Aerial Photograph of the Project Site



SITE PLAN



	Potentially Significant Impact	Less than Significant with Mitigation Incomp.	Less than Significant	No Impact
I. AESTHETICS - Would the project				
a Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a - d) The project site was previously developed as part of a sugar beet processing and sugar production facility (formerly Spreckels Sugar) and is located just south of the former waste water settling ponds for the sugar beet processing. The western boundary of the project site is bound by County Road 100B, agricultural land, and a Heavy industrial (M-2) facility used to produce pre-cast concrete structures; County Road 100B and agricultural land uses with associated residences to the south; a commercial horse stable and agricultural land uses with associated residences to the east; and Best Ranch Road and agricultural land uses with associated residences to the north.

The project site is currently zoned as Agricultural General (A-1). As part of the sugar beet processing and packaging operations, a large amount of lime chalk waste was generated and stored in its current location. The lime chalk waste is located along the southeast property line of the 246-acre parcel, and due east of the proposed storage area. The lime chalk by-product is sold to local area farmers as an agricultural soil additive. Spence Trucking has been removing the lime chalk waste piles since 1997. Therefore, the limited potential for the project to create impacts to the visual character or quality of the site and its surroundings would be considered *less-than-significant*.

The project area does not fall within a scenic highway region, and would not result in the removal of trees, rock outcroppings, or buildings that meet the historic building criteria. The proposed operation will not occur during night time hours, there will be no increase in light and glare produced by the project, and this would be considered a *no impact*.

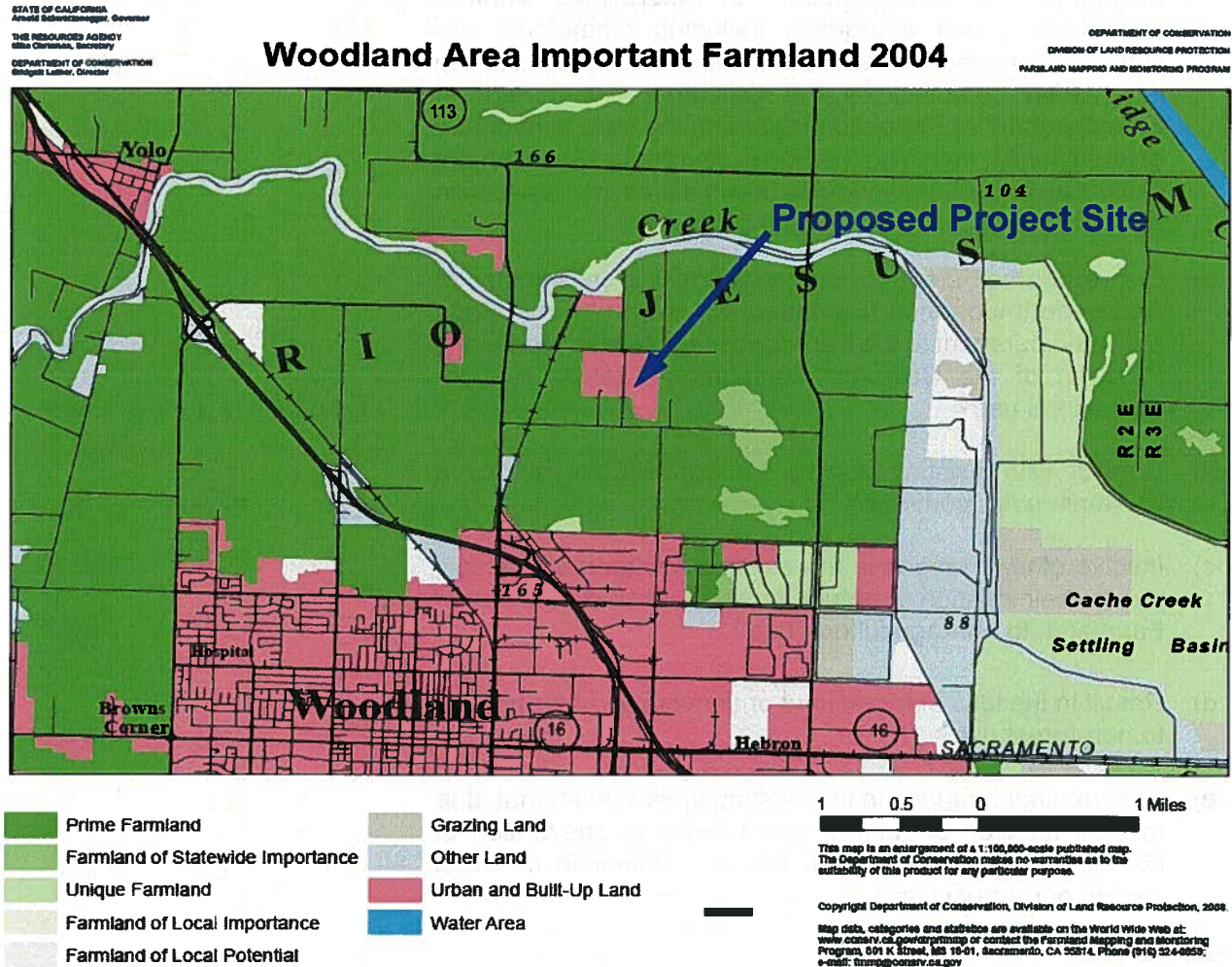
	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest lands, including the Forest and Range Assessment Project as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

DISCUSSION:

a - c) The project site is shown on the Department of Conservation's 2004 Farmland Mapping and Monitoring Program map (Figure 3 - Woodland Area Important Farmland 2004) that indicates the site is urban and built up land. The majority of the project site is currently developed and the historical use has been agricultural production. The project proponents have requested a Conditional (Minor) Use Permit to stockpile up to 10,000 cubic yards of soil additive (gypsum) that would be sold to local farming operations throughout Yolo County. The project site is located on a 0.5-acre portion of the 246-acre parcel. The project represents the re-use of a small portion of the sugar beet processing facility. In general, the proposed use would be classified as an agricultural industrial use that will not conflict with the surrounding agricultural uses and associated residences, commercial horse stable or the pre-cast manufacturing facility. In addition, the project would not conflict with any Williamson Act contracts. In light of the limited potential for the project to create impacts to surrounding agricultural operations, this impact is considered *less-than-significant*.

- d – e) The project does not conflict with existing zoning, or cause rezoning of forest land and would not result in the loss of forest land or conversion of forest land to non-forest use. In addition, the project is consistent with the current zoning ordinance and does not involve any changes that could result in the conversion of farmland to non-agricultural uses. Therefore, *no impact* to agricultural or forest resources would occur.

Figure 3 – Woodland Area Important Farmland 2004



	Potentially Significant Impact	Less than Significant with Mitigation Incorpor.	Less than Significant	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a) Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards for each contaminant represent safe levels that avoid specific adverse health effects.

The Federal Clean Air Act of 1990 and the California Clean Air Act of 1988 require that the CARB, based on air quality monitoring data, designate portions of the State where the federal or State ambient air quality standards are not met as "non-attainment areas." Because of the differences between the national and State standards, the designation of non-attainment areas is different under the federal and State legislation. Currently, the Yolo-Solano Air Quality Management District (YSAQMD) is classified as a "serious" non-attainment area for the federal eight-hour ozone standard. In addition, the YSAQMD is a non-attainment area for both the one-hour and eight hour state ozone standards, and the PM10 standards. The YSAQMD is classified as "attainment" or "unclassified" for the other state and national standards.

The YSAQMD is the agency primarily responsible for assuring that national and state ambient air quality standards are attained and maintained in Yolo County and the northeast portion of Solano County. In addition to the district's responsibility for controlling air pollutants and monitoring ambient air quality, district staff administers plans for attaining and maintaining ambient air quality standards. The YSAQMD has adopted thresholds of significance¹ for criteria pollutants of concern including Reactive Organic Gases (ROG), Nitrogen Oxides (NOx), and Respirable Particulate Matter (PM10). These thresholds are based on planning for attainment of ozone and particulate matter standards. A

project that proposes to change land use would be judged to conflict with or obstruct implementation of the regional air quality plan if its levels of pollutant emissions exceed these thresholds of significance. This project would be consistent with the current land use of the site and would not allow any expansion of the uses of the site beyond those specifically approved in the Conditional Use Permit. The project would therefore have a *less-than significant* air quality impact related to inconsistency with the regional air quality plan.

- b) New projects are most likely to violate an air quality standard or contribute substantially to an existing or projected air quality violation through generation of vehicle trips. Additional vehicle trips add to carbon monoxide concentrations near streets providing access to a project site. Concentrations of this gas are highest near major road intersections.

The following standard measures and practices would be required to reduce operational dust and reduce equipment emissions are recommended by the YSAQMD:

- Reestablish ground cover in disturbed areas quickly;
- Water active construction sites at least twice daily to avoid visible dust plumes;
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- Enforce a speed limit of 15 MPH for equipment and vehicles operated in unpaved areas;
- All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard;
- Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads;
- The operator shall wet down stockpiles on a regular basis and more frequently as needed during windy conditions. The operator shall also either shut down the operation or double the frequency/intensity of dust suppression efforts (as approved by YSAQMD) on days of extreme wind conditions as defined by sustained wind forces of 15 mph or greater;
- Stockpiled materials shall be kept to overall heights not exceeding 25 feet to reduce the exposure of stockpiled materials to wind erosion; and
- Tune and maintain all equipment and use YSAQMD required low sulfur fuel.

The project is anticipated to generate six vehicle trips per day on local roads based on estimates for an industrial facility of this size. The addition of six trips per day is not likely to significantly impact the level of service of the roads servicing the site. Therefore, the project would have a *less-than significant* impact on air quality standards.

- c) Effects on air quality can be divided into short-term effects and those associated with long-term aspects of the project. The short-term construction impacts have already taken place as part of the existing lime waste removal operations, the applicant would be utilizing existing county roads, a designated truck route, and the existing access point and driveways at the project site.

Long-term mobile source emissions from the anticipated soil additive (gypsum) stockpile and removal operation would also not exceed thresholds established by the Yolo-Solano Air Quality Management District Handbook (2007) and would not be cumulatively considerable for any non-attainment pollutant from the project. Deliveries to the facility would occur approximately five times each day. There would be one vehicle trip associated with an employee commuting to the project site to operate the front-end loader and water truck, with the remaining five employees operating semi-tractor and trailer deliveries of the soil additive (gypsum), which consists of 6 full-time employees.

The Yolo-Solano Air Quality Management District also regulates emissions through a permit

process for combustion sources with a rated heat input greater than 1 MMBtu/hr. The applicant would be required to obtain permits for the soil additive (gypsum) stockpile and removal operation in accordance with existing Yolo-Solano Air Quality Management District regulations 3.1 (general permit) and 3.2 (exemptions). Therefore, the project's regional air quality impacts would be considered *less-than-significant*.

- d) The proposed project is located in a rural agricultural area and there are no sensitive receptors in the vicinity. There are several rural residences and a commercial horse stable located in the vicinity of the project; however, individual rural homes are not considered sensitive receptors.

The air pollutants generated by the soil additive (gypsum) stockpile and removal operation would be primarily dust and particulate matter during the operational activities, vehicle trips generated through deliveries. The project could have the potential to expose sensitive receptors to minimal pollutant concentrations from operational equipment, and truck operations emissions. However, dust will be controlled through effective management practices, such as water spraying during daily activity. Therefore, the project would have a *less-than-significant* impact on air pollutant concentrations.

- e) The equipment used in this project is not expected to generate any strong or objectionable odors. The proposed project would utilize semi-tractor and trailers for the delivery of the soil additive to and from the project site, the front-end loader to load the semi-tractor and trailer, and the on-site water truck which are all diesel-powered heavy equipment. Diesel exhaust from the operational activities may generate temporary odors. However, there are no sensitive receptors of substantial numbers of people within the vicinity of the project. The proposed project would have a *less-than-significant* impact on odors.

	Potentially Significant Impact	Less than Significant with Mitigation Incorpor.	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

DISCUSSION

- a) The project site was previously developed as a sugar beet processing and sugar production facility (formerly Spreckels Sugar) from the 1930's until the facility closed in December 2002, with the lime chalk storage and removal operation as an on-going endeavor for several decades. The current operator, Spence Trucking, has been removing the lime chalk by-product stockpiles since 1997.

As part of the sugar beet processing operations, a large amount of lime chalk waste was generated and stored in its current location, along the eastern property line and south of the former wastewater settling ponds. The former and current land owners are under order of the CVRWQCB to remove the lime chalk. Currently, the lime chalk is sold for agricultural uses as a soil additive to local farmers. The applicant has proposed a Conditional (Minor) Use Permit to stockpile an additional soil additive (gypsum) on approximately 0.5-acre area within the 246-acre parcel.

As part of the development of a 90-acre portion of the 246-acre parcel (Clark-Pacific Pre-cast) was rezoned from an Agricultural to Industrial land use designation. A Biological Resources Assessment of the 246-acre site was prepared by Wallace Kuhl & Associates on January 28, 2008 and a Swainson's Hawk Habitat Assessment was prepared by Wallace Kuhl & Associates on February 5, 2008. Both assessments indicated that the lime chalk waste removal area lack significant resources and habitat with limited grassland structural characteristics (artificially maintained, no developed thatch layer, and poor soils) and is mainly a patchy lime field. Therefore, the proposed project would have a *less-than-significant* impact on any species in local or regional plans, policies, or regulations.

- b) Based on the on-going lime waste removal operation and the Biological Assessment, the project site does not have any identified riparian or other sensitive natural communities. Therefore, a *less-than-significant* impact would occur related to the potential to effect riparian habitat or other sensitive natural community.
- c) Based on the on-going lime waste removal operation and the Biological Assessment, the site does not contain federally protected wetlands; therefore the project would result in a *less-than-significant* impact.
- d) Based on the on-going lime waste removal operation and the Biological Assessment, a documented habitat or corridor does not exist for the project site. Therefore, the project is not expected to interfere with the movement of any native resident or migratory fish or wildlife species and a *less-than-significant* impact would result.
- e) The proposed project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, a *less-than-significant* impact would occur.
- f) The Yolo County Habitat Conservation Joint Powers Agency (JPA) was formed in August 2002 for the purposes of acquiring habitat conservation easements and to serve as the lead agency for the preparation of a Natural Communities Conservation Plan/Habitat Conservation Plan for all of Yolo County. A county-wide HCP/NCCP is under preparation. Because a county-wide HCP/NCCP has not yet been adopted for Yolo County and the proposed project would not interfere with its adoption, a *less-than-significant* impact would result from project implementation.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

DISCUSSION

a-d) Yolo County was once inhabited by various Native American tribes. Native Americans lived in villages that existed on the banks of Cache Creek, Putah Creek, and along the Sacramento River. However, this project site had been operating a sugar beet processing and sugar production facility (formerly Spreckels Sugar) from the 1930's until the facility closed in December 2002, with the lime chalk storage and removal as an on-going operation for several decades. Spence Trucking has been removing the lime chalk by-product stockpiles since 1997. The former and current land owners are under order from the CVRWQCB to remove the lime chalk by-product.

The project proposal is to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout Yolo County. There will be no ground-disturbing construction activities associated with stockpiling of the soil additive that will be sold to local farming operations throughout the county and would not directly impact potential cultural resources in the project area by disturbing subsurface soils.

There will be no subsurface and surface disturbance and would not result in the loss of integrity of cultural deposits, loss of information, or the alteration of a site setting. Potential indirect impacts, primarily vandalism, could result from increased access to, and use of, the general area during construction. The potential also exists for inadvertent discoveries of buried archaeological materials during construction.

The proposed project is to stockpile up to 10,000 cubic yards of soil additive (gypsum) that will be sold to local farming operations throughout the county and will not be unearthing any soils or other resources. Therefore, the limited potential for the project to create impacts to cultural resources would be considered *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorpor.	Less than Significant	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) Seismic-related ground failure, including liquefaction; or, iv) Landslides, because there are no such geologic hazards identified in the immediate vicinity of the project site. The project will be reviewed by the Yolo County Building Division. The site does not lie within, or adjacent to, an Alquist-Priolo Earthquake Fault Zone and the nearest mapped active fault is the Dunnigan Hills Fault located approximately six miles to the northwest. Therefore, because the project does not lie within an Earthquake fault zone, a *less-than-significant* impact would occur.

- b) The project site is not located in an area known to be susceptible to soil erosion; therefore the project is not expected to result in substantial soil erosion or the loss of topsoil. The project site had been operating a sugar beet processing and sugar production facility from the 1930's until the facility closed in December 2002, with the lime waste storage and removal operation occurring for several decades. Spence Trucking has been removing the lime waste stockpile and removal since 1997. Therefore, the proposed project would have a *less-than-significant* impacts to soil erosion.
- c) The project site is generally flat and therefore not susceptible to landslides. In addition, the project site consists of the following soil type: Reiff (Ra) very fine sandy loam, Riverwash (Rh), Tyndall (Tc) very fine sandy loam, and Loamy (Lm) alluvial land. The soil is described as consisting of very fine to fine sandy loam and loam deposits. On-site soils could be subject to liquefaction given the recent granular low-plasticity alluvial deposits, relatively shallow ground water level, and anticipated ground acceleration. However, the site has been developed and liquefaction has not occurred. Therefore, a *less-than-significant* impact would occur related to liquefaction, land slides, lateral spreading, and subsidence.
- d) The project area consists of sandy silts and alluvial silts and the expansive soils would not significantly impact the proposed soil additive (gypsum) stockpile and removal operations. Therefore, no impact would result to the project from expansive soils.
- e) The project site is served by the existing septic systems. The on-site soils provide adequate percolation for septic purposes. However, there are no structures or additional septic system improvements proposed for the project site. Therefore, a *less-than-significant* impact would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VII. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE - Would the project				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a-c) Yolo County is actively engaged regarding the issue of climate change, and has adopted a strong commitment to the reduction of greenhouse gas (GHG) emissions. The county was an early advocate of responsible growth with its long-time commitment to agricultural preservation and its adoption in 1982 of a countywide Energy Plan. The 2030 General Plan applies that same ethic to private development actions over which the county has discretionary authority.

The 2030 General Plan identifies a relatively small amount of development that may occur and is required to incorporate planning, design, and materials that will minimize, if not preclude, significant increases in greenhouse gases. However, because there will be relatively little new development, the goals, policies, and actions in the 2030 General Plan will have a minor impact on regional GHG emissions overall.

The county's policy commitments are goals of protecting agricultural land and directing the majority of future growth to the existing cities. In combination, these goals discourage sprawl and encourage density, infill, compact community design, and development along transportation corridors. The proposed project incorporates the infill and development along transportation corridor goals mentioned above, specifically:

- Policy CC-2.6 Encourage infill development and the appropriate redevelopment of vacant and underutilized properties within existing unincorporated communities and prioritize infill projects over development on land at the planned community edge.
- Policy CI-7.2 Encourage movements of goods by truck on freeways and other appropriate designated routes.

The proposal is to re-use a 0.5-acre portion of the former Spreckels Sugar beet processing facilities, specifically, the lime waste disposal area. The applicant would be required to follow a specific transportation route for the soil additive (gypsum) stockpile and removal operation and will provide printed information regarding the truck route to truck drivers and other contractors/vendors delivering products or services to the project site.

The proposed project would not conflict with any applicable plan, policy or regulation adopted to reduce GHG emissions, including the numerous policies of the newly adopted 2030 Yolo Countywide General Plan. Therefore, a *less-than-significant* impact would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a - b) The proposed operation would be subject to the Hazardous Materials Business Plan (HMBP) program. The applicant would be required to submit a HMBP and inventory to Yolo County Environmental Health (YCEH) for the storage, handling, or use of hazardous materials in quantities greater than 55 gallons, 500 pounds, or 200 cubic feet, or if the facility generates hazardous waste. Gypsum is considered a hazardous material under the HMBP requirements. In addition, all use, transportation, and storage of any hazardous materials would be done in accordance with other

local, state, and federal requirements.

The proposed soil additive stockpile and removal operation would incorporate a variety of physical and procedural safety features to minimize hazardous conditions. The proposed stockpile and removal operation will utilize a ground water well for any fire protection. The operation requires the transporting and handling of hazardous materials and is subject to permits and inspection by the Hazardous Materials Division of the Yolo County Environmental Health Division. Therefore, a *less-than-significant* impact would occur.

- c) The proposed project is not within one-quarter mile of an existing or proposed school. The closest school is Midtown Community School, approximately 1.5 miles from the project site.
- d) The project site is not included on a list of hazardous materials sites. Therefore, a *less-than-significant* impact would occur.
- e - f) The project site is approximately six miles from the nearest private airport and nine miles from Sacramento International Airport. Therefore, *no impact* would occur
- g) The project site would not effect any emergency plans. The proposed project occurs on private property and would not impair any known emergency plans or activities. In addition, the applicant will be required to provide an evacuation plan as part of an overall Emergency Response Plan. Therefore, a *less-than-significant* impact would occur.
- h) Wildland and agricultural fires in the unincorporated areas of Yolo County is a potential danger, particularly during the summer months. Wildland and agricultural fires can result from both man-made and natural causes and occur in brush or grasslands, primarily in sparsely developed or existing open space lands. Due to the location and the proximity of open space lands, the proposed project site would potentially be susceptible to wildland and agricultural fires. However, the risk of fire to the project site would be no greater than risks to other facilities and operations on the adjacent properties. Therefore, the risk involving wildland and/or agricultural fire from the proposed project would be *less-than-significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorpor.	Less than Significant	No Impact
VIII. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- a) The project site is currently composed primarily of pervious surfaces, lime chalk by-product, and located near the former sugar beet production wastewater settling ponds. The applicant/property owners are required to inspect the project site and general vicinity before and after storms to identify stormwater

discharge from operational activity, and to identify and implement controls, if necessary. The CVRWQCB has reviewed the project and has indicated that an industrial activity stormwater permit and a National Discharge Elimination System (NPDES) permit **are not** required for the proposed stockpile and removal activity. The runoff from the site will be treated with a combination of grass swales and a stormwater quality basin. Therefore, a *less-than-significant* impact would occur.

- b-e) The topography of the project site is relatively flat with a depression just north of the proposed gypsum storage that is lower than the elevations along the site boundaries. The majority of existing drainage of the site is retained in the depression, a portion of the former wastewater settling ponds. Most of the project site is covered with pervious surfaces, consisting of the settling ponds, lime, and gravel. Once the lime chalk has been removed, a detention pond will be established as part of the Clark-Pacific project development of the eastern half of their 90-acre pre-cast concrete facility.

Most of the drainage from the remaining 246 acres will be conveyed through grass lined swales along the east side of County Road 100B and continue south to the intersection of County Road 100B and County Road 18C. The maximum water surface of the storm water quality volume will be at the minimum elevation required to gravity flow south to the intersection. The drainage continues east along the north side of County Road 18C towards the Cache Creek Settling Basin. Therefore, the proposed project would have a *less-than-significant* impact to existing drainage courses and storm drainage systems.

- f) The commencement of the proposed project would have minimal increased demand for water from existing on-site domestic groundwater well. The proposed project would receive water from the existing well. Water consumption for operational use would be used to provide dust control for both the existing lime-chalk removal and the proposed stockpile of the natural grounded gypsum.

Yolo County Environmental Health (YCEH) shall review and approve the Hazardous Materials Business Plan (HMBP) prior to the commencement of the stockpile operation. YCEH will routinely inspect the operations to verify that the applicant is following the HMBP and will notify the contractor(s)/operator immediately if there are non-compliance issues and require compliance. Therefore, the proposed project would have a *less-than-significant* impact on the water quality.

- g) The proposed project does not include housing. Therefore *no impact* would occur.
- h, i) Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06113C0435G and 06113C0455G shows the project site within the 100-year flood zone AE. The depth of the floodwaters would range from 0 feet to 5 feet. Once the lime chalk has been removed, a detention pond and drainage improvements will be established as part of the Clark-Pacific project development of the eastern half of their 90-acre pre-cast concrete facility. Therefore, the proposed project would have a *less-than-significant* impact regarding flood hazard areas and significant risk of flooding.
- j) Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines; however, when it reaches the shoreline, a high swell of water breaks and washes inland with great force. Waves may reach fifty feet in height on unprotected coasts. As the project site is far inland, the project site is not exposed to flooding risks from tsunamis.

A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, whose destructive capacity is not as great as that of tsunamis. Seiches are known to have occurred during earthquakes. The project is not located near a closed body of water; therefore, it is not anticipated that the project site would experience seiches in the future.

As mudflows typically occur in mountainous or hilly terrain, and the project site and surrounding areas are relatively flat, danger would not be presented from the likelihood of mudflows.

The above analysis indicates that the project site would not be threatened by a seiche, tsunami, or mudflow; therefore, **no impact** from such phenomena would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a) The project site was previously developed as part of a sugar beet processing facility. As mentioned previously, surrounding land uses include agricultural uses with associated residences, and the Clark Pacific industrial site to the west, agricultural uses with associated residences to the south and east, and Best Ranch Road (County Road 18A) and agricultural land uses with associated residences to the north. The proposal is essentially a re-use opportunity involving the storage of a soil additive in a previously disturbed area; the proposed project would not physically divide an established community, resulting in *no impact*.
- b) The 2030 General Plan Land Use designation is Industrial; however, the current zoning remains Agricultural General (A-1). The project site is currently being used as a staging area for the lime chalk waste removal area. The proposed project represents the re-use of an existing site, and supports the county's goals of redeveloping underutilized sites. The proposed conditional use permit will establish the development parameters and/or standards for the project site, according to the limitations specified in the conditional use permit, and no land use conflicts are expected.
- c) The Yolo County Habitat Conservation Joint Powers Agency (JPA) was formed in August 2002 for the purposes of acquiring habitat conservation easements and to serve as the lead agency for the preparation of a Natural Communities Conservation Plan/Habitat Conservation Plan for all of Yolo County. A county-wide NCCP/HCP is under preparation, as previously discussed. Because a county-wide Habitat Conservation Plan has not yet been adopted for Yolo County and the proposed project would not interfere with its adoption, a *less-than-significant* impact would result from project implementation.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
X. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

DISCUSSION

a - b) The most important mineral resources in the region are sand and gravel, which are mined on Cache Creek and other channels in Yolo County. The proposed project is not removing sources of sand and gravel, nor is it located within an identified Mineral Resource Zone. Therefore, *no impact* to mineral resources would occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XI. NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

a - b) Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude. The standard unit of measurement of the intensity of sound is the decibel (dB). Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Based on these known adverse effects of noise, the State of California has established criteria to protect public health and safety and to prevent disruption of certain activities; Yolo County has adopted the state's noise regulation standards in regards to land use compatibilities.

The operation of the proposed stockpiling and removal of the gypsum would likely not cause noise levels to exceed established standards for agricultural industrial or agricultural zoning noise levels significantly beyond the existing noise levels. The proposed stockpiling and removal operation and equipment would be operated and maintained within the same general location of the existing lime waste removal operation.

Due to the distances between the nearest residences to the existing lime waste removal operation and proposed stockpile area, perceptible increases in off-site vibration levels are not expected from the type of equipment described above, resulting in a less-than-significant impact.

c) The proposed project may contribute minimally to a permanent increase in ambient noise levels associated with the daily operation of the surrounding farming activities and agricultural land uses, and

the heavy industrial land use (Clark Pacific Woodland Plant). However, due to the existing ambient noise levels of the existing land use activities of the surrounding properties, any increase in permanent noise would likely be minimal. No significant adverse noise impacts are identified for the project related increase in traffic noise conditions at the nearest residences. Therefore, a less-than-significant impact would occur.

- d) Noise from the proposed stockpiling and removal operation activities would add to the noise environment in the immediate project vicinity. Activities involved in the gypsum stockpiling would generate maximum noise levels ranging from 85 to 90 dB at a distance of 50 feet and would likely include semi-tractor-trailers, a water truck, and a front-end loader. Because stockpile and removal activities would be temporary in nature and would occur during normal daytime working hours, there would not be significant temporary increases in ambient conditions associated with project and the impact would be *less-than-significant*.
- e -f) Neither a public nor private airport is located within the project vicinity; this impact is irrelevant to the project. Therefore, *no impact* from excessive airport noise would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XII. POPULATION AND HOUSING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) The project site was previously developed as part of a sugar beet processing facility. The proposed project would include up to six (6) employees. The surrounding area is zoned agricultural and is designated in the 2030 County General Plan for industrial development. The project would not result in substantial direct or indirect population growth and a *less-than-significant* impact would result.
- b - c) The proposed project would not displace people or housing. Therefore, the proposed project would result in *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- a - b) The proposed project is currently, and would continue to be, served by the Woodland Fire Department and Yolo County Sheriff's Department. No additional fire or police facilities would be required to serve the proposed project. In addition, there is a fire hydrant across the street from the main access point into the project site. Therefore, the proposed project would result in *less-than-significant* impacts.
- c) The proposed project would not include residential units or increase demand on school facilities. Therefore, *no impact* to schools would result.
- d) The project would not result in an increased demand for additional recreations facilities or result in increased use of park and recreation facilities. Therefore, *no impact* to parks would result.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIV. RECREATION

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|----------|
| a) | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

DISCUSSION

- a - b) The project would not result in an increased demand for additional recreation facilities or result in an increase use of park and recreation facilities. Therefore, *no impact* to recreational facilities would result.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XV. TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a) The project will not cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system because the increase in the number of vehicle trips, the volume to capacity ratio on roads, and the congestion level at intersections remains below the planned thresholds for those facilities. Therefore, the proposed project would result in a *less-than-significant* impact to roads and highways.
- b) The project will not exceed, either individually or cumulatively, a level of service [LOS] standard established by the county for designated roads or highways, because the traffic generation of the proposed project and anticipated traffic service will remain at a LOS of "D" or better, as required by the 2030 County General Plan. Therefore, the proposed project would result in a *less-than-significant* impact to roads and highways.
- c) The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks because there are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed uses and no new air traffic facilities are proposed. Therefore, the proposed project would result in a *no impact* to air traffic patterns.
- d) The project will not substantially increase hazards due to a design feature or incompatible uses

because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses. Therefore, the proposed project would result in a *less-than-significant* impact to roads and highways.

- e) Access for emergency vehicles to the site would be provided via an existing access on County Road 18C, Best Ranch Road and County Road 100B which runs along the west side of the site. The proposed project site includes two access points, the main entrance from County Road 100B, located half way between County Road 18C and Best Ranch Road on the western border of the project site along County Road 100B. The secondary access point is located at the southeast property corner at the intersection of County Road 18C, and County Road 101. Therefore, the proposed project would have adequate emergency access and result in a *less-than-significant* impact.
- f) The project will not result in inadequate parking capacity, because the project will be required to meet the parking standards established by the County as part of the Conditions of Approval. Therefore, the proposed project would result in a *less-than-significant* impact to roads and highways
- g) The project is located in a rural area and would not conflict with adopted transportation policies. Therefore, a *less-than-significant* impact would result.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a) The proposed project does not exceed wastewater treatment requirements of the Regional Water Quality Control Board, Central Valley Region, as determined by Yolo County Environmental Health (YCEH). Therefore, the proposed project would have a *less-than-significant* impact to existing drainage courses and storm drainage systems.
- b) The proposed project will not require, or result in, the construction of new wastewater treatment facilities or expansion of existing facilities, because the proposed stockpile and removal of the gypsum is a temporary operation and once all the lime waste is removed from the site, the project proponent will move to a different location to allow for the industrial development of the site. Therefore, the proposed project would have a *less-than-significant* impact to existing drainage courses and storm drainage systems.
- c) The topography of the project site is relatively flat with all existing drainage contained on-site, as shown on the site plan. Most of the project site is covered with pervious surfaces; the site is just south of the former wastewater settling ponds for the sugar beet processing facility and there will be no grading required for the proposed project. Therefore, the proposed project would have a *less-than-significant*

impact to existing drainage courses and storm drainage systems.

- d) The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects, the existing storm water drainage system will not be changed by the project proposal. The proposal will utilize existing drainage detention and site topography. The project will utilize the existing domestic water well. Therefore, the proposed project would have a *less-than-significant* impact to water supplies available to serve the project.
- e) The project site is served by the existing septic systems. Therefore, *no impact* would occur to public wastewater treatment systems.
- f-g) All non-recyclable wastes collected from the area are disposed of at the 770-acre Yolo County Central Landfill. The landfill is owned and operated by the Yolo County Division of Integrated Waste Management. As of January 1998, the landfill had a remaining capacity of 8.5 million tons, and is projected to reach capacity in the year 2021. The proposed project would not require additional dumpster service. However, the solid waste that is anticipated to be generated by the project will be minimal. Therefore, the proposed project would have a *less-than-significant* impact to the local landfill.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause Substantial adverse effects on human beings, either directly Or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a) The proposed project would result in the continued use of a 0.5-acre portion of the former Spreckels Sugar agricultural production site. The project would not disturb any biological habitat, substantially reduce the habitat of a fish or wildlife species, or impact any rare or endangered species. Therefore, the proposed project would cause a *less-than-significant* impact.

- b-c) The project site is north of the City of Woodland's Urban Limit Zone and Sphere of Influence. Currently, the project proponent currently utilizes an existing private domestic water well and septic system. The General Plan designates the project site as Industrial Zone (IN), however, the site is currently zoned Agricultural General (A-1). If approved; the proposal will result in the continued use of the lime waste removal area for the additional storage of the gypsum until such time as the lime waste removal operation has been completed. Therefore, regarding environmental effects that cause substantial adverse effects, directly or indirectly, on human beings, a *less-than-significant* impact would occur.

GENERAL REFERENCES (List author or agency, date, title):

CEQA Guidelines, Appendix G

County of Yolo, County Code

County of Yolo 2030 General Plan, adopted November 2009

Cortese list of hazardous clean-up sites for California,

County of Yolo, Countywide Integrated Waste Management Plan

County of Yolo Public Works Department's - Design Standards

Final Environmental Impact Report (FEIR), Yolo 2030 County General Plan, 2009

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Yolo-Solano Air Quality Management District, Handbook for Assessing and Mitigating Air Quality Impacts, July 2007

ATTACHMENT I

Aerial Photograph



ATTACHMENT 1
Final Budget

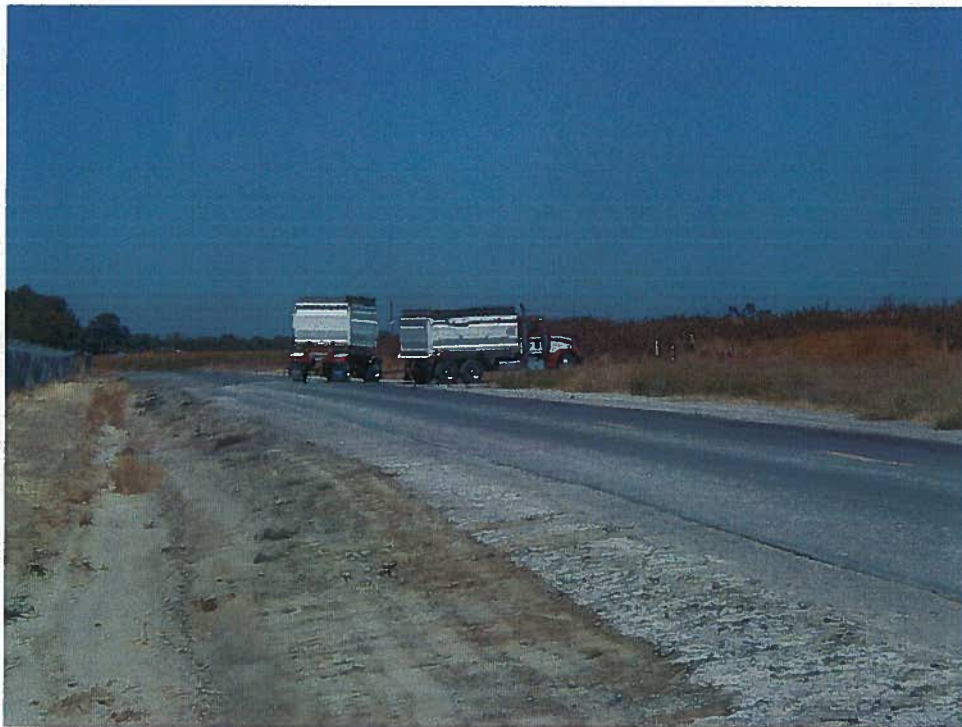
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ATTACHMENT J

Photographs of the Existing Operations

ATTACHMENT 1

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Semi-Truck entering the project site through the ingress/egress point on the east side of County Road 100B



Semi-Truck exiting the project site through the ingress/egress point on the east side of County Road 100B



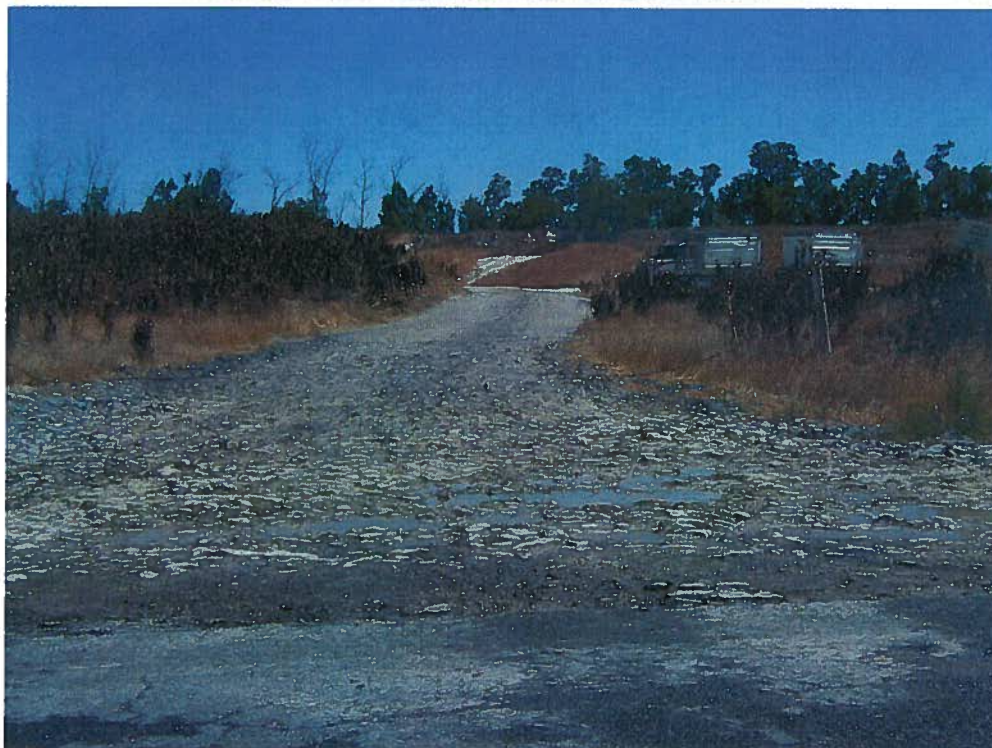
Semi-Truck operator is providing water to the load of lime chalk prior to exiting the project site.



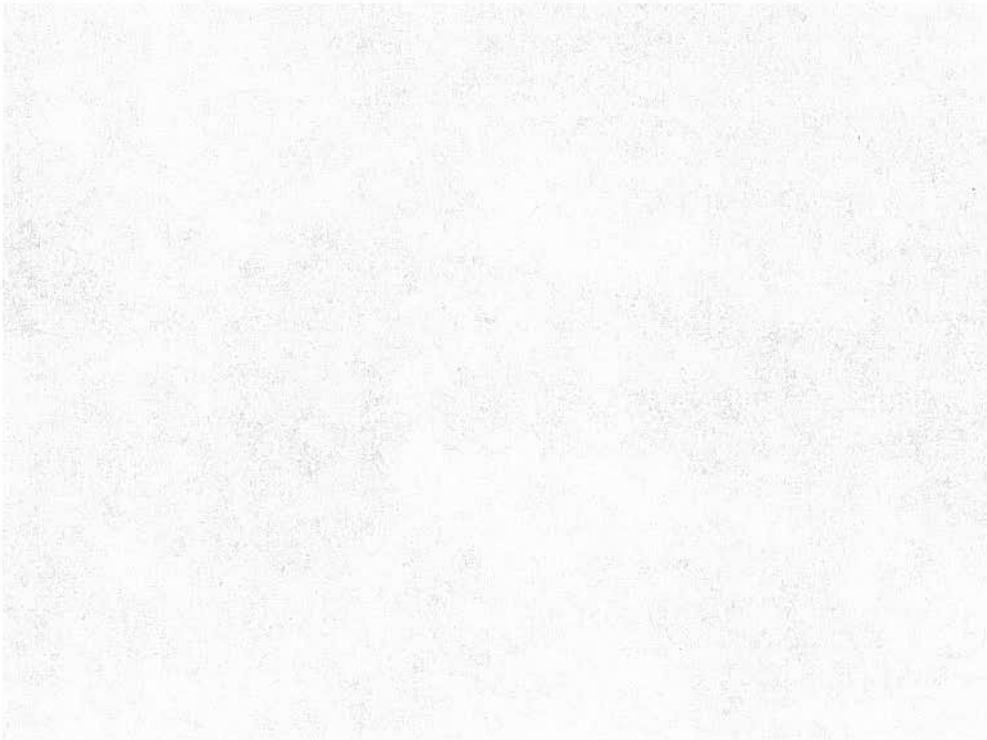
Water truck providing water to the project site access road



Water truck providing water to the project site access road and ingress/egress point at County Road 100B

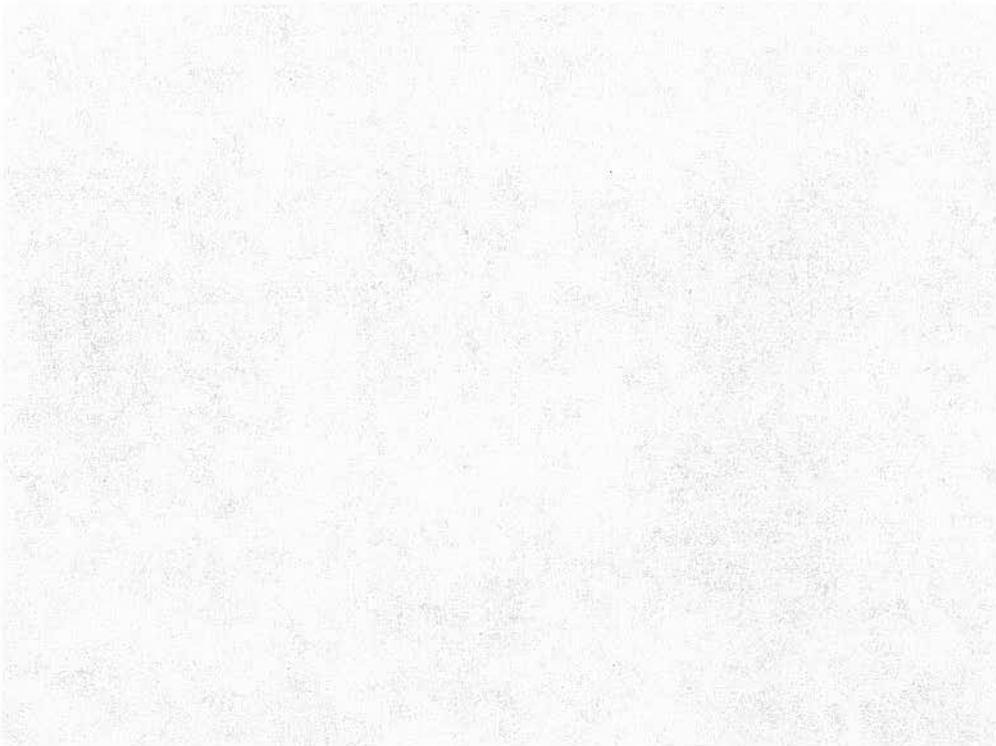


Project site access road and ingress/egress point at County Road 100B after being watered by the water truck



Water flow problem near the project site access road and
ingress/egress point at County Road 1009

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Project site access road and ingress/egress point at County Road
1009 after being visited by the water utility

ATTACHMENT K

Correspondence

ATTACHMENT K

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From: David Smith [mailto:dsmith@YSAQMD.org]
Sent: Friday, August 27, 2010 10:34 AM
To: Donald Rust
Subject: FW: Dust Complaints regarding lime pile Cr 18 C, Woodland

Now with your full name.

From: David Smith
Sent: Friday, August 27, 2010 10:31 AM
To: 'don.rust@yolocounty.org'
Subject: Dust Complaints regarding lime pile Cr 18 C, Woodland

Don,

10/1/97
1/16/08
1/17/08
10/1/08
10/21/08
10/28/08
11/17/08
11/30/08

If you need anything more let me know.

Dave

From: Jeff Pinnow
Sent: Wednesday, September 01, 2010 11:36 AM
To: Donald Rust
Subject: RE: Complaints regarding Spreckels or Clark-Pacific

Don,
One complaint on 12/4/1997. Regarding tires.
Additional complaints on 12/31/2007 and 12/03/2009.

Many of these complaints may have had many iterations, particularly the last two, but they are logged as one complaint.

Call me if you need more detail.
JP

Jeff Pinnow

Supervising Hazardous Materials Specialist
Yolo County Health Department, Environmental Health Division
137 N. Cottonwood Street, Suite 2400
Woodland, CA 95695
Tel: 530-666-8646 Fax: 530-669-1448
jpinnow@yolocounty.org

From: Linda Park
Sent: Wednesday, September 01, 2010 9:30 AM
To: Donald Rust
Subject: RE: Purchased date of APN: 027-220-21 by the current property owner

She acquired this 8/8/00.

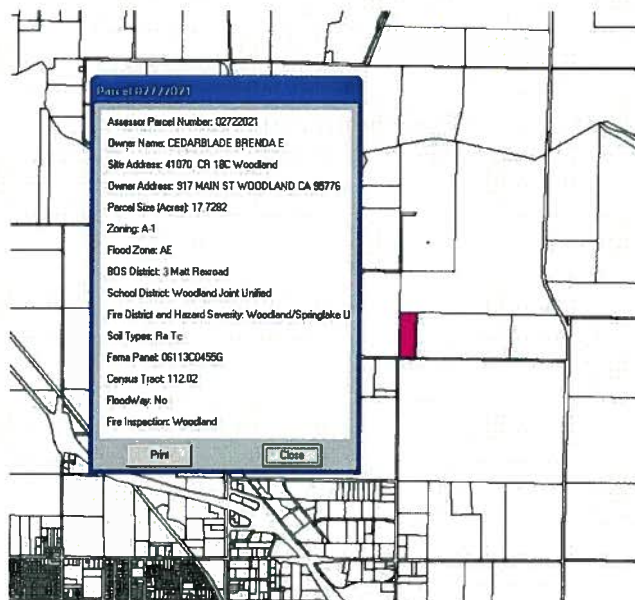
Linda C Park
Chief Deputy Assessor
Yolo County Assessor's Office
625 Court St, Room 104
Woodland, CA 95695
(530) 666-8137 phone
(530) 666-8213 fax
linda.park@yolocounty.org

From: Donald Rust
Sent: Wednesday, September 01, 2010 9:18 AM
To: Linda Park
Subject: Purchased date of APN: 027-220-21 by the current property owner

Linda,

Could you or someone at the Assessor's Office tell me the date that Brenda Cedarblade purchased her property?

The details from SS View are below:



DONALD RUST, Principal Planner
County of Yolo, Planning & Public Works Department
292 West Beamer Street
Woodland, CA 95695
(530) 666-8835 - Office
(530) 666-8156 - FAX
(530) 867-2995 - Cell Phone
donald.rust@yolocounty.org

From: Louis Ramirez
Sent: Friday, February 12, 2010 8:57 AM
To: Donald Rust; Todd Riddiough
Subject: FW: Report of Waste Discharge and Form 200 application

Don and Todd,

Below is the e-mail that Mary Boyd with the State Water Board sent to Ryan Nakken with Clark Pacific concerning the Jack L. Spence, Inc. application (File #2010-002) to stockpile gypsum at the Clark Pacific site.

The applicant needs to contact the State to see if the existing WDRs can be amended for this proposal. In addition the applicant should keep us in the loop as to what the State decides.

Thanks,
Lou

-----Original Message-----

From: Mary Boyd [mailto:mboyd@waterboards.ca.gov]
Sent: Thursday, February 11, 2010 3:11 PM
To: Ryan Nakken; Louis Ramirez
Subject: Report of Waste Discharge and Form 200 application

Hi Ryan,

We discussed Clark's proposal to stockpile soil amendments on the ag property and determined that the practice doesn't fall under the construction or the storm water programs.

I suggest you talk to Victor Izzo in our Title 27 Landfill Permitting group to see if Clark's WDRs could be amended to allow the stockpiling:
Victor Izzo, Senior Engineering Geologist; Phone:(916) 464-4626; Fax:(916) 464-4645; vizzo@waterboards.ca.gov

If Victor agrees that a Report of Waste Discharge is required, he will require that a Form 200 and Report of Waste Discharge be submitted. The Form 200 is attached.

Regards,
Mary Boyd

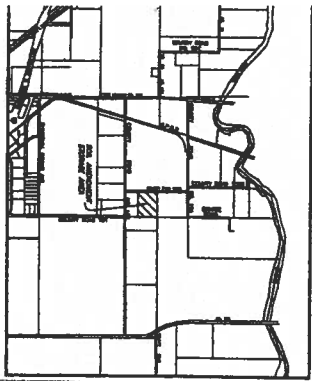
Mary Boyd, P.E. Water Resources Control Engineer
Compliance and Enforcement
Central Valley Regional Water Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114
916 464 4676 (Phone)
916 464 4681 (Fax)
mboyd@waterboards.ca.gov

ATTACHMENT L

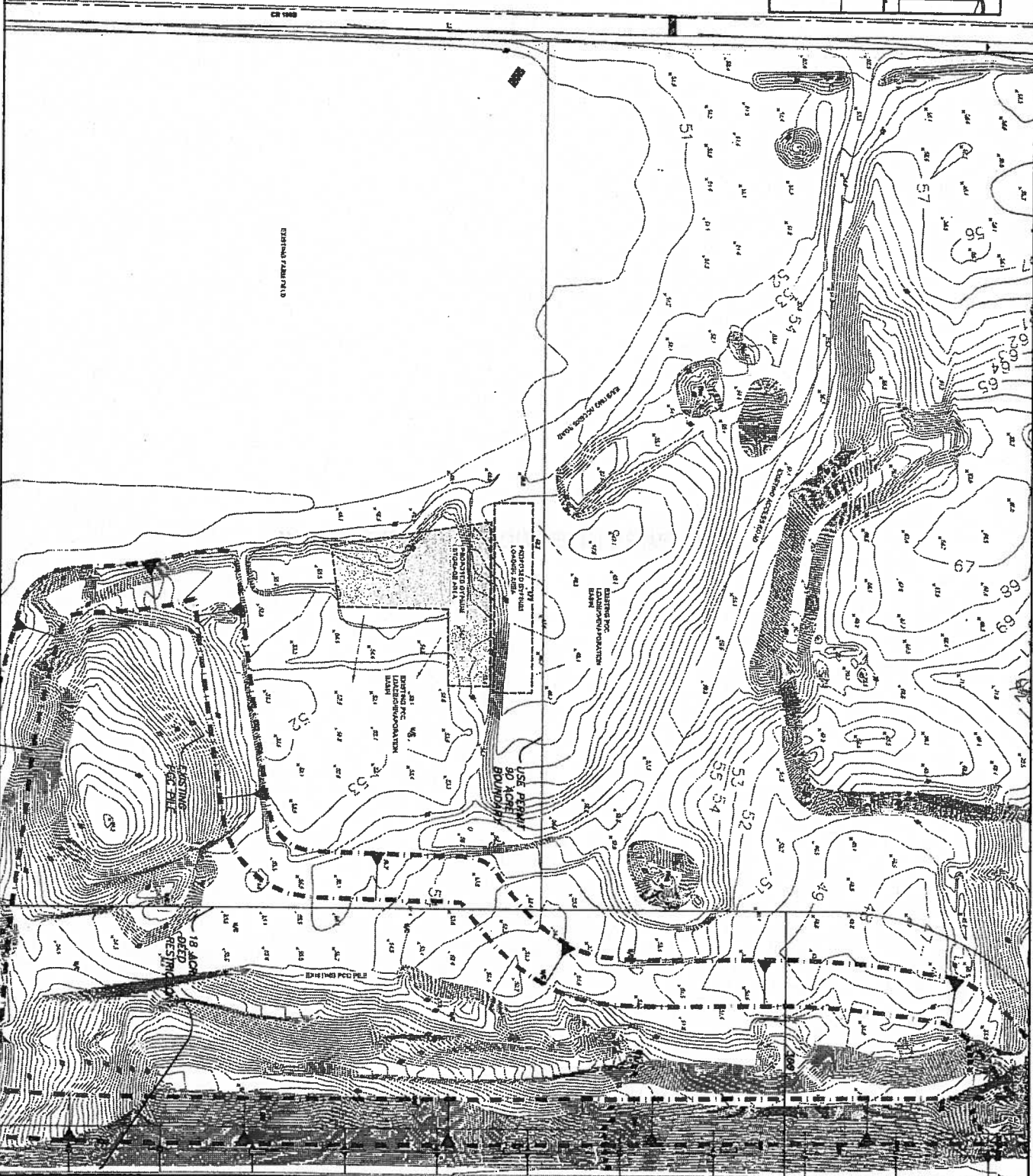
SITE PLAN

ATTACHMENT 1

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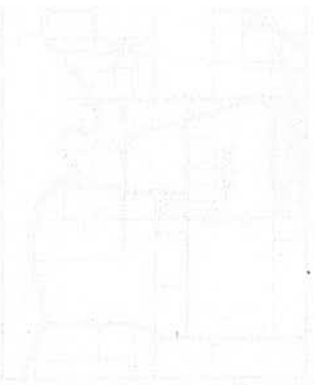


1 of 1

CONTRACTOR	
PROJECT	SOIL AMENDMENT STORAGE
DRAWING NO.	REN
CHANGED BY	REN
DATE	1/18/2010
SCALE	1" = 50'
DWG NO.	

REV	DESCRIPTION	DATE	BY	CHK	ITEM	BY	DATE

SITE LAYOUT



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