

4.2 LAND USE AND PLANNING

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INTRODUCTION

This section comparatively examines the issues of land use and planning consistency associated with implementation of the CCRMP and project alternatives. The main issues addressed in this section include:

- potential conflicts with general plan designations;
- potential conflicts with applicable plans and policies;
- opportunities for long-range preservation and development of open space and recreation in the lower Cache Creek area;
- potential creation of incompatible land uses; and
- potential changes in land use intensity.

The following discussion is based on an on-site reconnaissance, prior environmental documentation for short-term mining and reclamation projects in the area, the Technical Studies for the Cache Creek Resources Management Plan (EIP et al., 1995), and review of relevant local, regional and state plans and regulations.

SETTING

Description of Regional Environment

Cache Creek is located in Yolo, Lake and Colusa counties in northern California. Its drainage basin extends from the upper basin highlands north and northeast of Clear Lake, to the Yolo Bypass east of the City of Woodland (see Figure 3.2-1). The 14.5-mile segment of lower Cache Creek that would be subject to the requirements of the CCRMP occurs between Capay Dam and the town of Yolo, at the western margin of the Sacramento Valley in central Yolo County (see Figure 3.2-2). Unincorporated communities in the vicinity of the project area include Capay, Esparto, Madison, Yolo, Monument Hills and Willow Oaks. The City of Woodland, the county seat, is several miles to the southeast of the project area. The topography in the lower Cache Creek area consists of low rolling hills and broad alluvial plains formed at the base of the eastern flank of the California Coast Range. The level soils support intensive, irrigated agriculture as the predominant rural land use, giving way to dryland farming and rangeland grazing to the north and west where the slopes are steeper.

Description of Planning Area

While intensive agriculture is the dominant land use in the project area, there are also several large aggregate (sand and gravel) extraction operations within and along the creek.

The creek boundaries are currently defined by the 1979 In-Channel Mining Boundary established for Cache Creek (Figure 3.2-3). Using this definition, the in-channel area includes approximately 1,600 acres, of which about 75 percent been mined. There are currently four mining areas considered off-channel, including: (1) a 17-acre pit permitted to Schwarzgruber and Son, at the northern extension of Road 96; (2) two pits totalling 92 acres operated by Teichert Aggregates, just east of Road 94B (known as the Haller-Muller site); (3) a 57-acre pit operated by Teichert Aggregates, just north of Road 19A (known as the Reiff-Esparto site); and (4) a pit of approximately 100 acres being reclaimed and a 30-acre area being mined by Solano Concrete, located north of State Highway 16 and east of Interstate 505 (known as Hutson and Farnham West sites). Together, there are about 266 acres permitted for off-channel mining at present.

Regulatory Setting

Surface Mining and Reclamation Act (SMARA) and the State Mining and Geology Board Reclamation Regulations

The proposed project should qualify as exempt as either a "construction project" [Section 2714 (b)(1)] or as an "infrequent and minor disturbance" [Section 2714 (f)]. In the event, however, that SMARA is found to be applicable to the proposed project, this EIR provides consistency analysis where relevant.

The California Surface Mining and Reclamation Act (SMARA) was enacted in 1975 to provide a means of identifying potential mineral resources throughout the State and to provide for reclamation of mined lands. The stated intent (Section 2712) of SMARA is to ensure that:

- a) Adverse environmental effects are prevented or minimized and that all mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses;
- b) The production and conservation of minerals are encouraged, while giving consideration to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment;
- c) Residual hazards to the public health and safety are eliminated.

The entire planning area is located within an area classified by the CDMG as a MRZ-2 Mining Resource Zone. The area has also been classified as a mineral resource "sector" by CDMG. The identification of the area as a mineral resource "sector" implies that current land uses are compatible with the extraction of high-quality aggregate materials.

The classification of an area as a source of significant mineral deposits requires lead agencies to establish resource management policies that will emphasize the conservation and development of identified mineral deposits" (Section 2762 of SMARA). The Yolo County Off-Channel Mining Plan (OCMP) for the Cache Creek area and associated ordinances are currently under environmental review. The OCMP and mining ordinances specifically address surface mining and reclamation issues.

State Lands Commission

All natural, navigable waters of the U.S. are sovereign to the state, and part of the Public Trust maintained by the State Lands Commission. Cache Creek falls within this definition, and is therefore subject to a navigation easement. A navigation easement requires that navigation and uses consistent with the Public Trust Doctrine (including swimming, fishing and boating) in the creek be allowed to the general public, and that no private or public actions be taken which could prevent navigation from occurring. Neither the CCRMP nor the alternatives under consideration would adversely affect the status of this navigation easement.

Regional Water Quality Control Board's Basin Plan

The Basin Plan is a regulatory reference for meeting the State and Federal requirements for water quality control in the Central Valley Region. The preparation of basin plans is supported by the Federal Clean Water Act and required by the State's Porter-Cologne Water Quality Control Act. The Central Valley Regional Water Quality Control Board (CVRWQCB), which is responsible for implementation of the Basin Plan in Yolo County, evaluates discharges that may impact beneficial uses of surface water and groundwater and, if appropriate, issues numerical standards and monitoring requirements for the discharge.

The Basin Plan provides the framework for regulating activities which could result in adverse impacts on water resources. Current in-channel mining activities and projects under the CCRMP which promote channel stabilization and restoration of the riparian environment can result in temporary water quality degradation. The primary water quality impact related to these activities would be potential sedimentation of surface water related to storm water runoff discharges. The Basin Plan establishes control of storm water pollutants as a policy. In addition, the CVRWQCB is responsible for enforcement of National Pollutant Discharge Elimination System (NPDES) requirements for control of storm water pollutants.

Cache Creek is listed as an "Impaired Waterway" by the CVRWQCB. The Cache Creek watershed is currently recognized as a potential significant source of mercury discharges to the Sacramento River. The Basin Plan presents a strategy for investigation and correction of potential sources of mercury (refer to Section 4.4, Hydrology and Water Quality).

Yolo County General Plan and Zoning Code

General Plan

Several goals and numerous policies and elements of the Yolo County General Plan are relevant to the proposed CCRMP. In particular, the General Plan's stated goals include:

- Wise land use based on both physical and social characteristics of the County;
- Protect prime and other agricultural land from urban development;
- Establish natural and wildlife areas (preserves); and
- Provide long-term assurance of the terms of permits and approvals.

The majority of the Yolo County General Plan policies listed below are provided verbatim; some lengthy policies are summarized and, if so, are indicated as such.

- LU 6** It is the policy of Yolo County to vigorously conserve and preserve the agricultural lands in Yolo County. Yolo County shall protect and conserve agricultural land use especially in areas presently farmed or having prime agricultural soils and outside of existing planned urban communities and outside of city limits.
- LU 7** Non-agricultural land use activities are prohibited from agriculturally designated areas in Yolo County except as defined in policies LU 12, LU 17, LU 18, LU 19 (reserved for future use), and LU 46.
- LU 8** (Williamson Land Conservation Program) and LU 9 (Agricultural Preserve Zoning). In summary, these policies provide for adoption by the County of the Williamson Act Land Conservation Program, and for application of Agricultural Preserve (A-P), zoning to all lands which qualify for an agricultural preserve contract.
- CON 35** Yolo County shall adopt a Cache Creek Management Program for the carefully managed use and conservation of Cache Creek and its sand and gravel resource, its riverside environment, its relationship to ground and surface water characteristics and its value as a fishery and recreation resource.
- OS 1** Yolo County shall preserve appropriate open space land through available means of land use controls, regulations, and advice or guidance and through coordination with the other elements of this General Plan, as amended, and with other agencies.
- OS 2** In summary, this policy states that Yolo County shall use diverse policies and other regulatory means to preserve open space. This policy defines "open space" to include areas used for managed resource production including agricultural land and areas containing major mineral deposits, including sand and gravel.
- OS 8** Recreation, bikeways, trails, and other public areas shall be integrated with open space plans and the provision of open space areas and corridors; and conformance with such plans shall be mandatory for all new development or redevelopment.
- OS 9** Yolo County shall plan to maintain scenic highways and waterways or riverbank corridor areas of scenic value as part of its open space preservation program and shall use persuasion and regulation to that end.
- OS 11** Yolo County shall safeguard existing and encourage additional areas of wildlife habitat as part of its open space preservation program.
- CON 2** Yolo County shall foster conservation of its resources and avoid natural hazards by planning, encouraging, and regulating the development and use of these resources and the areas where they exist.
- CON 5** This policy states, in part, that "Yolo County shall require conservation of natural resources in the development and managed utilization including... the reclamation of lands and waters."

- CON 6** Yolo County shall plan, encourage, and regulate to ensure that natural resources are maintained for their long-term ecological values as well as for their more direct and immediate benefits.
- CON 9** Yolo County shall ensure the protection, maintenance, and wise use of the State's natural resources, especially scarce resources and those that require special control and management.
- CON 10** Yolo County shall plan, encourage, and regulate public and private agencies to prevent the wasteful exploitation, destruction, or neglect of the State's resources.
- REC 6** Development of riverfront recreation areas shall offer recreational facilities, visual aesthetics and open space amenities, while insuring access to the river for all residents.

Zoning Code

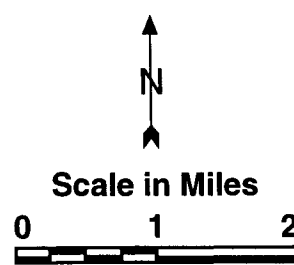
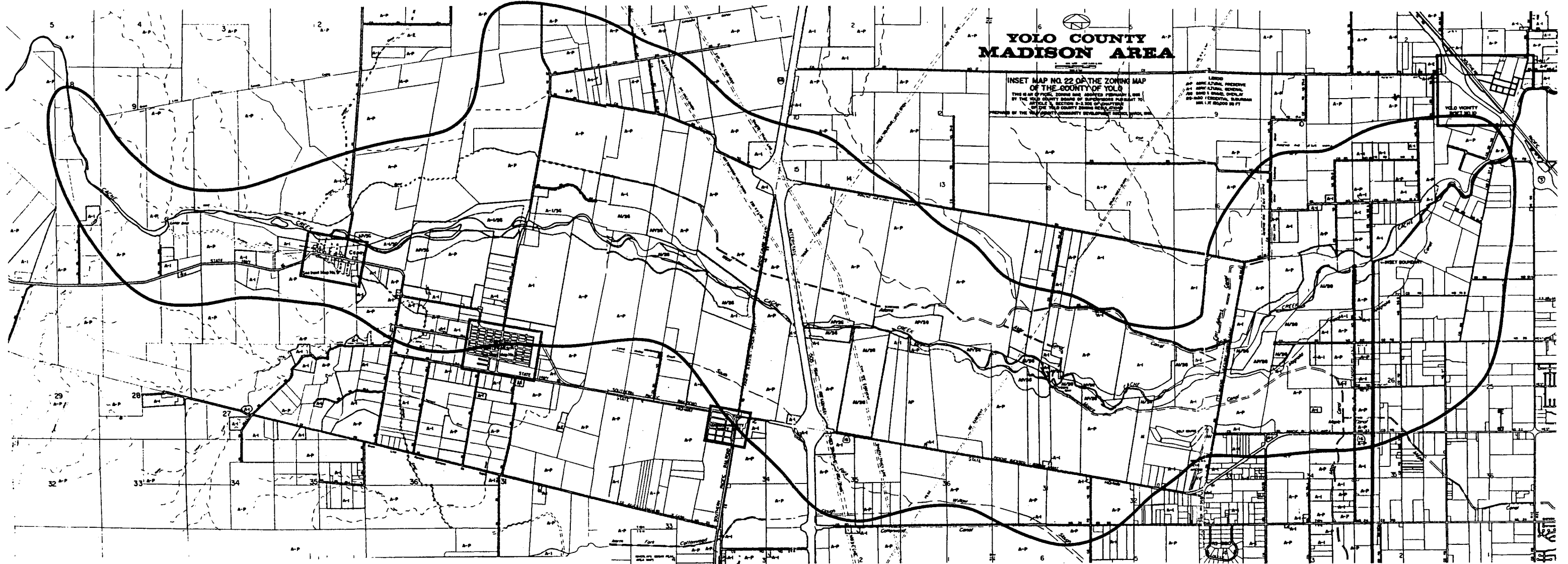
As shown in Figure 4.2-1, the CCRMP planning area is zoned A-P (Agricultural Preserve) and A-1 (General Agriculture). The purpose of these zones is to preserve lands best suited for agricultural use from the encroachment of incompatible uses. As such, they do not permit the intense urban uses and/or high economic value development that is generally considered to be incompatible with agricultural operations. The SG (Sand and Gravel) overlay has been combined with the A-1 zone and the A-P zone in several areas along the channel to indicate land areas in which surface mining operations may be conducted.

Flood Ordinance

Yolo County requires that prior to construction within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) flood zones A, AO, AI-30, or AE, a Development Permit must be obtained from the Floodplain Administrator. Development Permits apply to structures, mining, filling, grading, and other human-made changes that may increase flood hazards. Applicants must ensure that the proposed project does not adversely affect the base flood elevation of surrounding areas.

Town of Esparto Draft General Plan

In February 1993, Yolo County issued the draft Esparto General Plan, a proposed supplement to the Yolo County General Plan (the plan is expected to be adopted by the end of 1996). It provides specific guidance for allowing limited amounts of development in Esparto, located and designed in such a way as to protect, preserve and perpetuate its small town characteristics and qualities. The Esparto General Plan identifies the need for management and protection of Cache Creek, and its habitat and recreation value, while allowing careful use of its gravel and aggregate resources. Program 25 from the Conservation Element further defines this need.



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|-----|-----------------------|-----|-----------------------|
| A-P | AGRICULTURAL PRESERVE | /SG | SAND & GRAVEL OVERLAY |
| A-1 | AGRICULTURAL GENERAL | | PLANNING AREA |

Figure 4.2-1 A-1 and A-P Zoning Within the Planning Area

SOURCE: YOLO COUNTY COMMUNITY DEVELOPMENT AGENCY

Program 25 The County will adopt a County-wide creek management and protection program. Such a program should include the following components:

- An inventory of significant creeks and waterways in the County, and the important biological, mineral, recreational and other resources associated with each.
- A statement of which activities are allowed and prohibited within creek corridors.
- Programs and policies for creek protection that may include establishing appropriate building setbacks from creeks, the acquisition of open space easements along creek corridors, and methods to revitalize and restore creeks.
- Implementation mechanisms.

Capay Valley Area General Plan

In May 1982, Yolo County adopted the Capay Valley Area General Plan. Like the Esparto General Plan discussed above, the Capay Valley Area General Plan is a supplement to the Yolo County General Plan; it provides specific guidance for the future distribution and timing of development within the communities of Capay, Guinda, and Rumsey, and for the retention and preservation of agricultural lands in the hills, the foothills and the valley floor. A list of relevant goals and policies from the Open Space and Conservation (OS&C); Natural Resources (NR); Public Health and Safety (PH&S); and Recreation (R) Elements is provided below.

OS&C-Goal 1: The overriding goal of the open space and conservation element of the Plan is to assure the continued availability of land for the production of food and fiber and to maintain and enhance the same by controlling the quantity and quality of development allowed.

NR-Goal: Protection and preservation of natural resources which possess scenic and/or agricultural productive values shall be assured.

(Soil and Water Conservation Subsection)

NR-Goal 1: To encourage water conservation and controls over soil erosion by protecting quality and conserving the quantity of groundwater, creek water, and run-off waters.

NR-Goal 2: To improve water quality of Cache Creek wherever and whenever possible.

(Flora and Fauna Subsection)

NR-Goal 1: To preserve natural habitat in wetlands and watersheds.

PS&H-Goal 3A: To avoid loss of life and minimize loss of property due to flood.

PS&H-Goal 3D: To maintain or enhance..water quality.

R-Policy 2: Use of wetland habitat should be monitored by the County and appropriate agencies.

R-Policy 3: To confine development of new and additional recreational facilities along Cache Creek, to the betterment of existing public facilities and/or in the interest of public health and safety.

City of Woodland General Plan

The City of Woodland General Plan was adopted on February 27, 1996. Key principles and policies of the plan that would apply to the CCRMP:

- Policy 7.A.1 The City shall cooperate with Yolo County in the conservation of Cache Creek for the protection of its water resources and its open space. To this end, the City shall oppose the introduction of new potential sources of pollution to Cache Creek.
- Policy 7.A.2 The City shall cooperate with other jurisdictions in jointly studying the potential for using surface water sources to balance the groundwater supply so as to protect against aquifer overdrafts and water quality degradation.
- Policy 7.A.3 The City shall help protect groundwater resources from overdrafts by promoting water conservation and groundwater recharge efforts.
- Policy 8.B.6 The City shall continue to work closely with the U.S. Army Corps of Engineers, the Yolo County Resource Conservation District, the Federal Emergency Management Agency, the State Department of Water Resources, and the Yolo County Flood Control and Water Conservation District, in defining existing and potential flood problem areas and solutions.
- Policy 8.B.7 The City shall recognize floodplains as a potential public resource to be managed and maintained for the public's benefit and, where possible, shall view flood waters as a resource to be used for waterfowl habitat, aquifer recharge, fishery enhancement, agricultural water supply, and other suitable uses.

IMPACTS AND MITIGATION MEASURES

Standards of Significance

The project would have a significant effect on land use if it would:

- Conflict with general plan designations or zoning.
- Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project.
- Be incompatible with existing land use or planned growth in the vicinity.
- Disrupt or divide the physical arrangement of an established community.
- Substantially alter the present or planned land use of the area.
- Alter the type or intensity of land use within the area.

**Impact 4.2-1
Consistency with Yolo County and Other General Plans**

Draft CCRMP

Yolo County General Plan

The draft CCRMP and CCIP is considered generally consistent with adopted general plans. Land Use Policies 6, 7, 8, and 9 of the Yolo County General Plan provide for the protection and conservation of agriculturally productive land within the County. Protection is offered in the form of land use restrictions, including encouragement of agricultural preservation through administration of the Williamson Act and application of restrictive Agricultural Preserve (A-P) zoning districts.

Chapter 7.0 of the draft CCRMP provides a framework for the maintenance, reclamation and continued production of agricultural lands, including:

Goal 7.2-1: Protect farmland along Cache Creek from land uses that may conflict with agricultural operations.

Obj. 7.2-3: Manage Cache Creek to reduce the loss of farmland from erosion and increase the recharge potential of the channel.

Implementation of the draft CCRMP, however, could result in the temporary and/or permanent removal of productive agricultural land as a result of creek maintenance activities associated with the development of a more stable Cache Creek channel. The development of the more stable channel could also result in filling and reclamation of some areas within the active creek channel to agricultural use. The potential loss of agricultural land is discussed in detail in Section 4.5 (Impact 4.5-1).

Specific land use restrictions provided in the Yolo County General Plan Land Use Policy 7 (related to prohibition of non-agricultural activities in agriculturally designated areas) do not directly apply to the draft CCRMP. Aggregate extraction is a permissible use for agricultural lands zoned General Agriculture, and is restricted to operations necessary for erosion control in areas zoned Agricultural Preserve. Under the draft CCRMP, modifications of the existing channel would be allowed only to provide for increased channel stability. Although the majority of these activities could occur in areas currently zoned for aggregate mining, some sand and gravel extraction could occur in lands zoned for agriculture. The removal of aggregate necessary to establish a more stable Cache Creek channel proposed under the CCRMP is consistent with both existing and proposed agricultural zoning requirements (refer to Impact 4.2-2 below for additional discussion of zoning consistency).

The intent and policies of the draft CCRMP would not conflict with Land Use Policies 8 and 9 which call for the County to adopt the Williamson Act Land Conservation Program and

apply restrictive zoning (i.e., Agricultural Preserve). The draft CCRMP would not adversely affect the potential for application of either of these programs.

Conservation Policy 35 requires that the County adopt a Cache Creek Management Program for the overall management of the creek and its resources. The CCRMP and CCIP, together with the draft OCMP and implementing ordinances, will comprise the Cache Creek Area Plan: a comprehensive management program which provides the necessary framework and policies for managing the wide variety of resources associated with the creek, including biological resources, water resources, aggregate, agriculture, and recreation. Adoption of the CCRMP and OCMP would allow the County to begin taking the first steps towards managing those resources in a more balanced and sustainable manner. Specific examples of the Goals, Objectives, Actions, and Performance Standards of the CCRMP which are relevant to these resource issues, and corresponding consistency analysis, are provided in: Section 4.3 (Geology and Soils), Section 4.4 (Hydrology and Water Quality), Section 4.5 (Agriculture), and Section 4.6 (Biological Resources) as appropriate.

The discussion provided under Impact 4.2-7 (Establishment of a Conceptual Planning Framework for the Long-Term Preservation and Development of Open Space and Recreational Opportunities in the Lower Cache Creek Area) demonstrates that the CCRMP is consistent with the open space and recreation goals of the Yolo County General Plan.

Town of Esparto Draft General Plan

The draft CCRMP and CCIP reinforce the Town of Esparto Draft General Plan requirement to protect and manage Cache Creek and its habitat and recreation value, while allowing careful use of its gravel aggregate resources.

Implementation of the CCRMP would preclude commercial mining within the in-channel boundary. The "careful use of gravel aggregate resources" would be limited to channel maintenance activities associated exclusively with stabilization and restoration of the creek.

The CCRMP would provide for the protection and management of habitat values along the creek by encouraging revegetation in areas which were historically mined or otherwise disturbed. Specific habitat restoration plans for the reach which encompasses the Esparto planning area (Reach 7: Hungry Hollow Reach as shown in Figure 4.4-6) include the reestablishment of riparian vegetation. Reach 7 is the main area of natural sediment deposition, and groundwater levels are lower there than in the other reaches included in the CCRMP boundary. Those two factors tend to discourage extensive revegetation, unless irrigation is used on an ongoing basis. However, this area also forms a significant gap in the wildlife corridor. Subsequently, restoration work will concentrate on establishing riparian vegetation along the low-flow channel, where more water is available. The low-flow channel will meander and shift, so that a series of narrow vegetation ribbons will eventually cover the floodplain, in an alternative pattern of forest and open gravel bars. These improvements, along with the Goals, Objectives, Actions, and Performance

Standards discussed in Section 4.6 (Biological Resources) and Chapter 4.0 of the CCRMP demonstrate that the CCRMP would be consistent with the Esparto Draft General Plan program requiring protection and maintenance of Cache Creek habitat values.

As demonstrated in the discussion under Impact 4.2-7, the CCRMP would be consistent with the recreation and open space values provided in the Esparto Draft General Plan.

Capay Valley Area General Plan

The draft CCRMP and CCIP are consistent with the relevant goals and policies of the Capay Valley Area General Plan. The overriding goal of the Open Space and Conservation Element in the Capay General Plan is to assure the continued availability of land for the production of food and fiber. Chapter 7.0 of the draft CCRMP (Agricultural Resources Element) reinforces the importance of agricultural production along the creek (refer to Section 4.5 for additional discussion on this issue).

The Natural Resources Element of the Capay Plan includes specific goals related to the preservation and improvement of water quality, and habitat values. The policy framework established in the CCRMP regarding the maintenance, improvement and monitoring of water quality, as described in Section 4.4 (under Impact 4.4-3), makes it consistent with the goals set forth in the Capay Plan. The CCRMP would also be consistent with the Capay Plan goal related to the preservation and improvement of habitat values.

The Capay Valley planning area transcends two of the reaches included in the CCRMP planning area: Capay Reach 8; and Hungry Hollow Ranch Reach 7. The habitat improvements proposed for Reach 7 are described above under the Town of Esparto Draft General Plan consistency analysis. In general, Reach 8 is subject to high flow velocities and widespread exposure of bedrock within the channel. As a result, there is little opportunity for in-stream revegetation in this area. Efforts will be focused on removing the extensive stands of giant reed and tamarisk and the reestablishment of native vegetation. Habitat restoration efforts in Reach 8 will be contingent upon the cooperation of local landowners along the southern bank of the channel.

The Public Health and Safety Element of the Capay Plan includes two goals which are relevant to the CCRMP: minimize hazards associated with flood damage; and maintenance and enhance water quality. As described in Chapter 2.0 of the draft CCRMP, the focus of the proposed project is to improve floodway and channel stability. In so doing, the draft CCRMP would reduce potential hazards associated with flooding. Chapter 3.0 of the draft CCRMP identifies similar Goals, Objective, Actions and Performance Standards for the preservation and maintenance of surface and groundwater quality. These issues are further articulated in Section 4.4 and 4.12, respectively of this EIR.

In summary, the draft CCRMP would be considered consistent with the Capay Valley Area General Plan.

City of Woodland General Plan

The proposed CCRMP is generally consistent with relevant policies of the Woodland General Plan (as listed in the Regulatory Setting Section above). The CCRMP would promote protection of water resources and open space use within the CCRMP boundary. No new sources of pollution would be introduced through implementation of the CCRMP. The CCRMP contains provisions for increased coordination between Yolo County and other jurisdictions, including the City of Woodland, in management of the Cache Creek channel and adjacent areas. Action 2.4-6 specifically addresses flood management coordination between the County and agencies with jurisdiction along Cache Creek. The CCRMP and CCIP will provide valuable monitoring data for continued evaluation of hydraulic conditions on the creek and the progress of riparian environment restoration. The CCRMP would not directly result in any significant changes in groundwater conditions along the creek. However, Action 2.4-8 of the CCRMP will promote a regular source of surface water flow in the creek throughout the year, enhancing the potential for groundwater recharge.

Alternative 1a: No Project (Existing Conditions); and Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Under Alternatives 1a and 1b, the County would not adopt a CCRMP and CCIP, and in-channel commercial mining would continue. These alternatives would be inconsistent with Policy 35 of the County General Plan and Program 25 of the Esparto Draft General Plan, which call for the adoption of a resources management plan for the creek. In addition, under these alternatives, none of the habitat restoration, flood control, water quality, or open space and recreation benefits proposed by the CCRMP (and CCIP) and required by the relevant plans and policies as discussed above, would be realized. This would be considered a significant impact.

Alternative 2: No Mining (Alternative Site)

Under Alternative 2, the County would not adopt a CCRMP, and would not take a proactive role in managing Cache Creek. As with the No Project alternatives above, this alternative would be inconsistent with Policy 35 of the County General Plan, which calls for the adoption of a resources management plan for the creek. This would be considered a significant impact.

Alternative 3 Channel Bank Widening (Implement Streamway Influence Boundary)

Under Alternative 3, the County would adopt a CCRMP and would therefore be consistent with the intention of Policy 35 of the County General Plan and Program 25 of the Esparto Draft General Plan, which call for the adoption of a resources management plan for the creek. However, bridge lengthening under this alternative may result in inconsistency County General Plan Policies OS-9 and OS-11, Program 25 of the Esparto Draft General Plan, NR-Goal 1 in the Capay Valley Area General Plan, and Policy 7.A.1 in the Woodland

General Plan which promote the protection of open space, scenic values, and/or wildlife habitat. Existing land use controls, development regulations, and avoidance of sensitive areas would reduce this impact to a less-than-significant level.

Mitigation Measure 4.2-1a (CCRMP and A-3)

None required.

Mitigation Measure 4.2-1b (A-1a, A-1b, and A-2)

In lieu of adopting the CCRMP, the County shall develop an alternate approach for responding to the requirements of General Plan Conservation Policy 35. An alternate approach would be to amend the General Plan to include several additional conservation policies, to read as follows:

- CON 42** *Yolo County shall recognize the mineral classification study referred to in the California Division of Mines and Geology Special Report 156 and shall consider this information when planning or approving development within the MRZ area.*
- CON 43** *The development of land uses which are inherently incompatible with surface mining operations shall be discouraged through the continued maintenance of agricultural zoning within the MRZ area.*
- CON 44** *Yolo County shall permit surface mining only within lands designated with the SG (Sand and Gravel) overlay zone, except as otherwise provided for in the A-P (Agricultural Preserve) Zone. Parcels within the MRZ area, which do not have the SG zoning, shall remained zoned for agricultural production and the mineral reserves therein shall be considered as designated for conservation.*
- CON 45** *Yolo County shall encourage the conservation and development of identified mineral deposits, while giving consideration to recreation, watershed, wildlife, range and forage, aesthetic enjoyment, and other environmental factors.*

Implementation of this mitigation measure would not fulfill a Creek Management Program to coordinate fisheries, recreation, and water. Yolo County General Plan Conservation Policy 35 would still not be met and the resulting inconsistency would be considered a significant and unavoidable impact under A-1a, A-1b, and A-2.

**Impact 4.2-2
Consistency with the Yolo County Zoning Ordinance and County Code**

Draft CCRMP

Zoning Ordinance

The proposed project would rezone approximately 1,774 acres of land within the channel boundary to the Open Space (OS) Zone (Article 19.2 of the Zoning Code). The purpose of the OS Zone is to preserve appropriate lands in open space uses as defined and required in the General Plan. Under Subsection 8-2.1922, principal permitted uses in the OS Zone include:

- (a) Areas used for managed resource production, including:
 - (1) Agricultural land;
 - (2) Range land;
 - (3) Managed food and fiber production areas;
 - (4) Groundwater recharge areas;
 - (5) Marshes, rivers, lakes, and streams; and
 - (6) Areas of major mineral deposits, including sand and gravel, clays, ores, metals, and oil and gas;
- (b) Fish, wildlife, and plant habitat;
- (c) Natural areas;
- (d) Riparian areas;
- (e) Outdoor recreation areas; and
- (f) Flood control bypasses and other drain channels.

The proposed change in emphasis from commercial aggregate mining within Cache Creek to channel stabilization, floodway management, habitat restoration, and possibly future recreation use would be consistent with the OS Zone. The OS Zone would not prohibit continued agriculture.

The Yolo County Flood Ordinance would be the primary regulatory vehicle for coordinating activities within the creek, and the creation of a more stable channel. Any work to be performed within Cache Creek would be required to obtain a Floodplain Development Permit prior to commencement. In order to ensure that permits implement the CCIP and are consistent with the plan, the Floodplain Ordinance would be amended to include review by the TAC of all Floodplain Development Permits within the CCRMP boundary. Findings would also be specified that would have to be met in order for a permit to be approved, as well as the types of information necessary to accompany an application. No other changes in the ordinance would be necessary.

Permitted uses in Article 23.1 of the Yolo County Zoning Ordinance deals with the Special Sand and Gravel Combining Zone (SG). Section 8-2.2311 states the following as the purpose of the zone:

The Special Sand and Gravel Combining Zone (SG) classification is intended to be combined with the A-1 Zone and with the A-P Zone in the channel as defined by Chapter 3 of Title of this Code so as to indicate land areas in which surface mining operations may be conducted.

If a SMARA exemption is approved, this section would be amended to prohibit commercial mining within the Cache Creek channel.

Section 8-2.2312(a), Land Use Regulations (SG), states the following regarding the SG Zone:

Applicability for in-channel surface mining. The Special Sand and Gravel Combining Zone (SG) may be combined with the existing zoning of any land, including A-1 and A-P zoned land, located within a channel as defined by Chapter 3 of Title 10 of this Code.

The use of any land within a channel and designated by the Special Sand and Gravel Combining Zone (SG) for mining purposes shall be allowed only pursuant to Chapter 3 of Title 10 of this Code entitled 'Interim In-Channel Surface Mining Regulations,' or successors thereto.

Since the CCRMP proposes to eliminate commercial mining within the channel, and the County is considering rezoning the channel to OS, Section 8-2.2312(a) of the Zoning Code would need to be deleted. This is not considered to be a significant impact.

Alternative 1a: No Project (Existing Conditions)

Under this alternative the County would not adopt the CCRMP and CCIP. Mining would continue based on 1995 actual production for each producer. Continuation of all regulations in place as of December 31, 1995 would be assumed, including the 1979 regulatory channel boundary and existing "interim" regulations. Under this alternative, existing conditions would persist, consistent with the Yolo County Zoning Ordinance and County Code. This would be a less-than-significant impact, and no mitigation would be required.

Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Under this alternative the County would not adopt the CCRMP and CCIP. Currently approved maximum annual allocations would establish the maximum intensity of mining that would be allowed. It would be assumed that all regulations in place as of December 31, 1995 would remain in place, including the 1979 regulatory channel boundary and existing "interim" regulations. This alternative would be consistent with the Yolo County Zoning Ordinance and County Code. This would be a less-than-significant impact, and no mitigation would be required.

Alternative 2: No Mining (Alternative Site)

Under this alternative, the County would not adopt the CCRMP or CCIP, and would not take a pro-active role in managing the creek. It would be assumed that existing permits to mine in- or off-channel for all producers would be voided as of December 31, 1995. The

County would not initiate a channel improvement program. This alternative would be consistent with the Yolo County Zoning Ordinance and the County Code. This would be a less-than-significant impact, and no mitigation is required.

Alternative 3: Channel Bank Widening (Implement Streamway Influence Boundary)

Under this alternative, the CCRMP would establish a wider channel similar to the streamway influence boundary which describes the historical width of the creek. Commercial aggregate mining within the channel would be eliminated, and the County would rezone the channel to OS. Therefore, the second paragraph of Section 8-2.2312(a) within the Zoning Code would need to be deleted. This would be a less-than-significant impact.

Mitigation Measure 4.2-2a (CCRMP, A-3)

None required.

However, if the SMARA exemption is approved, it is recommended that Section 8-2.2312(a) of the Zoning Ordinance be amended by deleting reference to in-channel surface mining as follows:

~~*Applicability for in-channel surface mining. The Special Sand and Gravel Combining Zone (SG) may be combined with the existing zoning of any land, including A-1 and A-P zoned land, located within a channel as defined by Chapter 3 of Title 10 of this Code.*~~

~~*The use of any land within a channel and designated by the Special Sand and Gravel Combining Zone (SG) for mining purposes shall be allowed only pursuant to Chapter 3 of Title 10 of this Code entitled 'Interim In-Channel Surface Mining Regulations,' or successors thereto.*~~

Mitigation Measure 4.2-2b (A-1a, A-1b, A-2)

None required.

Implementation of this mitigation measure would reduce the impact to a less-than-significant level.

Impact 4.2-3

Consistency with the State Mining and Reclamation Act (SMARA) and the State Mining and Geology Board Reclamation Regulations

Draft CCRMP

Implementation of the CCRMP would result in cessation of mining within the channel, would initiate a comprehensive creek monitoring program, and would promote improvement projects designed to increase stabilization of the creek channel. The initial improvement projects may result in the removal of sand and gravel resources from within

the Cache Creek channel, but at a substantially lower rate with the focus being hydraulic stability of the channel, not commercial profit. After initial channel shaping and sculpting, sand and gravel resources would be exported from the improvement projects. In addition, aggregate would likely be removed on an infrequent basis during the course of future channel maintenance activities. No more than the annual replenishment of sand and gravel within the creek (estimated to be 210,000 tons) could be removed in any one year.

Because the activities anticipated under the CCRMP would be performed for the primary purpose of improving channel stability, they may qualify for an exemption under SMARA. Section 2714 of SMARA provides exceptions for the following activities that may relate to improvement projects under the CCRMP:

- a) Excavations or grading conducted for farming or onsite construction or for the purpose of restoring land following a flood or natural disaster.
- b) Onsite excavations and onsite earthmoving activities which are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site, subject to all of the following conditions:
 - (1) All required permits for the construction, landscaping, or related land improvements have been approved by a public agency in accordance with applicable provisions of state law and locally adopted plans and ordinances, including but not limited to, Division 13 (commencing with Section 21000).
 - (2) The lead agency's approval of the construction project included consideration of the onsite excavation and onsite earthmoving activities pursuant to Division 13 (commencing with Section 21000).
 - (3) The approved construction project is consistent with the general plan or zoning of the site.
 - (4) Surplus material shall not be exported from the site unless and until actual construction work has commenced and shall cease if it is determined that construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.

The improvement projects under the CCRMP could reasonably be assumed to meet these requirements for exemption from SMARA. These projects would be construction activities directed toward stabilization and restoration of the creek channel. As such, the projects could be considered "landscaping or related land improvements." Because it is recognized that the current channel conditions must be managed to prevent further damage or threat of damage to bridges, canals, and other structures related to flood flows in the creek, the projects could also be considered necessary "for the purpose of restoring land following a flood or natural disaster."

- f) Any other surface mining operations that the board determines to be of an infrequent nature and which involves only minor surface disturbances.

The improvement project under the CCRMP could also be reasonably assumed to meet the requirements for exemption under Section 2714 of SMARA. Removal of sand and gravel resources would not exceed the previous year's deposition and may be less. Extraction would only be permitted for the purposes of improving channel stability or erosion prevention of adjoining lands, and would occur under the review of a Technical Advisory Committee set up to monitor channel conditions. Aggradation will be encouraged, where appropriate, so that resource removal would be limited on scope of frequency. As the channel stabilizes over time, it is expected that the need for maintenance activities will decrease. Furthermore, all existing mining permits within the active channel would be withdrawn under the CCRMP. This is a less-than-significant impact. If the CCRMP is found to be subject to SMARA, it should be submitted to Division of Mines and Geology for review and approval.

Alternative 1a: No Project (Existing Conditions)

Under this alternative, mining would continue at existing operations under existing mining and reclamation ordinances. Existing mining and reclamation ordinances contained in the Yolo County Code would need to be revised to incorporate recent amendments to SMARA. Performance standards to prevent hazards and reduce potential environmental impacts; and programs to carry out the policies included within the Cache Creek Resources Management Plan would not be implemented. This would be a significant impact.

Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Same as Alternative 1a.

Alternative 2: No Mining (Alternative Site)

Under this alternative, mining would occur in permitted areas elsewhere and would likely be subject to ordinances developed by other jurisdictions in accordance with the policies of SMARA. The adoption of mineral resource policies by the County would still be required under SMARA, however, even if mining is prohibited. Implementation of Mitigation Measure 4.2-1b would reduce this impact to a less-than-significant level.

Alternative 3: Channel Bank Widening (Implement Streamway Influence Boundary)

Under Alternative 3, the CCRMP would establish a wider channel similar to the streamway influence boundary. Off-channel mining would occur in areas of proposed applications that fall outside the Streamway Influence Boundary under the OCMP and implementing ordinances. Mining operations would be subject to ordinances developed in accordance with the policies of SMARA. Procedures would be established for the review and approval of reclamation plans for mining areas consistent with the most recent amendments to SMARA and the State Mining and Geology Board Reclamation Regulations. No significant impacts are expected.

Mitigation Measure 4.2-3a (CCRMP)

None required.

However, if the CCRMP is found to be subject to SMARA, the County should submit the Plan, including the CCIP, to Division of Mines and Geology for review and approval as the mining and reclamation plan for the study area of the creek.

Mitigation Measure 4.2-3b (A-1a, A-1b)

The County shall incorporate mineral resource management policies into its General Plan as required by SMARA and submit the policies to Division of Mines and Geology for review and comment prior to adoption.

Mitigation Measure 4.2-3c (A-2)

None required. Implementation of Mitigation Measure 4.2-1b (refer to Impact 4.2-1) would reduce potential inconsistencies associated with Alternative 2 to a less-than-significant level.

Mitigation Measure 4.2-3d (A-3)

None required.

Implementation of these mitigation measure would reduce the impact of the CCRMP and Alternatives 1a and 1b to a less-than-significant level.

Impact 4.2-4

Compatibility with Existing and Planned Land Uses

Draft CCRMP

The CCRMP and CCIP identify major creek stabilization projects to be undertaken over the next three to five years. Implementation of these projects would guide development of a more stable channel form and reduce the adverse effects of channel migration, while providing for long-term protection of existing agricultural uses and infrastructure components (especially bridges) within the study area. These projects would not immediately improve all areas of the stream, and the projects may not all be implemented for several years. Channel sculpting and smoothing projects located downstream from the Stevens and Esparto Bridges may remove portions of the existing low in-channel levees left from previous mining and the construction of terrace features adjacent to the channel banks, but impacts to existing agricultural uses are not expected to be significant.

The CCRMP includes the following policies which address the topic of future land use compatibility:

- 2.2-2 Establish a more natural channel floodway capable of conveying floodwaters without damaging essential structures, causing excessive erosion, or adversely affecting adjoining land uses.
- 2.2-3 Coordinate land uses and improvements along Cache Creek so that the adverse effects of flooding and erosion are minimized:
- 2.3-2 Integrate the Cache Creek Resources Management Plan with other planning efforts to create a comprehensive, multi-agency management plan for the entire Cache Creek watershed.
- 2.3-4 Protect permanent in-channel improvements (e.g., pipelines, bridges, levees, and dams) from structural failure caused by erosion and scour.
- 2.3-7 Manage Cache Creek so that the needs of the various uses dependent upon the creek, such as flood protection, wildlife, groundwater, structural protection, and drainage are balanced.
- 2.4-7 Manage activities and development within the floodplain to avoid hazards and adverse impacts on surrounding properties. This shall be accomplished through enforcement of the County Flood Ordinance and ensuring that new development complies with the requirements of the State Reclamation Board.
- 5.2-3 Ensure the compatibility of recreational facilities with surrounding land uses, in order to minimize adverse impacts.
- 5.3-2 Include use of the "Open Space" designation for the areas where resource management and habitat protection is warranted.
- 5.4-6 Design and manage recreational sites so that trespassing, vandalism, and other undesirable activities are discouraged.
- 5.5-1 Only those uses that are river dependent, such as fishing, canoeing, and nature observation shall be located on the creek. More active uses, including parking, restrooms, and picnic areas should be located in areas located away from sensitive habitat, preferably on land that has been reclaimed from sand and gravel mining.
- 5.5-2 Recreational uses shall be clustered at locations along the creek, in order to limit public access, minimize habitat disturbance, and provide efficient and cost-effective management by the County.
- 5.5-3 Physically control access with gates and collect user fees to support operations and deter inappropriate activities. Limited public access will also reduce impacts to sensitive habitat and adjoining private uses. Additional options include permits, volunteer docents to patrol the site, and escorted tours.
- 5.5-4 Recreational facilities shall be located a minimum of one-hundred and fifty (150) feet from private dwellings, with a landscaped buffer provided to reduce noise and maintain privacy.
- 5.5-6 Large-scale, high-intensity recreational uses, such as amusement parks, off-road vehicle parks, or uses involving motorized watercraft, are not compatible with land uses along Cache Creek.
- 5.5-7 The recreational use of off-road vehicles and all-terrain vehicles within the channel shall be prohibited.

- 6.5-1 All in-channel operations shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, unless emergency conditions require otherwise.
- 6.5-3 All unpaved roads shall be adequately watered to keep soil moist at all times, in order to control fugitive dust.
- 6.5-5 Noise levels shall not exceed an average noise level equivalent (Leq) of eighty (80) decibels (dBA) measured at the outermost boundaries of the property being excavated. However, noise levels may not exceed an average noise level equivalent (Leq) of sixty (60) decibels (dBA) for any nearby off-site residences or other noise-sensitive land uses, unless emergency conditions require otherwise.
- 7.2-1 Protect farmland along Cache Creek from land uses that may conflict with agricultural operations.
- 7.3-1 Ensure the compatibility of planned habitat and the channel floodplain with adjoining agricultural land, so that productivity is not adversely affected.
- 7.3-2 Coordinate with local farmers to employ existing agricultural practices in improving the quality of riparian habitat.
- 7.4-2 Design and develop habitat restoration projects so that they do not adversely impact the agricultural productivity of nearby farmland.
- 7.4-3 Incorporate agriculturally related features, such as agricultural forage areas and drainage systems, into the design of habitat planning.
- 7.5-1 Revegetation projects may be coordinated with agricultural drainage structures that empty into Cache Creek or previously mined areas separated from the creek, so that the sediment deposited can provide additional topsoil and so that riparian species requiring a more steady supply of water can be established.
- 7.5-2 Vegetated buffers should be placed between restored habitat areas and adjoining farmland, in order to minimize the potential for riparian areas to serve as reservoirs for predators and insect pests. Said buffers will also reduce the effects of noise, dust, and spraying generated by agricultural operations on wildlife and riparian vegetation.
- 7.5-3 Species and water features included in habitat areas should be designed to discourage the intrusion of wildlife, insect pests, and weeds that would impair local crops.

Implementation of these policies and proposed improvement projects would minimize the potential for future incompatible land uses from occurring within or adjacent to the creek. This would be a less-than-significant impact.

Alternative 1a: No Project (Existing Conditions);

Alternative 1b: No Project (Existing Permits and Regulatory Condition); and

Alternative 2: No Mining (Alternative Site)

Under these alternatives, the CCRMP would not be adopted, and in-channel commercial mining would continue. Priority major stabilization projects under the CCIP would not occur. The unstable condition of Cache Creek within the CCRMP planning boundary would present a threat to the integrity and stability of important land resources including bridges, irrigation canals, roads, and productive farmland, particularly near the I-505 bridge

and in the upper portion of the Dunnigan Hills reach. This would be a significant and unavoidable impact.

Alternative 3: Channel Bank Widening (Implement Streamway Influence Boundary)

Under this alternative, active management of stability of Cache Creek would not occur, and no in-channel commercial mining would be permitted. Erosion would be a natural process that would not be controlled. Although the expected loss of important land resources cannot be accurately estimated, all structures and land improvements within the Streamway Influence Boundary could be impacted by erosion, particularly those requiring flood protection. Portions of these lands may be subject to more frequent flooding under this alternative if channel capacity were lost due to aggradation. Productive farmland could also be lost or disturbed and public and private structures (including residences) could be displaced by bridge lengthening projects proposed by this alternative. Additional farmland could be lost due to the off-channel mining projects described for this alternative (the amount of farmland lost would depend on the types of reclamation proposed for the off-channel mining projects). The loss of land resources to erosion would not be prevented by channel management and would be a significant and unavoidable impact.

Mitigation Measure 4.2-4a (CCRMP)

None required.

Mitigation Measure 4.2-4b (A-1a, A-1b, A-2, A-3)

None available.

Potential conflicts with existing structures and land improvements due to creek instability and erosion would be considered a significant and unavoidable impact of these alternatives.

Impact 4.2-5 Change in Land Use Intensity

Draft CCRMP

Under the CCRMP, aggregate producers would be required to relinquish their existing permits that allow them to excavate within the active channel. This would result in a permanent reduction in the land use intensity within the active creek. In the latter years of the plan, some open space and recreational development would be allowed along the creek. However, the types of recreational activities envisioned under the plan would be low intensity uses, and would not adversely affect other beneficial uses of the creek. No significant impacts are expected.

Alternative 1a: No Project (Existing Conditions)

Under this alternative, mining within the active channel would continue based on 1995 actual production levels for each producer. This alternative would not result in a change in land use intensity, and no significant impacts are expected.

Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Under this alternative, currently approved maximum annual allocations could lead to an intensification of mining activity. Significant impacts are not expected beyond what was analyzed in the environmental assessment conducted for existing permits.

Alternative 2: No Mining (Alternative Site)

Under this alternative, existing mining permits would be voided, and there would be a reduction in the intensity of land use activity along the creek channel. No significant impacts are expected.

Alternative 3 Channel Bank Widening (Implement Streamway Influence Boundary)

Under this alternative, all mining would cease within the Streamway Influence Boundary, and there would be an overall decrease in the level of intensity of area land uses. Existing bridges which cross the creek, a requirement of this alternative, would be lengthened but not widened under this alternative, and no new lanes or interchanges would be added. Consequently, changes in the roadway network under this alternative would not have the potential to result in a permanent intensification of land use activity. This would therefore be a less-than-significant impact.

Mitigation Measure 4.2-5a (CCRMP, A-1a, A-1b, A-2, A-3)

None required.

Impact 4.2-6

Land Use Incompatibility Due to Changes in the Creek Boundary

Draft CCRMP

Adoption of the new creek boundary is not expected to result in incompatible land uses. The new creek boundary would be a more accurate measure of delineating the boundary between in-channel and off-channel uses. The new boundary would reflect the nature of the Creek as it currently exists. The only permanent structures within the new creek boundary would be limited to existing power line towers and access roads (which would be protected) and levees (which may be removed or breached to restore the floodplain). Decision-making would be improved by allowing the County to regulate the creek in a more systematic and responsive manner. Activities and development within the channel would

be better managed to avoid hazards and adverse land use impacts on surrounding properties. The in-channel boundary (and other concepts such as the Test 3 Run Boundary) would provide initial starting points for repairing the creek. Off-channel excavations would need to take the boundary changes into account. Furthermore, the boundary would be revised based on site specific information prepared during project-level analysis, information provided by recommended monitoring programs, and habitat restoration and channel stabilization efforts which are expected to occur. Therefore, no significant impacts are anticipated and no mitigations are required.

Alternative 1a: No Project (Existing Conditions); and
Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Under these alternatives, no CCRMP or CCIP would be adopted and the in-channel/off-channel boundary would not be changed. No land use incompatibility or significant impacts are expected.

Alternative 2: No Mining (Alternative Site)

Under Alternative 2, the CCRMP and CCIP would not be adopted and all existing permits to mine and/or operate plants would be voided. Regional demand for aggregate material would be satisfied from reserves occurring outside of Yolo County. This alternative would not realign the in-channel/off-channel boundary, and no significant impacts are expected.

Alternative 3 Channel Bank Widening (Implement Streamway Influence Boundary)

Under this alternative, active management of stability of Cache Creek would not occur, and no in-channel commercial mining would be permitted. Erosion would be a natural process that would not be controlled. Although the expected loss of land resources cannot be accurately estimated, all structures and land improvements within the Streamway Influence Boundary could be impacted by erosion, particularly those requiring flood protection. Portions of County Roads 19A, 20, 85, 87, 89, and 94B would be exposed to the floodplain, and flooding could undercut the roads thereby resulting in pavement failure. The bridges at County Roads 85, 87, and 94B, as well as the Interstate 505 bridge, though extended and widened, would require additional erosion control measures to prevent the stream from flanking the bridge abutments. No programs would be available to ensure that these measures are constructed. In addition, approximately ten to fifteen residences would be located within the expanded floodplain, and would have to remain elevated or moved to new locations since landowners would not be allowed to protect property from erosion.

The floodplain would encompass the Cache Creek Aggregates, Syar Industries, Solano Concrete, Teichert Aggregates - Esparto, Teichert-Woodland, Schwarzgruber, and Granite processing plant sites. Existing plants would similarly have to remain elevated above the 100-year flood stage or would be relocated outside of the floodplain. Loss of agricultural land (including large areas of prime farmland and other important farmlands) within the Streamway Influence Boundary could be subjected to erosion. Portions of these lands

may be affected by more frequent flooding under this alternative if channel capacity were lost due to aggradation. Productive farmland could also be lost or disturbed by bridge lengthening projects proposed by this alternative. Additional land could be lost due to the off-channel mining projects described for this alternative (the amount of farmland lost would depend on the types of reclamation proposed for the off-channel mining projects). The loss of land resources to erosion would not be prevented by channel management and would be a significant and unavoidable impact.

Mitigation Measure 4.2-6a (CCRMP, A-1a, A-1b, A-2,)

None required.

Mitigation Measure 4.2-6b (A-3)

None available.

Potential land use incompatibility due to changes in the creek boundary would be considered a significant and unavoidable impact of this alternatives.

Impact 4.2-7

Establishment of a Conceptual Planning Framework for the Long-Term Preservation and Development of Open Space and Recreational Opportunities in the Lower Cache Creek Area.

Draft CCRMP

Currently, there are no public recreational facilities located within the planning area along Cache Creek. Although there is a County park near Rumsey, a Boy Scout camp on upper Cache Creek, and several campgrounds and whitewater rafting areas near Bear Creek, the lower portions of the creek are predominantly characterized by agricultural and mining uses. Due to the high proportion of land in private ownership, access to the creek is severely limited. In-stream mining has compounded the problem, often creating an unattractive landscape where the use of heavy equipment generates noise and hazards for visitors to the creekbed. It should be noted, however, that the creek is held in private property and is not generally accessible to the public.

Existing recreational areas within the planning area and away from the creek include: the Esparto Community Park, the Madison Community Park, and the Flier's Club (a private golf course and clubhouse). None of these facilities provides direct access to the creek or the adjoining environs.

Chapter 5.0 of the CCRMP, Open Space and Recreation Element, contains a number of goals, objectives, actions and performance standards which would have bearing on future recreational planning in the lower Cache Creek area. The following goals would also affect the visual character of the area, and are therefore discussed in Section 4.10 of this EIR.

- 5.2-1 Improve scenic resources within the Cache Creek channel.
- 5.2-2 Establish a variety of outdoor recreational and educational opportunities along Cache Creek for use by the public.
- 5.2-3 Ensure the compatibility of recreational facilities with surrounding land uses, in order to minimize adverse impacts.

The following objectives from the CCRMP relate to open space and recreation, as well as the compatibility of future land uses in the lower Cache Creek area.

- 5.3-1 Create a continuous corridor of natural open space along the creek and provide for limited access, at specific locations, to recreational and educational uses.
- 5.3-2 Include use of the "Open Space" designation for the areas where resource management and habitat protection is warranted.

As with the objectives listed above, the following actions recommended by the CCRMP relate both to open space/recreation as well as land use compatibility.

- 5.4-1 Solicit the dedication of restored habitat areas and/or recreational areas to the County or an appropriate land trust, such as the Cache Creek Conservancy, in order to provide continuous open space along the creek.
- 5.4-2 Develop a future recreation plan for Cache Creek, in consultation with the County Parks Administrator, to provide a range of public activities and uses. Suggested recreational uses may include, but are not limited to: hiking, horseback riding, fishing, picnic grounds, boating, educational exhibits, and birdwatching.
- 5.4-3 Identify specific locations for future recreational and educational uses along Cache Creek, as shown in Figure 11. Sites shall be located at regular intervals throughout the plan area. Intensive recreational uses shall be located away from designated habitat areas.
- 5.4-4 Designate identified recreational areas as "Open Space" in the Cache Creek Resources Management Plan.
- 5.4-5 Coordinate with the Bureau of Land Management to investigate the eventual linkage of recreational uses located along the upper watershed of Cache Creek to the designated recreational sites located within the plan area.
- 5.4-6 Design and manage recreational sites so that trespassing, vandalism, and other undesirable activities are discouraged.
- 5.4-7 Acquire future sites, through purchase or voluntary donation, so that the County can maintain and develop the areas according to the future recreation plan.

Performance standards contained in Chapter 5.0 of the CCRMP would be relevant to the provision of future open space/recreation opportunities; they would also have bearing on reducing potential nuisances and land use incompatibilities through the minimum setback requirements.

- 5.5-1 Only those uses that are river dependent, such as fishing, canoeing, and nature observation shall be located on the creek. More active uses, including parking, restrooms, and picnic areas should be located in areas located away from sensitive habitat, preferably on land that has been reclaimed from sand and gravel mining.

- 5.5-2 Recreational uses shall be clustered at locations along the creek, in order to limit public access, minimize habitat disturbance, and provide efficient and cost-effective management by the County.
- 5.5-3 Physically control access with gates and collect user fees to support operations and deter inappropriate activities. Limited public access will also reduce impacts to sensitive habitat and adjoining private uses. Additional options include permits, volunteer docents to patrol the site, and escorted tours.
- 5.5-4 Recreational facilities shall be located a minimum of one-hundred and fifty (150) feet from private dwellings, with a landscaped buffer provided to reduce noise and maintain privacy.
- 5.5-5 Educational and interpretive curricula shall be developed that will reach all segments of the community. The County shall rely heavily on compatible programs already developed by volunteers, schools, and nonprofit organizations.
- 5.5-6 Large-scale, high-intensity recreational uses, such as amusement parks, off-road vehicle parks, or uses involving motorized watercraft, are not compatible with land uses along Cache Creek.
- 5.5-7 The recreational use of off-road vehicles and all-terrain vehicles within the channel shall be prohibited.
- 5.5-8 The hunting and/or discharge of firearms along Cache Creek shall be prohibited.

The above goals, objectives, actions and performance standards would establish a framework for the provision of open space and recreational opportunities in the lower Cache Creek area. This framework would develop over time as creek restoration proceeds under the CCRMP. This would be a beneficial effect of the proposed project. Therefore, this is considered a less-than-significant impact.

Alternative 1a: No Project (Existing Conditions); and
Alternative 1b: No Project (Existing Permits and Regulatory Condition)

Under these alternatives, the County would not adopt the CCRMP. Long-term opportunities for open space and recreation in the lower Cache Creek area would be limited due to on-going in-channel mining and the inaccessibility of the creek. Unless the County acquired property, recreational uses would not be developed, and potential users would need to pursue their interests elsewhere in the surrounding area. While this would be unfortunate, it would not represent a significant impact.

Alternative 2: No Mining (Alternative Site); and
Alternative 3 Channel Bank Widening (Implement Streamway Influence Boundary)

Under Alternative 2, there would likely be an increase in intensity levels at alternative site locations, partly driven by market demand for PCC-grade aggregate materials. Under Alternative 3, long-term opportunities for open space and recreation may be increased. However, without the cooperation and partnership of land-owners, this alternative may not be feasible. This would be a less-than-significant for both alternatives.

Mitigation Measure 4.2-7a (CCRMP, A-1a, A-1b, A-2, A-3)

None required.