

# APPENDICES

**APPENDIX 1, Revised EIR Summary Table**

Table 2-1 Revised Summary of Impacts and Mitigation Measures

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
<b>Aesthetics</b>					
<b>Impact 4.2-1:</b> The project could substantially change the existing visual character or quality of the site and its surroundings.		X	<b>Mitigation Measure 4.2-1:</b> The Applicant shall revise and submit the Habitat Restoration and Landscape Visual Screening Plan for County approval to establish a landscape buffer in the 800-foot gap area between the proposed easterly and southerly berms. The buffer may include berming. The plan shall demonstrate that full screening can be achieved prior to mining closer than 1,000 feet from County Road 87, based tree species, box size, and typical rate of growth.	X	
<b>Impact 4.2-2:</b> The project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.2-2:</b> None required.	X	
<b>Agriculture</b>					
<b>Impact 4.3-1:</b> The project would remove 152 acres of Prime Farmland and 124 acres of Unique Farmland from production for up to 30 years, permanently converting 78 acres of "Prime" and 124 acres of "Unique" to non-agricultural use. (Significant and Unavoidable)		X	<b>Mitigation Measure 4.3-1a:</b> Prior to the commencement of mining activity on any Prime Farmlands, and subject to approval by the County, the Applicant shall demonstrate to the Yolo County Parks and Resources Department (YCPRD) that an offset at a ratio of 1:1 for each acre (78 acres) of Prime Farmland permanently converted to non-agricultural use by implementation of the project has been established pursuant to the requirements of Section 10-5.525 of the County Code, that permanent protection is ensured for any of the three options, and that the quality of set-aside farmland must be equal or better than the acreage converted.		X
		X	<b>Mitigation Measure 4.3-1b:</b> Prior to commencement of mining activity on any Unique Farmland, and subject to approval by the County, the Applicant shall demonstrate to the YCPRD that an offset at a ratio of 1:1 for each acre (124 acres) of Unique Farmland permanently converted to non-agricultural use by implementation of the project has been established pursuant to the requirements of Section 8-2.2416 of the County Code.		X

**Table 2-1 Revised Summary of Impacts and Mitigation Measures**

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
<p><b>Impact 4.3-2:</b> The project would conflict with an existing Williamson Act contract.</p>		X	<p><b>Mitigation Measure 4.3-2:</b> Until such time as the Williamson Act contract on APN: 048-220-002 has expired, the Applicant cannot impact more than 74 acres of Prime Farmland on that parcel.</p>	X	
<p><b>Impact 4.3-3:</b> The project could substantially conflict with applicable plans, policies, and regulations where such conflict would result in an adverse physical change in the environment.</p>	X		<p><b>Mitigation Measure 4.3-3:</b> Prior to commencement of site work, the Applicant shall either 1) revise the reclamation plan to increase reclaimed agricultural lands in compliance with OCMF Action 5.4-7; or 2) identify an alternative functionally equivalent change or addition to the project that would be acceptable to the County and would enable a finding of substantial consistency to be made by the Board of Supervisors. Alternatively the Board of Supervisors may find the project to be substantially consistent with the OCMF based on a balancing of relevant policies including but not limited to Action 5.4-6.</p>	X	
<p><b>Air Quality</b></p>					
<p><b>Impact 4.4-1:</b> The project could conflict with or obstruct implementation of the applicable air quality plan.</p>	X		<p><b>Mitigation Measure 4.4-1:</b> None required.</p>	X	
<p><b>Impact 4.4-2:</b> The project could violate an air quality standard or contribute substantially to an existing or projected air quality violation.</p>		X	<p><b>Mitigation Measure 4.4-4a:</b> The Applicant shall implement these mitigation measures through construction and operation:</p> <ul style="list-style-type: none"> <li>• All stockpiled soils shall be enclosed, covered, or adequately watered to keep soil moist at all times. Inactive soil stockpiles should be vegetated or adequately watered to create an erosion-resistant outer crust.</li> <li>• During operating hours, all disturbed soil and unpaved roads shall be adequately watered to keep soil moist.</li> <li>• All disturbed but inactive portions of the site shall either be seeded or watered until vegetation is grown or shall be stabilized using methods such as chemical soil binders, jute netting, or other Yolo-Solano Air Quality Management District approved methods.</li> <li>• All internal combustion engine driven equipment and vehicles shall be kept tuned according to the manufacturer's specifications and properly maintained to minimize the leakage of oils and fuel.</li> </ul>		X

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	LS	S		LS	SU
			<ul style="list-style-type: none"> <li>Sweep connecting County roads if visible soil material is carried out from the site; and</li> <li>Treat access roads to a distance of 100 feet from the paved County road with a 6 to 12-inch layer of wood chips or mulch or with a 6-inch layer of gravel or a minimum of 500 feet of paved road to be swept if soil material is visible.</li> </ul>		
		X	<p><b>Mitigation Measure 4.4-2b:</b></p> <p>The Applicant shall implement the following standard measures during construction and operation to reduce emissions of equipment and vehicle exhaust (YSACQMD 2007, BAACQMD 1999, SCACQMD 2008):</p> <p>The project specifications shall include 13 CCR Sections 2480 and 2485, which limit the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds, both California- or non-California-based trucks) to five minutes at any location;</p> <ul style="list-style-type: none"> <li>Grid power shall be used instead of diesel generators when the following conditions are feasible:</li> <li>Grid power is available,</li> <li>Construction is within 100 feet of the grid power source,</li> <li>Portable electrical cabling is feasible, and</li> <li>The grid power source is the proper voltage, amperage and can be connected without effect to the entity being supplied by the grid power.</li> <li>A schedule of low-emissions tune-ups shall be developed and such tune-ups shall be performed on all equipment, particularly for haul and delivery trucks;</li> <li>The fleet of off road mobile equipment at the project site shall meet the requirements of the ARB In-Use Off Road Diesel Vehicle Regulation, as it applies to large fleets.</li> <li>Alternative-fuel-powered equipment (i.e. natural gas, biodiesel, and electric) shall be used when feasible.</li> </ul>		X
<p><b>Impact 4.4-3:</b></p> <p>The project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.</p>		X	<p><b>Mitigation Measure 4.4-3:</b></p> <p>Implementation of Mitigation Measures 4.4-2a and 4.4-2b.</p>		X

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	LS	S		LS	SU
<p><b>Impact 4.4-4:</b> The project could expose sensitive receptors to substantial pollutant concentrations.</p>	X		<p><b>Mitigation Measure 4.4-4:</b> None required.</p>	X	
<p><b>Impact 4.4-5:</b> The project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.</p>	X		<p><b>Mitigation Measure 4.4-5:</b> None required.</p>	X	
<b>Biological Resources</b>					
<p><b>Impact 4.5-1</b> Project activities could adversely affect sensitive wildlife species. (Significant but Mitigable for most species, Significant and Unavoidable for Swainson's hawk foraging)</p>		X	<p><b>Mitigation 4.5-1a:</b> NORTHWESTERN POND TURTLE No earlier than 30 days before ground disturbance begins, surveys for the northwestern pond turtle shall be conducted. If northwestern pond turtles are observed in the area, attempts shall be made by a CDFG approved biologist to capture (trap/net) and relocate the turtles. Northwestern pond turtles are usually relocated to a nearby downstream reach of a stream.  If an active nest is discovered during operations, then the Applicant shall consult with CDFG to determine what mitigation measures shall be applied (i.e., buffer zones or alterations to the construction schedule to avoid the area until nesting is complete).</p>	X	
		X	<p><b>Mitigation 4.5-1b:</b> NESTING MIGRATORY BIRDS, NON-LISTED RAPTORS, AND BURROWING OWLS To avoid and minimize impacts on nesting birds, the Applicant shall not remove trees, shrubs, or herbaceous vegetation during the nesting season (February 1 to August 31). This vegetation shall only be removed from September 1 through January 31, to the extent feasible.  If the Applicant initiates construction between February 1 to August 31, surveys shall commence 30 days prior to any activities in potential nesting areas within the project. A biological monitor shall conduct preconstruction surveys and monitor construction sites with nesting habitat continuously for bird nesting activities and inspect animal burrows for burrowing owl nests beginning in late</p>	X	

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Environmental Impact			<p>February, prior to site clearing and grading. All ground areas shall be surveyed prior to any construction activities and initial grading. Raptor nesting surveys shall include examination of all trees and shrubs within 500 feet of the construction corridor. All trees, predominantly near the farm complex, that will be removed shall be surveyed prior to removal.</p> <p>For burrowing owl, surveys shall be conducted according to the protocols in the guidelines developed by the Burrowing Owl Consortium (SCPBRG 2009).</p> <p>Occupied burrows shall not be disturbed during the nesting season (February 1 through August 3 1) unless a qualified biologist approved by CDFG verifies through noninvasive methods that either:</p> <ol style="list-style-type: none"> <li>1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</li> </ol> <p>To offset the loss of foraging and burrow habitat on the project site, if any, a minimum of 6.5 acres of foraging habitat (calculated on a 100 m {approx. 300 ft.} foraging radius around the burrow) per pair or unpaired resident bird, shall be acquired and permanently protected. The protected lands shall be adjacent to occupied burrowing owl habitat and at a location acceptable to CDFG. Protection of additional habitat acreage per pair or unpaired resident bird may be applicable in some instances.</p> <p>When destruction of occupied burrows is unavoidable, existing unsuitable burrows shall be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on the protected lands site.</p> <p>If owls must be moved away from the disturbance area, passive relocation techniques shall be used rather than trapping. At least one or more weeks shall be necessary to accomplish this and allow the owls to acclimate to alternate burrows.</p> <p>The Applicant shall provide funding for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures, and an annual report to the County and to CDFG.</p> <p>Any active nests of non-listed raptors found in or adjacent to disturbance areas shall be fenced with a 300-foot radius buffer around the nest site. This 300-foot buffer may be reduced if a qualified raptor biologist determines that the nesting raptors are acclimated to the project and related disturbance, and otherwise will not be adversely affected by construction activities. At a minimum, the non-disturbance buffer shall be a radius of 100 feet around the nest site. If the nest site is on an adjacent property or property that cannot be accessed, the portion of the buffer that occurs within the project corridor shall be fenced. When construction buffers are reduced in size, the raptor</p>		

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			<p>biologist shall monitor distress levels of the nesting birds while the birds nest and construction persists. If it is determined that construction could result in reproductive failure, construction shall be postponed in the immediate area until young have fledged. In cases where construction activities cannot be postponed, the project biologist shall coordinate with CDFG and USFWS, and at a minimum, the 300-foot buffer shall be implemented.</p> <p><b>Mitigation 4.5-1c:</b>  <b>SWAINSON'S HAWK FORAGING</b>                      The Applicant shall mitigate for loss of Swainson's hawk foraging habitat in accordance with the provisions in the NHP JPA interim management agreement to which both the County and the California Department of Fish and Game are signatories.</p> <p>The Applicant shall provide 1 acre of Swainson's hawk foraging habitat for every 1 acre of foraging habitat that is lost to the project. The mitigation requirement for the Granite Esparto mining project is 202.88 acres. Applicant may transfer fee simple title or a conservation easement over of Swainson's hawk foraging habitat, along with appropriate enhancement and management funds. As acceptable to the JPA, the mitigation may be phased to reflect timing of actual acreage impacted and reclaimed. In addition, the easements may be structured to reflect the term of the impact (e.g. permanent easements for mitigation of permanent loss and termed easements for interim loss).</p> <p><b>SWAINSON'S HAWK NESTING</b>                      The timing and methodology for conducting Swainson's hawk nesting surveys shall follow CDFG protocols.</p> <p>The following protective measures will be employed to avoid impacts to nesting Swainson's hawks:</p> <ol style="list-style-type: none"> <li>1. Prior to initiation of mining activity with a mining unit (DEIR, Figure 3-4, p. 3-11), conduct a survey for nesting Swainson's hawks within at least 0.25 miles of the unit boundary that is adjacent to open farmland.</li> <li>2. Identify and map all active Swainson's hawk nests.</li> <li>3. If no Swainson's hawk nests are found within 0.25 miles, proceed with mining activity with no further restrictions.</li> <li>4. If Swainson's hawk nests are found, identify and map all new work areas (new units planned to come online) within 0.25 miles of the active nest.</li> <li>5. Evaluate visibility from the nest based on distance, line-of-sight (topography, barriers) and</li> </ol>		
		X			X



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Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
			<p>nest position in tree.</p> <p>6. Evaluate history of the active nest location (i.e., could the nesting pair be sufficiently habituated to mining disturbances due to other ongoing mining activity).</p> <p>7. If a new nest site is established within 0.25 miles of planned active work sites and it is determined that the nest is subject to disturbance-related impacts, postpone mining activities until nesting activity is completed (young have fledged or failed nest).</p> <p>Once nesting activity is completed, proceed with mining activities with no further restrictions. If the nesting pair returns the following year to the same nest site, it is assumed that the breeding pair is sufficiently habituated to disturbances.</p>		
		X	<p><b>Mitigation 4.5-1d:</b></p> <p><b>BANK SWALLOW</b></p> <p>The Applicant shall conduct preconstruction surveys for the bank swallow during breeding season from March 1 to July 31. If it is determined that swallows are nesting in areas where construction could result in injury or failed reproductive success, construction disturbance shall be postponed in the immediate area until young have fledged. In cases where construction activities cannot be postponed (for safety or significant schedule conflicts) the project biologist shall coordinate with CDFG and USFWS.</p> <p>Section 10-4.433 (Soil Stockpiles) of the County Mining Ordinance establishes maximum height (40 feet) and slopes (2H:1V for inactive stockpiles and 1H:1V for stockpiles in daily use). Soil stockpiles shall be inspected weekly from March 1 through July 31, if disturbance is planned during that period, to verify that no bank swallows have begun nesting activities in the slope areas.</p>	X	
<p><b>Impact 4.5-2:</b></p> <p>Project construction could have a significant impact on riparian vegetation and habitat.</p>		X	<p><b>Mitigation 4.5-2:</b></p> <p>The Applicant shall implement the Reclamation Plan and the riparian habitat restoration measures in the accompanying Habitat Restoration and Landscape Visual Screening Plan.</p>	X	

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	LS	S		LS	SU
<p><b>Impact 4.5-3:</b> Potential to have a substantial adverse effect on federally protected wetlands.</p>		X	<p><b>Mitigation 4.5-3:</b> The Applicant shall amend the wetland delineation utilizing current USACE guidelines prior to start of construction. If no wetlands are delineated within the area of construction activities, no further mitigation is required. If wetlands are delineated within the area of construction activities, the Applicant shall develop a wetland mitigation plan for approval by permitting agencies, to create, restore, or enhance wetlands of similar function at a 1 to 1 ratio.</p>	X	
<p><b>Impact 4.5-4:</b> Potential to conflict with local policies or ordinances protecting biological resources.</p>	X		<p><b>Mitigation 4.5-4:</b> None required.</p>	X	
<b>Climate Change</b>					
<p><b>Impact 4.6-1:</b> The project would result in new net increases in GHG emissions.</p>		X	<p><b>Mitigation Measure 4.6-1:</b> The Applicant shall submit a plan for approval by the County that supports the County's net zero emissions goal as follows: 1) identify practical and reasonable changes to project design and operations that reduce project GHG emissions down to the lowest feasible levels; 2) for remaining GHG emissions, identify verifiable offsets that are (to the greatest feasible extent) locally based, project relevant, and consistent with other long term goals of the County. With implementation of this mitigation measure, potential project impacts on climate change would be reduced to the greatest feasible extent.</p>		X
<p><b>Impact 4.6-2:</b> The project has the potential to conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.</p>		X	<p><b>Mitigation Measure 4.6-2:</b> Implement Mitigation Measure 4.6-1.</p>		X
<p><b>Impact 4.6-3:</b> The project may experience significant adverse physical effects from future effects of Global Climate Change.</p>		X	<p><b>Mitigation Measure 4.6-3:</b> Implement Mitigation Measure 4.6-1.</p>	X	

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	LS	S	LS	SU	LS	SU
<b>Cultural Resources</b>						
<b>Impact 4.7-1:</b> Potential to substantially change the significance of a historical resource.	X		<b>Mitigation Measure 4.7-1:</b> None required.		X	
<b>Impact 4.7-2:</b> The project could impact historic sites EC-07-17, -18, and -19 and eleven isolated artifacts.	X		<b>Mitigation Measure 4.7-2:</b> None required.		X	
<b>Impact 4.7-3:</b> The project could result in impacts to previously undiscovered prehistoric and historic resources and human remains.	X		<b>Mitigation Measure 4.7-3:</b> None required.		X	
<b>Impact 4.7-4:</b> The project could result in impacts to previously undiscovered paleontological resources.	X		<b>Mitigation Measure 4.7-4:</b> None required.		X	
<b>Impact 4.7-5:</b> The project could substantially conflict with applicable plans, policies, and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.7-5:</b> None required.		X	

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	LS	S	LS	SU	LS	SU
<b>Geology and Soils</b>						
<b>Impact 4.8-1:</b> Groundshaking from earthquakes could damage project facilities and pose a safety risk to site visitors.		X	<b>Mitigation Measure 4.8-1:</b> The Applicant shall minimize risks to facilities and on-site visitors by identifying and avoiding unsafe conditions. The Applicant shall consult with the dredge manufacturer regarding methods to stabilize the dredge in the event of seismic shaking. Methods may include anchoring, connecting the dredge to land via cable, or other appropriate systems. The Applicant shall design slopes leading to the wet pit in accordance with the project-specific slope stability study (Wallace-Kuhl & Associates, Inc. 2007b). The Applicant shall train on-site workers regarding seismic safety issues, including actions to be taken during strong seismic shaking and potential hazards of seismic shaking, including rockfall from overhead conveyor systems and collapse of stockpiled rock material. The Applicant shall require workers and on-site visitors to wear safety equipment, such as hard hats.			X
<b>Impact 4.8-2:</b> The project would have a potential for slope failure or significant erosion.	X		<b>Mitigation Measure 4.8-2:</b> None required.			X
<b>Impact 4.8-3:</b> The project would cause exposure to unstable soils.	X		<b>Mitigation 4.8-3:</b> None required.			X
<b>Impact 4.8-4:</b> The project could disturb or destroy unique geologic features.	X		<b>Mitigation Measure 4.8-4:</b> None required.			X
<b>Impact 4.8-5:</b> The project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.8-5:</b> None required.			X

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<b>Hazards</b>					
<b>Impact 4.9-1:</b> The project could result in exposure of the public or the environment from accidental releases during the routine transport, use, or disposal of petroleum and other hazardous materials during construction, mining, processing, or reclamation.	X		<b>Mitigation 4.9-1:</b> None required.	X	
<b>Impact 4.9-2:</b> Excavation of contaminated soil during mining or reclamation could result in exposure.	X		<b>Mitigation 4.9-2:</b> None required.	X	
<b>Impact 4.9-3:</b> Demolition and removal of existing site structures may result in exposure to asbestos, lead, or other hazardous building materials.	X		<b>Mitigation 4.9-3:</b> None required.	X	
<b>Impact 4.9-4:</b> The project could substantially conflict with applicable plans, policies, and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation 4.9-4:</b> None required.	X	
<b>Hydrology and Water Quality</b>					
<b>Impact 4.10-1:</b> The project could violate water quality standards through discharge of storm water.	X		<b>Mitigation Measure 4.10-1:</b> None required.	X	
<b>Impact 4.10-2:</b> The project could result in an increase in mercury loading to Cache Creek from erosion of sediments.	X		<b>Mitigation Measure 4.10-2:</b> None required.	X	
<b>Impact 4.10-3:</b> Project operational water demands could deplete groundwater supplies.	X		<b>Mitigation Measure 4.10-3:</b> None required.	X	

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	LS	S		LS	SU
<p><b>Impact 4.10-4:</b> The project could deplete groundwater supplies from backfilling areas with fine sediments.</p>	X		<p><b>Mitigation Measure 4.10-4:</b> None required</p>	X	
<p><b>Impact 4.10-5a:</b> The project would substantially alter the existing drainage pattern of the site or area, resulting in erosion or sedimentation, or result in on or off-site flooding.</p>	X		<p><b>Mitigation Measure 4.10-5a:</b> None required.</p>	X	
<p><b>Impact 4.10-5b:</b> In-stream stabilization structures could contribute to downstream erosion.</p>		X	<p><b>Mitigation Measure 4.10-5b:</b> The Applicant shall provide supplemental hydraulic analysis that examines downstream and cross-stream effects of the proposed in-channel improvements, and identifies supplemental actions/improvements, if necessary, for potential erosion effects on opposing banks or downstream, from increased flow velocities against the base of the planned reveitment. The supplemental analysis shall analyze and ensure compliance with OCSMO Section 10-4.429(d)(4). The report must have the original signature of the engineer. The identified improvements (if any) shall be implemented by the Applicant as specified by the project engineer.</p>	X	
<p><b>Impact 4.10-6:</b> The project could create or contribute runoff water exceeding the capacity of planned stormwater drainage or contribute additional sources of polluted runoff.</p>	X		<p><b>Mitigation Measure 4.10-6:</b> None required.</p>	X	
<p><b>Impact 4.10-7a:</b> The project could substantially degrade water quality by pumping groundwater.</p>		X	<p><b>Mitigation Measure 4.10-7a:</b> By limiting the depth of any proposed wells the operator shall ensure that only groundwater from one of the freshwater aquifers overlying the Coast Range bedrock is used in wash fines processing.</p>	X	
<p><b>Impact 4.10-7b:</b> Open water areas created during reclamation could become eutrophic, resulting in degraded water quality.</p>	X		<p><b>Mitigation Measure 4.10-7b:</b> None required.</p>	X	

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<b>Environmental Impact</b>					
<b>Impact 4.10-7c:</b> Creation of open water surfaces could increase the potential for degradation of water quality by discharge of chemicals (diesel, petroleum, etc.	X		<b>Mitigation Measure 4.10-7c:</b> None required.	X	
<b>Impact 4.10-7d:</b> Presence of mercury in site soils could result in bioaccumulation of mercury in reclaimed water bodies.	X		<b>Mitigation 4.10-7d:</b> None required.	X	
<b>Impact 4.10-8:</b> The project would place structures in flood hazard zone.	X		<b>Mitigation 4.10-8:</b> None required.	X	
<b>Impact 4.10-9:</b> The project could substantially conflict with applicable plans, policies, and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation 4.10-9:</b> None required.	X	
<b>Land Use and Planning</b>					
<b>Impact 4.11-1:</b> The project could create substantial incompatibilities between land uses.	X		<b>Mitigation Measure 4.11-1:</b> None required.	X	
<b>Impact 4.11-2:</b> The project could substantially alter the type or intensity of land use within an area.	X		<b>Mitigation Measure 4.11-2:</b> None required.	X	
<b>Impact 4.11-3:</b> The project would affect the local jobs/housing relationship.	X		<b>Mitigation Measure 4.11-3:</b> None required.	X	
<b>Impact 4.11-4:</b> The Project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.11-4:</b> None required.	X	

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	LS	S		LS	SU
<b>Mineral Resources</b>					
<b>Impact 4.12-1:</b> The project could result in loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.	X		<b>Mitigation Measure 4.12-1:</b> None required.	X	
<b>Impact 4.12-2:</b> The project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.12-2:</b> None required.	X	
<b>Traffic and Circulation</b>					
<b>Impact 4.13-1:</b> The project would cause substantial increases in traffic.		X	<b>Mitigation Measure 4.13-1:</b> <b>INITIAL IMPROVEMENTS</b> On County Road 87 from the project access road to County Road 19, the Applicant shall reconstruct the structural pavement and base section to support the calculated traffic index (TI) to meet County standards (adopted at the time of construction), and widen to meet County standard dimensions for a major collector (see attached Exhibit #1). If there is not enough County right-of-way to build the road (including shoulders and roadside ditches) for a major collector as shown in Exhibit #1, then the Applicant will be required to fund the acquisition of the necessary right-of-way by the County via easement or fee purchase.  The Applicant shall also install paved shoulder widening to provide twelve-foot wide travel lanes and four-foot paved shoulders as afforded by the existing county road right-of-way between the existing roadside ditches on County Road 19 from Road 87 to the Teichert (Esparto) driveway.  The intersection of County Road 87/19 shall be modified to accommodate both left and right turning movement radii of large trucks.  The existing centerline for both roads may be revised to accommodate the initial improvements.  These initial road improvements shall be designed and constructed by the Applicant to County standards (adopted at the time of construction), to the satisfaction of the County Engineer, within one year of the date that the combined total from both Granite mining facilities (Capay and Esparto)	X	



Table 2-1

Revised Summary of Impacts and Mitigation Measures

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures		Level of Significance After Mitigation	
	LS	S	LS	SU	LS	SU
Environmental Impact			<p>exceeds 1,200,000 tons in one year, or within six months of the County's acquisition of necessary right-of-way (if necessary), whichever occurs later (unless regulatory permit approvals delay the construction start date).</p> <p><b>ROUTINE ROADWAY SECTION MAINTENANCE</b>                      The Applicant shall maintain the roadway section on County Road 87 from the project access road to County Road 19, and on County Road 19, from Road 87 to the Teichert (Esparto) driveway.</p> <p>Joint maintenance of the roadway section for County Road 19, from the Teichert (Esparto) driveway to I-505, shall be proportionally shared between the Applicant and Teichert Aggregates or its successor in interest. Proportional maintenance costs shall be determined based upon the previous year's sales figures for each of the two operations, as reported to the County. At such time as the Teichert (Esparto) agreement for maintenance responsibility terminates, responsibility for the maintenance of the roadway section of the portion of County Road 19, from the Teichert (Esparto) driveway to I-505, shall become the responsibility of the Applicant.</p> <p>The Applicant's maintenance responsibility for the roads specified above shall continue throughout the life of the mining permit.</p> <p>Should the Applicant's proportional use of the roadways change significantly, then their fair-share responsibility will be reevaluated.</p> <p>The County will provide maintenance of the county-maintained roadside drainage ditches.</p> <p>By September 15 of each year, the Applicant shall submit to the County an annual evaluation report documenting the structural integrity of the pavement structural section and the pavement condition index (PCI) of the portions of the county roads noted above. The annual report shall be signed and sealed by a civil engineer licensed in the State of California. The report shall contain a proposed action plan for roadway maintenance and roadway improvements to maintain safe and efficient traffic operation on the roads, and a PCI of 70 or more as defined by American Society for Testing and Materials (ASTM) Method D6433 (Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys) for the upcoming year. The County will review the report and recommend revisions, if necessary, within ten business days of submittal. Following acceptance of the report, the Applicant shall secure a County encroachment permit specific to the action plan (at no cost to Applicant) and complete the proposed roadway maintenance and improvement activities by October 31 each year. Striping may be provided by the County if County striping equipment and</p>			

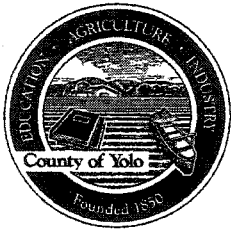
**Table 2-1 Revised Summary of Impacts and Mitigation Measures**

	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
<b>Environmental Impact</b>			<p>material are available. Otherwise, striping will be provided by the Applicant. Once the work is completed, the Applicant will resubmit the annual evaluation report by November 15 each year, and include the scope and dates that work was completed.</p> <p>Due to the significant increase in truck traffic expected, it is anticipated that more frequent and extensive roadway maintenance will be required on these county roads.</p> <ul style="list-style-type: none"> <li>If minor pot holes (work requiring a single pick-up truck with asphalt patching material) are identified within the maintenance areas of County Roads 87 and 19 after the Applicant's yearly maintenance has been completed, county crews will perform the minor pot hole maintenance.</li> <li>If major roadway failure (work requiring more than a single pick-up truck with asphalt patching material) is identified by the Applicant or the County after the Applicant's yearly maintenance has been completed, and prior to August 15 of the following maintenance cycle, the Applicant shall obtain a County encroachment permit (at no cost to Applicant) and complete the major roadway repairs. If major roadway repairs are not completed by the Applicant in a timely manner, as determined by the County, and the County must make repairs when the public's safety is considered at risk by the County Engineer, then the Applicant will be billed for the county's major repair work on a time and materials basis.</li> </ul>		
<b>Impact 4.13-2:</b> The project would add trips to the roadway system.	X		<b>Mitigation Measure 4.13-2:</b> None required.		X
<b>Impact 4.13-3:</b> The project could substantially conflict with applicable plans, policies and regulations where such conflict would result in an adverse physical change in the environment.	X		<b>Mitigation Measure 4.13-3:</b> Implement Mitigation Measure 4.13-1.		X
<b>CEQA Considerations</b>					
<b>Impact 5-1:</b> The annual tonnage requested by the project is adequately covered by the OCMP cumulative analysis.	X		<b>Mitigation Measure 5-1:</b> None required.		X

**Table 2-1 Revised Summary of Impacts and Mitigation Measures**

Environmental Impact	Level of Significance Before Mitigation		Mitigation Measures	Level of Significance After Mitigation	
	LS	S		LS	SU
<p><b>Impact 5-2:</b> The total requested tonnage over the life of the permit is covered by the OCMP and CCRMP cumulative analysis.</p>	X		<p><b>Mitigation Measure 5-2:</b> None required.</p>	X	
<p><b>Impact 5-3:</b> The requested 30-year term of the permit may be determined to be inconsistent with the successful implementation of the OCMP.</p>		X	<p><b>Mitigation Measure 5-3a:</b> In order to remain consistent with the synchronized permit period and adaptive management contemplated by the OCMP, restrict the term of the requested approval to no more than 17 years with an expiration of December 31, 2026, with interim reviews consistent with all other long-term mining permit approvals. OR</p> <p><b>Mitigation Measure 5-3b:</b> The County shall find that synchronized permits are not necessary for the success of the program and therefore, with the additional cumulative analysis provided by this EIR, the requested permit period could be approved. OR</p> <p><b>Mitigation Measure 5-3c:</b> Synchronize the project permit with the interim reviews identified in the CCAP and add an additional 10-year review by 2037 and at the termination of the permit. With the additional cumulative analysis provided by this EIR, the requested permit period could be approved.</p>	X	
<p><b>Impact 5-4:</b> The project would contribute to cumulative climate change.</p>		X	<p><b>Mitigation Measure 5-4:</b> Implement Mitigation Measure 4.6-1.</p>		X

**APPENDIX 2, Flood Control Correspondence**



# County of Yolo

## Office of the County Counsel

625 COURT STREET, ROOM 201 WOODLAND, CALIFORNIA 95695 TELEPHONE: (530) 666-8172

DIRECT: (530) 666-8275

FACSIMILE: (530) 666-8279

ROBYN TRUITT DRIVON  
COUNTY COUNSEL

Philip J. Pogledich, Senior Deputy

January 25, 2010

### VIA ELECTRONIC MAIL

Mr. James Herota  
Central Valley Flood Protection Board  
3310 El Camino Avenue, Room LL40  
Sacramento, CA 95821

Re: Granite Esparto Mining and Reclamation Project  
SCH Number: 2009022033

Dear Mr. Herota:

This letter responds to your January 21, 2010 letter regarding the above-referenced project. As in prior correspondence, your letter repeats the assertion that the Central Valley Flood Protection Board has jurisdiction over the project. This assertion is incorrect.

Last week, I was provided with a July 14, 2005 letter from the Reclamation Board to the former director of the County Parks and Resources Department. A copy of that letter is enclosed herewith. That letter confirms that the Cache Creek Designated Floodway was never formally adopted by the Reclamation Board. The Board thus lacks any authority to require an encroachment permit for the project.

As you know, this is not a new issue. In a December 4, 2009 letter and in other prior communications, I questioned whether the Board had formally adopted a "designated floodway" in the vicinity of the project site. My question arose from three observations that I documented in my letter: (a) the lack of any evidence that the floodway shown on the (nearly illegible) map you sent me had ever been adopted; (b) language in Title 23 of the California Code of Regulations stating that the Board's jurisdiction does not extend to the project site; and (c) a map on the Board's website showing the project site as within an area of "local control." My letter asked you to refer the jurisdictional issue to Board counsel for consideration.

For some reason, however, you instead restated your prior position in a December 10, 2009 e-mail without consulting Board counsel or undertaking any other reasonable inquiry into the issues that I had raised. I have difficulty this, particularly since the jurisdictional issue has consumed many hours of County staff and consultant time and resulted in considerable additional costs. It was not unreasonable for the County to request that you confirm the adoption of a designated floodway in light of the substantial questions that I raised in my December 4 letter and in other earlier communications. In fact, you should have undertaken that basic inquiry prior to asserting that the Board had jurisdiction over the project. Nonetheless, the attachment—together with all of the evidence I've previously brought to your attention over the past few months—conclusively demonstrates that the Board lacks jurisdiction over the project.

Mr. James Herota  
January 25, 2010  
Page 2 of 2

For these reasons, the County does not intend to require the applicant to obtain a Board permit, nor will it address your comment letters in preparing the Response to Comments document required under the California Environmental Quality Act. Please give me a call at (530) 666-8275 or send me an e-mail ([philip.pogledich@yolocounty.org](mailto:philip.pogledich@yolocounty.org)) if you have any questions.

Very truly yours,

Robyn Truitt Drivon  
County Counsel



Philip J. Pogledich  
Senior Deputy County Counsel

Enclosure

cc: Jay Punia, Executive Officer, Central Valley Flood Protection Board ([jpunia@water.ca.gov](mailto:jpunia@water.ca.gov))

**THE RECLAMATION BOARD**

3310 El Camino Ave., Rm. LL4D  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0653 FAX: (916) 574-0682

Exhibit A



July 14, 2005

Ms. Linda Fiack, Deputy Director  
Parks and Natural Resources  
County of Yolo  
Planning & Public Works Department  
292 West Beamer Street  
Woodland, CA 95695-2598

Dear Ms. Fiack

In response to your letter of May 31, 2005, requesting The Reclamation Board (Board) input regarding new or revised environmental circumstances or regulations that have occurred since 1996 and whether those changes should be applied to gravel mining permits along lower Cache Creek issued by Yolo County in 1996 and that are currently up for limited review, we have the following comments.

1. The Board has responsibility for ensuring the maintenance and operation of the levees and channel of Cache Creek from the Yolo Bypass to Interstate 5 as part of the Sacramento River Flood Control Project (SRFCP). Prior to any work being performed on, adjacent to, or between the levees of the SRFCP, an encroachment permit from the Board is required.
2. The Board adopted new regulations, *California Code of Regulations, Title 23 - Waters, Division 1- Reclamation Board* (Title 23), which were filed on September 30, 1996 and became operative on October 30, 1996, that apply to areas under the jurisdiction of the Board.
3. In about 1980, Board staff developed a Cache Creek Designated Floodway for the area from Interstate 5 to Camp Haswell near Rumsey that was never adopted by the Board.
4. During the designated floodway adoption proceedings, an informal agreement with Yolo County was reached that would not require Board encroachment permits for activities in this area if Yolo County would modify its floodplain ordinance to address Board concerns and allow enforcement of the ordinance.

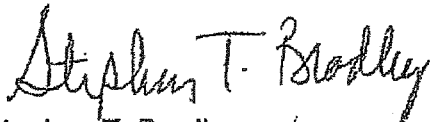
Ms. Linda Flack, Deputy Director  
July 14, 2005  
Page 2

5. Board concerns for the designated floodway area were to maintain the capacity of Cache Creek by not allowing encroachments that would obstruct the stream or cause it to change direction and to minimize deposition of sediment in the Cache Creek Settling Basin as stated in a letter to Yolo County dated November 12, 1981 (Attachment A).
6. Yolo County modified its Floodplain Ordinance to address Board concerns and agreed to enforce the revised ordinance through normal permit processes, such as, building permits, use permits, rezoning, etc. as stated in a letter from Yolo County to the Board dated February 16, 1982 (Attachment B).

In summary, the Board has authority for Cache Creek between Interstate 5 and the Yolo Bypass and will continue to regulate activities in this reach through the issuance of encroachment permits. Upstream of Interstate 5, Yolo County should continue regulation through its normal permitting and approval process although is in the best interest of both the County and the Board to have encroachments comply with the requirements of Title 23, the Board's regulations.

If you have any questions or need additional information regarding this matter, please contact me at the above address or telephone.

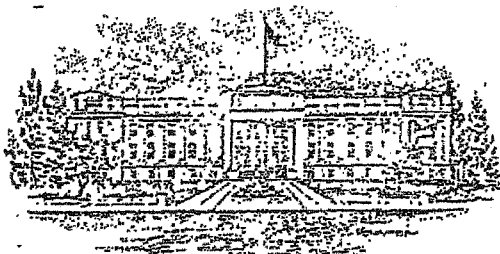
Sincerely,



Stephen T. Bradley  
Chief Engineer

Attachments





# COUNTY OF YOLO

Woodland, California 95695

BOARD OF SUPERVISORS

725 Court Street  
Room 104, Courthouse  
(916) 666-8407

First District - Clark H. Cameron  
Second District - Robert N. Black  
Third District - George P. DeMars  
Fourth District - Betsy A. Marchand  
Fifth District - Twyla Thompson

February 16, 1982

Elden Rinehart, General Manager  
The Reclamation Board  
Department of Water Resources  
1416 Ninth Street,  
Sacramento, CA 95814

Re: Reclamation Board  
(350.16-1)

Dear Mr. Rinehart:

In response to your letter of November 12, 1981 concerning your Board's decision not to adopt a Designated Floodway for Cache Creek, the following is to confirm Yolo County's understanding of our informal agreement.

Yolo County has adopted the modification to its Flood Plain Ordinance to include the definition of obstructions. (Ord. #921 dated September 22, 1981). Yolo County will, through its normal permit processes (Building Permits, Use Permits, Rezoning, etc.), enforce the provisions of the Yolo County Flood Plain Ordinance. Both Yolo County and the State ~~will have the power to abate any illegal obstruction placed within the flood plain that might otherwise be so designated.~~ It is our understanding that as long as these County procedures are followed there is no need for permits to be issued by the Reclamation Board.

The Yolo County Board of Supervisors is very appreciative of the efforts to work out this understanding.

Very truly yours

GEORGE P. DEMARS,  
Chairman of the Yolo County  
Board of Supervisors

LHR/GPD/r/c

NOV 12 1981

Mr. Robert Black, Chairman  
Board of Supervisors  
County of Yolo  
725 Court Street  
Woodland, CA 95695

Dear Mr. Black:

On September 15, 1981, The Reclamation Board, in accordance with the request in your letter of August 11, 1981, decided not to adopt a designated floodway on Cache Creek at this time. Instead, the Board accepted the lines on the maps which had been prepared for the designated floodway between the Cache Creek Project levees and Camp Haswell as the boundary of a floodway in which the Board has an interest and directed its staff to monitor Yolo County's encroachment controls within the floodway as identified. Supervisor Twyla Thompson attended the meeting, commended the Board for its action, and indicated that the proposed modifications to Yolo County's flood plain ordinances upon which this decision rests would proceed.

Since there will be no formal agreement between the Board and Yolo County for encroachment control on this portion of the Cache Creek floodway, we request confirmation from you that the County understands exactly what the Board's interests are. The Board has responsibilities to see that the flood-carrying capacity of the channels of the Sacramento and San Joaquin Rivers and their tributaries is maintained. This means that no encroachments should be allowed which will obstruct the stream or cause it to change direction. The Board is also interested in minimizing the deposition of sediment in the Cache Creek Settling Basin and has conditioned permits for sand and gravel mining to achieve this goal.

When you have adopted the proposed amendments to your flood plain ordinances and confirmed in writing that you understand the above interests of the Board in the Cache Creek floodway between the project levees and Camp Haswell, we will send a letter to all existing permit holders within that floodway. This letter will inform them that upon receipt of a copy of an approved County land use permit for their operation, we will close out their file.

Mr. Robert Black

Page 2

NOV 12 1981

We will also inform all owners within the floodway that as long as the County takes care of the Board's interests within the floodway, the Board will not require applications and only a County permit will be required.

These actions will have no effect on the Federal/State Flood control project on Cache Creek. The Board will continue to require applications for new encroachments in this area and the existing permits will continue with no changes in the conditions of approval. It has been the Board's policy to delegate parts of its floodway encroachment control authority to willing and able local government. In the case of project floodways or adopted designated floodways, this requires a formal agreement. We would encourage Yolo County to enter into such an agreement for the Cache Creek Project Floodway so that its citizens would only have to obtain a County permit.

We wish to thank you for your cooperation in this matter and hope to receive the news of adoption of the ordinances and confirmation that Yolo County understands the Board's interests so that we may bring this effort to a conclusion.

Sincerely,

Original signed by  
Eldon E. Rinehart

ELDON E. RINEHART  
General Manager

JEBaughner:rv

Coordinated with Dave Anderson October 9, 1981