CHAPTER 2.0 SUMMARY OF CHANGES

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Since publication of the Draft EIR on March 26, 1996, the following changes have been made to clarify, amplify, and/or correct the first volume. New text which has been added to the DEIR is shown in redline, and text which has been deleted is presented in ~~strikeout~~ format.

The following text revisions are shown in the order in which they appear in the DEIR (i.e., by page number), and the "Text Change #s" provided below are referenced in Section 4.0 (Response to Comments) where appropriate. A revised copy of the Table 2-1: Summary of Impacts and Mitigation Measures is provided in Appendix A.

Text Change # 1:

Page 1-3 -- A new table is added to the end of Section 1.1 Background and Nature of Project as follows:

Table 1-1: OCMP Acreage Summary	
Acreage to be Mined During 30 Year Permit	2,211
Borrow Area to Facilitate Reclamation	45
Total 30 Year Acreage Affected by Mining and Reclamation	**2,256**
Reserve Acreage for Mining (Years 31-50)	676
Total 50 Year Acreage Affected by Mining and Reclamation	**2,932**
Acreage to be Mined During 30 Year Period	2,211
Reserve Acreage for Mining (Years 31-50)	676
Total 50 Year Mining Acreage	**2,887**

Text Change # 2:

Page 1-3 – The parenthetical sentence in the first paragraph under Section 1.2 - Purpose and Scope of the EIR is hereby amended to read as follows:

> (The proposed project and alternatives have been subjected to equivalent levels of analysis, and an environmentally superior alternative has been designated in Section 5.4.)

Page 1-7 – The first sentence at the top of the page under Chapter 5.0 - CEQA Considerations is amended to read as follows:

> This chapter describes the cumulative analysis, growth inducing impacts, and significant environmental changes, and environmentally superior alternatives.

Text Change # 3:

Page 3-10 – The following revisions have been made to the first full paragraph on Page 3-10:

> Although the County recognizes that mining is important to the regional economy, it also acknowledges that mining is an activity that carries with it the potential for adverse environmental impacts. The OCMP includes several provisions to regulate surface mining more effectively to reduce or prevent adverse effects. Specific performance standards have been incorporated into the proposed off-channel mining and reclamation ordinances, based on the Technical Studies, as well as standard procedures used in the industry and other jurisdictions. These standards complement the requirements already mandated by SMARA and the State Reclamation Regulations. The OCMP also recommends a 30-year maximum term with a ten-year review for any off-channel mining permit, in order to prevent the establishment of vested rights and to allow for eventual review and update. Similarly, the requirements for annual reporting have been substantially expanded, to provide staff with better information to monitor both mining operations and reclamation efforts. Extensions of the permits for up to 20 years, may be considered, subject to environmental review and discretionary approval.

Text Change # 4:

Page 3-11 – The acronym in the last paragraph is revised as follows:

> ~~YCFCWCD~~ YCFC&WCD

Text Change # 5:

Pages 3-22 and 3-23 (Table 3-1) –The following changes have been made to Table 3-1:

> "Total Mined Acreage" for Teichert-Woodland has been revised as follows: ~~283~~ 281
>
> "Slopes and Maintenance Roads (acres)" for Teichert-Woodland has been revised as follows: ~~32~~ 38
>
> Footnote 6 has been amended as follows: [6] The restored habitat acreage refers to areas located outside of the proposed mining areas (e.g., "net gain"). The 40 acres listed in the Woodland column is also applicable to Esparto.

Text Change # 6:

Page 3-26, Table 3-3 – "Total Controlled Acreage" for Lowe has been amended as follows:

~~662~~ 625.17

Text Change # 7:

Page 4.2-1 – The fifth sentence in the last paragraph at the bottom of the page is hereby amended to read as follows:

The City of Woodland, the county seat, is ~~several~~ approximately one-half miles to the southeast of the project area.

Text Change # 8:

Page 4.2-19 -- The third paragraph is hereby amended to read as follows:

Since commercial mining would not be allowed within the channel, and the County is considering rezoning the channel to OS, this subsection would be deleted. In-channel extraction for stream maintenance purposes would be implemented through the open space provisions of the CCRMP in accordance with the OS Zone.

Text Change # 9:

Page 4.2-32 (Figure 4.2-1): The title block of Figure 4.2-1 has been amended as follows:

Figure 4.2-1: ~~Relevant Community Spheres of Influence~~ Relevant Growth Management and Study Areas

Text Change # 10:

Page 4.2-36 -- The fourth sentence of the first paragraph under Impact 4.2-8 is hereby modified as follows:

~~The only p~~ 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), and aggregate conveyors.

Text Change # 11:

Pages 4.2-41 and 4.2-42 -- Figures 4.2-1 and 4.2-5 have been amended as shown.

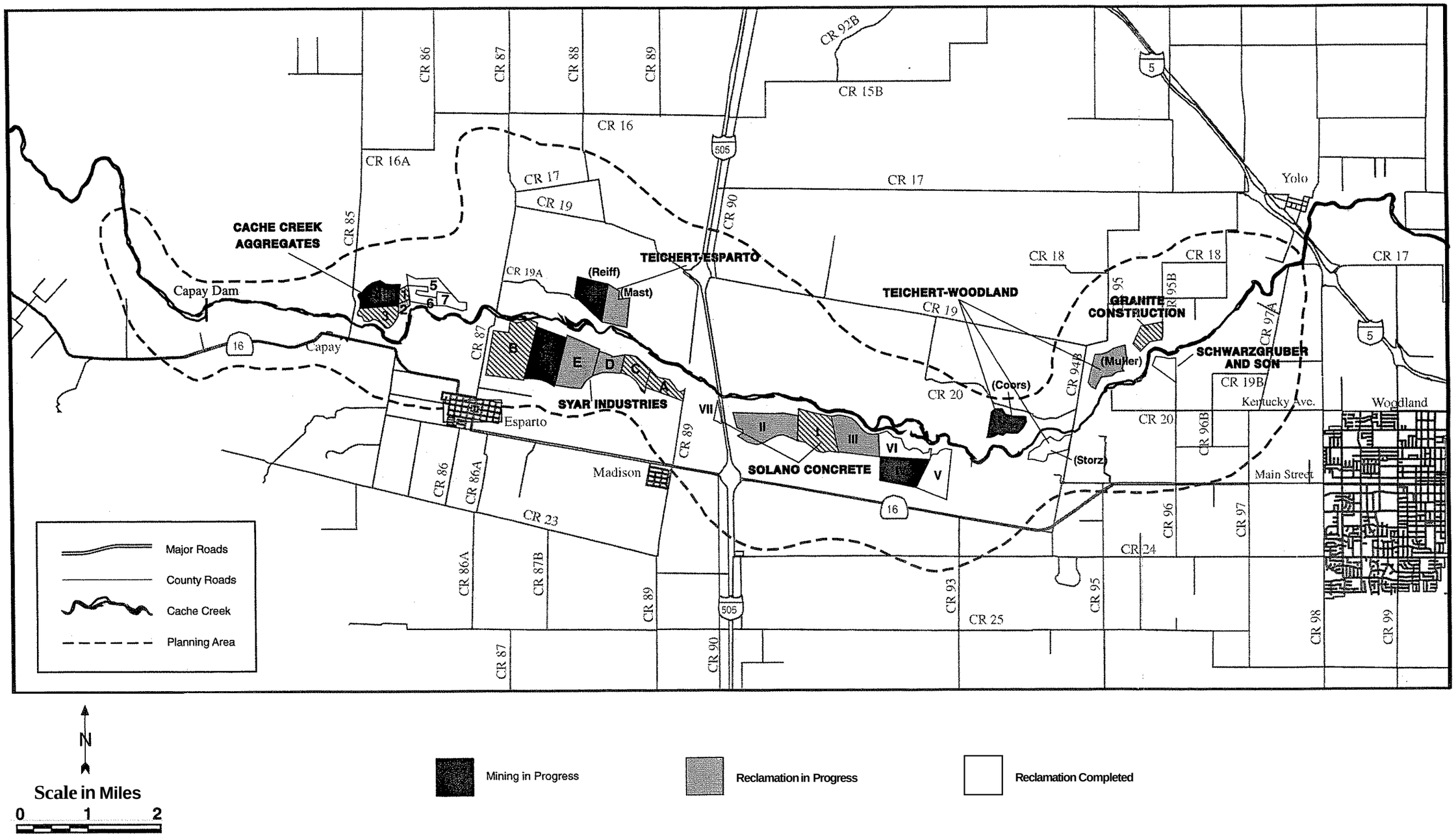


Figure 4.2-4 Mining and Reclamation Phasing under the OCMP - Year 2011

SOURCE: INDIVIDUAL MINING APPLICATIONS

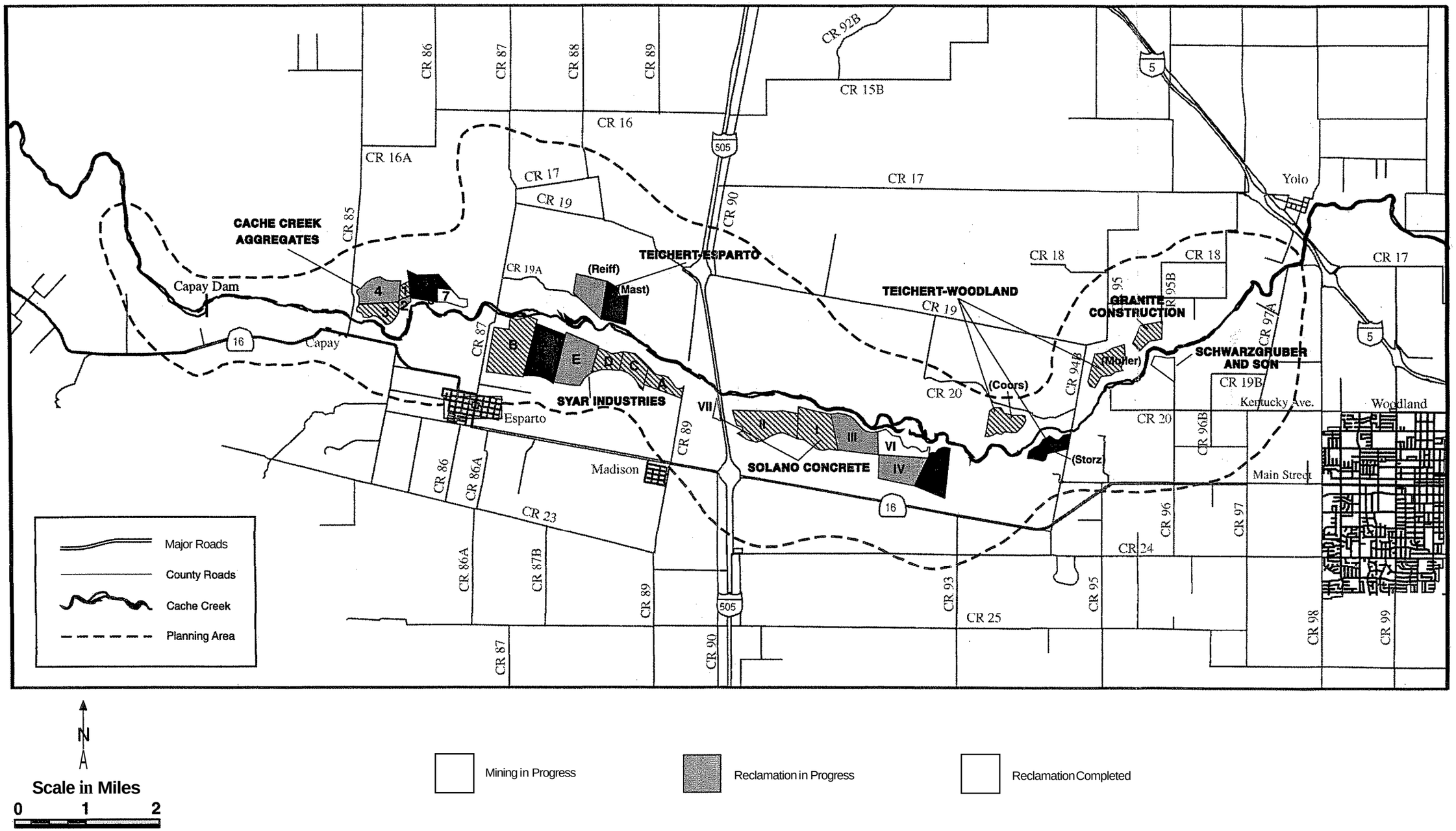
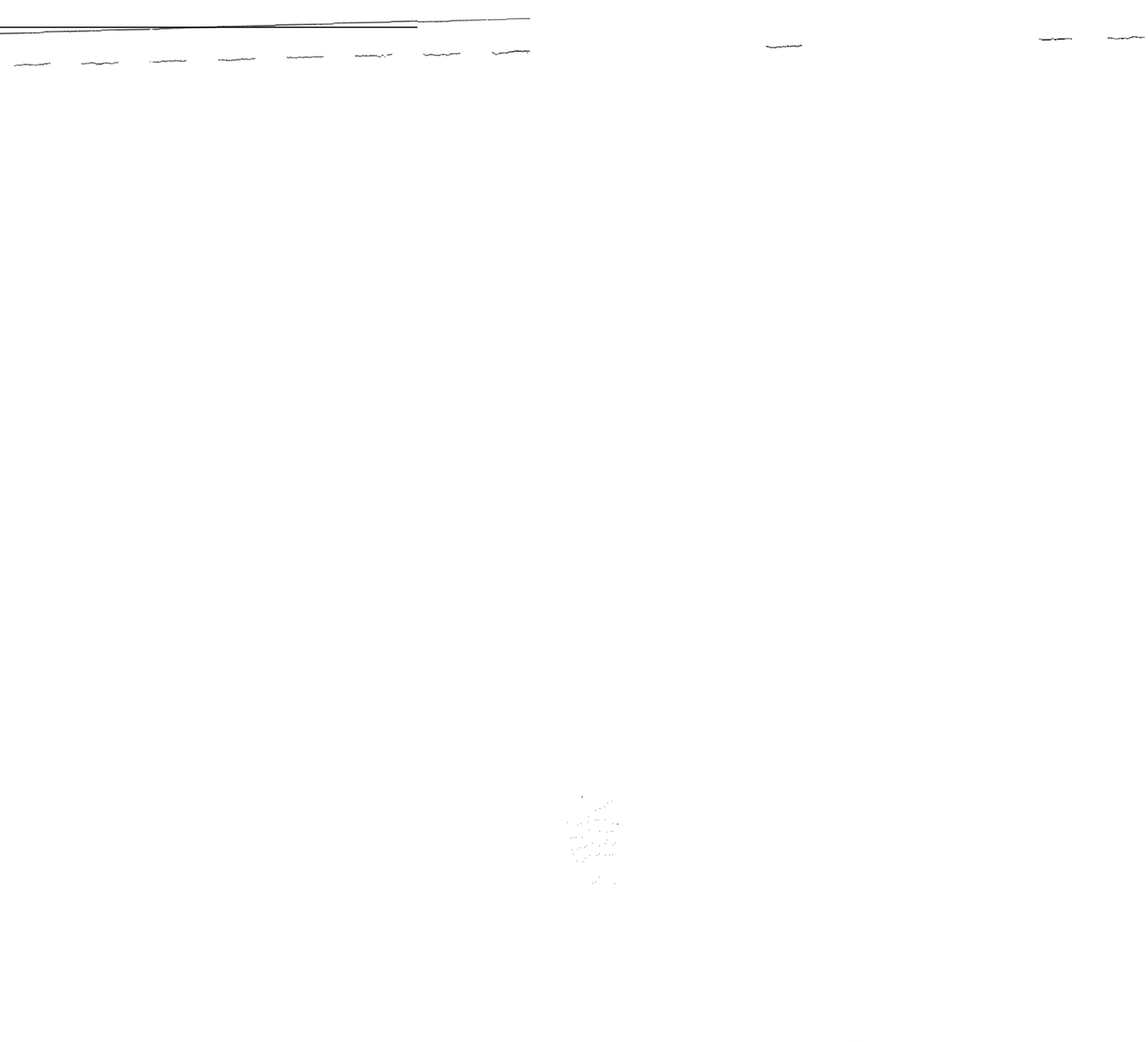


Figure 4.2-5 Mining and Reclamation Phasing under the OCMP - Year 201*6*

SOURCE: INDIVIDUAL MINING APPLICATIONS



Text Change # 12:

Page 4.3-7 -- The following text is amended in the last paragraph:

....measured south of ~~Capay~~ Cache Creek is 15 to 58 feet.

Text Change # 13:

Page 4.3-17 -- The following text is amended in the last paragraph:

...for the proposed projects within the planning area (Cunningham Engineering, ~~1993~~ 1995a, 1995b; Murray, Burns, & Kienlen, 1995).

Text Change # 14:

Page 4.3-19 -- the following paragraph is hereby added after the first paragraph:

California Water Code

In addition, any embankments greater than 25 feet in height (pit floor to top of channel) with a reservoir capacity of more than 15 acre-feet, or dams with more than 6 feet in height with a reservoir capacity of 50 acre-feet or more qualifies as a dam that falls under State jurisdiction for safety under Part 1 of Division 3 of the California Water Code. For any new dam that falls under the State jurisdiction, an application for construction must be filed with the California Division of Safety of Dams (DSD) and approved prior to start of construction.

Page 4.3-31 – the following mitigation measure is hereby added at the bottom of the page:

Mitigation Measure 4.3-2d (OCMP, A5a, A5b, A6):

An application for construction shall be filed with the California Division of Safety for Dams and approved prior to start of construction for any new dam that falls under the State jurisdiction for safety.

Text Change # 15:

Page 4.3-23 -- The following text is added to Mitigation Measure 4.3-la:

The following performance standard of the OCMP shall be modified:

PS 5.5-3: The operator shall retain a licensed Land Surveyor to resurvey any areas reclaimed to agricultural usage after the first two (2) crop seasons have been completed. Any areas where settling has occurred shall be re-leveled to the field grade specified in the approved reclamation.

Text Change # 16:

Page 4.3-23 – Mitigation Measure 4.3-1a is amended as follows:

Performance Standard 2.525: Improvements, in [illegible] *roadways or other public facilities proposed* [illegible] *uction in reclaimed mining pits shall require a geotechnical investigation of the stability of fills conducted by a qualified and licensed geotechnical engineer. A report on the results and recommendation of the investigation shall be submitted to the Yolo County Community Development Agency prior to the issuance of building permits. The recommendations of the geotechnical investigations shall be fully implemented by the applicant.*

Performance 2.5-26: Backfilled mining areas and slopes shall be inspected by the ~~landowner~~ Yolo County Community Development Agency fo [illegible] *st* [illegible] *ic* [illegible] *g events. Observable damage shall be reported to the ~~Yolo County Community Development Agency~~ landowner. ~~If, upon inspection for the reported damage,~~ the YCCDA determines that the damage requires repair to meet the intended use of the reclaimed land, the landowner shall perform the required repairs.*

Text Change # 17:

Page 4.3-30 – Mitigation Measure 4.3-2a has been amended as follows:

Performance Standard 2.5-4:

During mining operations, a series of benches may be excavated in a slope provided that the excavations are made in compliance with the requirements of the state Mine Safety Orders (California Code of Regulations, Title 8, Subchapter 17). The vertical height and slope of the benches constructed for permanent reclaimed slopes shall not exceed maximum standards for the specific soil types presented in California Code of Regulations. Title 8, Article 6. In general, vertical cutslopes between benches shall not exceed four feet in height in topsoil and overburden sediments. Benching shall be allowed in cohesive soil (clay, sandy or silty clay, clayey silt) only. Slopes above the elevation of groundwater (determined at the time of excavation by the level of exposed water in the excavation) that exceed the maximum vertical height shall be excavated and maintained at slopes of not greater than 2:1. Slopes located five (5) feet or less below the average summer low groundwater level shall not be steeper than 2:1. Slopes located more than five (5) feet below the average summer low groundwater level shall not be steeper than 1:1 (horizontal to vertical).

Vertical cutslopes in excess of four feet in height may be approved for development of special habitat (e.g. bank swallows) if a site specific slope stability analysis, performed by a licensed engineer, indicates that the slope does not exceed critical height for the on-site soil conditions. It is recommended that projects proposing such slopes provide a long-term maintenance plan to ensure that the function of the slopes as habitat is met.

Performance Standard 2.5-17:

Upon completion of operations, grading and vegetation shall minimize erosion and convey ~~surface~~ storm water runoff from reclaimed mining areas t [illegible] *l cuts c* [illegible] *basins. The condition of the land shall allow sufficient drainage to prevent water pockets or undue erosion. N* [illegible] *tural* [illegible] *st* [illegible] *water drainage shall be designed so as to prevent flooding on surrounding properties and County rights-of-way.*

Storm water runoff from mining areas shall be conveyed to lowered areas (detention basins) to provide detention of runoff generated during a 20-year, one-hour storm event. All drainage

*conveyance channels or pipes (including spillways for detention areas) **shall** be designed to ensure **positive** drainage and minimize erosion. The drainage conveyance system and storm water detention areas shall be designed and maintained in accordance with Best Management Practices for the reduction of associated with runoff from mined areas. The design and maintenance **procedures shall be documented in the Storm t Pull ti evention Plan required for mining operations. The drainage system shall be inspected annually by a Registered Civil Engineer, Registered Geologist, or Certified Erosion and Sediment Control Specialist to n re that the** drainage system is functioning effectively and that adverse erosion and sedimentation are not **occurring**. The annual inspection shall be documented in the Annual Mining and Reclamation Report.*

Text Change # 18:

Page 4.3-38 -- Mitigation Measure 4.3-3a has been amended as follows:

Performance Standard 4.5-1:

*All off-channel surface mining operations shall be provided with a minimum one hundred (100) year flood protection (including a minimum of three feet of freeboard above the 100-year flood elevation). f ch n excavations ~~that extend below the existing streambed elevation of Cache Creek~~ shall b designed to minimize the possibility of levee breaching **and/or** pit capture.*

Performance Standard 4.5-8:

*Financial assurances for off-channel mining operations which include mining within 700 feet of the active channel of Cache Creek shall include adequate funding for maintenance during the mining and reclamation period of any bank stabilization **features** approved for the mining permit. Maintenance of the bank stabilization features following the completion of reclamation shall be the responsibility of the property owners under the Cache Creek Resource Management Plan.*

The condition of flood protection structures and the integrity of the land within the approved setback zone separating the mining areas and the stream channel shall be inspected annually by a licensed engineer and reported to the County Community Development Agency. The annual report shall include recommendations for remedial action for identified erosion problems. Following reclamation, the YCCDA shall inspect the land separating the mining areas and creek channel every five years. Observable damage shall be reported to the property owner. If the YCCDA determines that damage requires repair to meet the intended performance of the separator, the property owner shall perform the required repairs.

Text Change # 19:

Page 4.3-40 – The following text is amended to the end of the third full paragraph:

However, volcanic bedrock resources (Sonoma Volcanic Complex and Putnam Peak Basalt) located west and north of Fairfield do provide a potential source of PCC-grade crushed aggregate (Dupras, 1988).

Text Change # 20:

Page 4.4-3 -- The following revisions to the third paragraph under "Surface Water" have been made:

~~Diversions of Cache Creek occur at the Indian Valley Dam (on the North Fork of Cache Creek), an earthen dam at Rumsey, and the Capay Dam (located at the western margin of the planning area). The dam at Capay diverts nearly all summertime flows to the Adams and Winters Canals for agricultural use.~~ Several dams are operated on Cache Creek and its tributaries. The Indian Valley Dam (on the North Fork of Cache Creek) was constructed to store water for subsequent release to the channel. Diversion dams, which direct surface water into irrigation canal systems, are operated on Cache Creek at Capay and Rumsey. The mean annual runoff[2] within Cache Creek is estimated at 577,000 acre-feet at Capay and 374,000 at Yolo (NHC, 1995).

Text Change # 21:

Page 4.4-5 -- The following sentence is hereby added at the end of the fourth paragraph under "Flooding:"

Flooding of the Goodnow Slough in the Hungry Hollow area could inundate portions of the study area during the 100-year storm.

Text Change # **22:**

Page 4.4-6 – The second complete sentence is hereby amended as follows:

Along the Creek, the thick deposits occur several miles west of the Plainfield g the thinnest are located on and immediately west of the Plainfield Ridge.

Text Change # **23:**

Page 4.4-15 – The footnotes to Table 4.4-2 are hereby amended as follows:

[1][2] Distance to "Phase B" mining area, Syar Industries.
[2][1] Distance to "West Solano" mining area, Solano Concrete.

Text Change **# 24:**

Page 4.4-18 – The fourth and fifth sentences of the third paragraph are hereby amended as follows:

Portions of the creek that are being actively recharged by the aquifer are termed "gaining" reaches (Figure 4.4-~~7~~8). Those portions of the creek that recharge the aquifer are termed "losing" reaches (Figure 4.4-~~7~~8).

Text Change **# 25:**

Page 4.4-20 – The second sentence of Policy 2 under State Reclamation Board Policies is hereby amended as follows:

For information on permitted depth for excavations to the ~~landslide~~ landside of a levee, contact the Department of Water Resources, Central District, P.O. Box 160088, Sacramento, California 95816; Attention: Application Review Unit, or telephone (916) 445-3942.

Text Change # **26:**

Page 4.4-23 -- First sentence of the first paragraph under **Impact** 4.4-1 is hereby amended as follows:

Figure **4.4-89** depicts the typical cross-section through Cache Creek and a wet pit lake.

Text Change **# 27:**

Page 4.4-29 – Mitigation Measure 4.4-1a is hereby amended as follows:

Performance Standard **3.5-1** (second paragraph):

*The applicant **shall demonstrate, using MODFLOW** [16] **(or a similar model of equal capability and proven reliability, as approved by the Yolo County Community Development Agency Director) that** the proposedpit design will not **adversely** impact active off-site well within 1,000 feet of the proposed pit boundary.....**.....If** an adverse impact were identified by the **MODFLOW (or other selected model)** simulation, **the** [illegible] **plan will** [illegible] or the **applicant shall submit a written agreement that the well owner has agreed** [illegible] or redesign **the well, or accept the potential impact** (at no expense to the **County)**.*

Performance Standard 3.5-17 (second sentence):

*Each property owner owning a **parcel(s)** within 1,000 feet of the pmposed limits of **wet pit** mining shall be contacted and queried about wells that may be located near the **wet pit mining** area.*

Text Change # **28:**

Page 4.4-30 – The following sentence is hereby added prior to the last sentence of the first paragraph under **Impact** 4.4-2:

These fine-grained deposits provide both a physical barrier to migration of contaminants and an environment which supports biologic activity capable of biodegrading certain contaminants.

Text Change # **29:**

Page 4.4-30 -- The first sentence of the second paragraph under **Impact** 4.4-2 is hereby amended as follows:

Potential sources of water quality degradation associated with wet pits include: chemical release from mining equipment, agricultural runoff into the pits, eutrophication[17], flood water mixing, illegal dumping/sabotage, and bioaccumulation of mercury ~~in flora and fauna~~ within the pits

Page 4.4-30 – The last sentence of the second paragraph under Impact 4.4-2 is hereby amended as follows:

Eutrophication, flood water mixing, and illegal dumping/sabotage are discussed in Impact ~~4.3-4~~ 4.4-3.

Text Change # 30:

Page 4.4-31 – The sixth sentence of the third paragraph is hereby amended as follows:

As part of the mining and reclamation processes, excavators, loaders, scrapers, dragline cranes, dredges, motorized boats, and haul trucks would be operated for tens of thousands of hours in and around mining areas where groundwater is likely to be exposed in wet pit lakes.

Text Change # 31:

Page 4.4-33 --The fourth paragraph is hereby replaced with the following:

~~This Performance Standard would minimize adverse impacts to hydrology and/or water quality.~~ The Performance Standard incorrectly states that toilet design shall be approved solely by the Yolo County Building Official. The Yolo County Environmental Health Department is also responsible for these approvals. This Performance Standard requires modification. This performance standard would help to ensure that septage is not introduced to wet pits.

As a result of the above modification, Mitigation Measure 4.4-2a has been amended to include revision to Performance Standard 3.5-5 as shown below in Text Change # 32.

Text Change # 32:

Page 4.4-35 -- Mitigation Measure 4.4-2a is amended as follows:

Performance Standard 3.5-6:

If any off-channel excavation proposes to extend below the level of seasonal high groundwater, then six months prior to the commencement of excavation below average high groundwater level the applicant shall identify and locate all off-site municipal wells within 1,000 feet and all domestic wells within 500 feet of the proposed wet pit mining boundary. If active wells are identified, well characteristics (pumping rate, depth, and locations of screens) shall be determined. If wells are not located within 1,000 feet, the pre-mining impact evaluation will be considered complete.

If wet pit mining is proposed within 1.000 feet of a municipal water supply well or within 500 feet of a domes water [illegible], a [illegible]e analysis shall be conducted using the U.S. Environmental Protection Agency model WHPA (or a similar model of equal capability and proven reliability, as approved by the Yolo County Community Development Agency Director). The simulation shall assume 30 days of continuous pumping of the water supply well (at its maximum probable yield) under analysis. A mining setback shall be established so that the capture zone and the pit do not coincide. Alternatively, the applicant shall submit a written agreement that the well owner has agreed to relocate or redesign the well (at no expense to the County). The analysis shall be prepared and signed by a Registered Professional Engineer or Certified Hydrogeologist and submitted to the County for review and shall be submitted to, and approved by, the County at least six months prior to commencement of excavation below the seasonal high groundwater level.

Any new drinking water wells proposed for installation within 1,000 feet of a proposed wet pit mining area shall be subject to review by the Yolo County Environmental Health Department The County shall determine, based on site-specific hydrogeology and available water quality data, whether to approve the proposed well installation.

The County may retain appropriate staff or contract consultant to provide third party critical review of all hydrogeologic reports related to mining applications.

Page 4.4-37 -- Performance Standard 3.5-3:

Surface water shall be prevented from entering mined areas, through perimeter berms or ditches and grading. Appropriate erosion control measures shall be incorporated into all surface drainage systems. Drainage and detention facilities within the proposed mining areas and vicinity shall be designed to prevent discharges to the wet pits and surface water conveyances (i.e. creeks and sloughs) from the 20 year/1-hour storm or less. For events greater than the 20 year/1 hour storm, runoff from around the perimeter of the mining areas should be directed to surface water conveyances. Runoff from within the lowered mining area shall be directed away from wet pits to detention/infiltration areas. Drainage plans shall not rely solely on ditches and berms to direct runoff away from the wet pit. Without proper maintenance, berms and ditches may deteriorate with time and become ineffective. Drainage plans shall emphasize grading of disturbed areas that results in broad gentle slopes that drain away from the pits. Grading plans shall be reviewed by the County to evaluate compliance with drainage plan objectives prior to project approval.

In addition, a restriction shall be recorded on the deed that requires berms and ditches be permanently maintained in a condition consistent with the final approval. The deed restriction shall require an inspection easement which allows County staff or other authorized personnel access for inspection of the berms and ditches. If the County determines that evidence of damage to these facilities exists, the County shall require that the owner have an inspection report for the property prepared by a registered geologist or professional engineer. ~~every five years after completion of reclamation. An~~ The inspection report including recommendations for corrective action, if needed, shall be submitted to the Yolo County Community Development Agency ~~following each inspection~~. The property owner shall be required to implement recommended corrective action, if any. ~~In addition, an inspection easement (which allows County staff or other authorized personnel) to inspect the ditches and berms shall be recorded on the deed.~~

Page **4.4-37** – *Performance Standard* **2.5-8:**

Unnecessary personnel shall be excluded from off-channel excavations. Open pits shall be fenced with a 42-inch minimum, four strand barbed wire fence or the equivalent, prior to the commencement of excavation, during excavation, and during reclamation. Fencing may enclose the property of which mining is a part, the mining site, or both. In addition, signs shall be installed at the project site boundaries and access road, indicating that the excavation area is restricted. Additional security (e.g., gates with protected locks and wing fences to prevent drive-arounds) shall be provided at all vehicular access routes. The fencing and gates shall be maintained throughout the mining and reclamation period and after completion of reclamation. A requirement shall be recorded on the deed of the property which requires the landowner to maintain fences and gates.

The following is inserted immediately following the discussion of Performance Standard **2.5-8** *on Page* **4.4-37:**

Performance Standard 3.55 of the OCMP and the associated ordinance should be modified as follows:

At least one toilet shall be provided for each off-channel mining operation. Chemical toilets shall be properly maintained and serviced regularly. Permanent toilets shall be properly engineered and the design approved by both the Yolo County Building Official and the Environmental Health Division prior to installation. All on-site water storage facilities shall be labeled "potable" or "non-potable."

Page **4.4-38** – *Performance* **3.5-4**: *The first sentence under the third bullet item is hereby amended as follows:*

- *After active reclamation- One year after all heavy equipment work has been completed in the vicinity of the pit, the TPH and BTEX analyses may be discontinued. The wet pit, one upgradient, and one downgradient well shall be sampled and analyzed for pH, temperature, nutrients (phosphorus and nitrogen), total dissolved solids, total coliform (with E. coli confirmation), and biological oxygen demand. This monitoring shall be conducted every two years for a ten year period after completion of reclamation.*

Page **4.4-39** -- *Performance Standard* **3.5-16**:

Monitoring during the mining and reclamation period shall be a condition of the permit. A performance bond shall be acquired to ensure that monitoring continues ~~through the mining period and~~ for ten years after the completion of reclamation.

Page **4.4-39** -- *Action* **3.44:**

The Yolo County Community Development Agency shall designate staff and resources to coordinate with City, County, regional, ~~and~~ State, and Federal agencies that may wish to receive copies of data generated from the off-channel mining operations, including the towns of Capay, Esparto, Yolo, and Madison, the city of Woodland, and the Yolo County Flood Control and Water Conservation District, the Water Resources Agency, the Central Valley Regional Water Quality Control Board, and the California Department of Water Resources. The data base shall be expanded to include other relevant sources of information, so that it can be used as reference material for regional water planning efforts.

Additional tests and analysis shall be required only if a new condition is recognized that may threaten water quality or results of previous tests fall outside allowable ranges. If at any time during the monitoring period, testing results indicate that sampling parameters exceed Maximum Contaminant Levels (MCLs), as reported in the California Code of Regulations, or established background levels, a qualified professional shall evaluate potential sources of the contaminants. The evaluation shall determine the source and process of migration (surface or subsurface) of the contaminants. A report shall be submitted to the regulatory agencies (Yolo County Community Development Agency and the Central Valley Regional Water Quality Control Board) which identifies the source of the detected contaminants and specifies remedial actions to be implemented by the applicant for corrective action. If it is determined that the source of water quality degradation is off-site, and County and RWQCB are in agreement with this conclusion, the applicant shall not be responsible for corrective action.

If corrective action is ineffective or infeasible, the responsible party must provide reparation to affected well owners, either by treatment of water at the wellhead or by procurement of alternate water supply.

Analysis of environmental impact for projects in the vicinity of the wet pits shall include consideration of potential water quality impacts on the open water bodies.

Text Change # 33:

Page 4.4-40 -- The third sentence of the second paragraph is hereby amended as follows:

A report shall be submitted to the regulatory agencies (Yolo County Community Development Agency, Yolo County Department of Environmental Health, ~~and~~ Central Valley Regional Water Quality Control Board, and the U.S. EPA) which identifies the source of the detected contaminants and specifies remedial actions to be implemented by the applicant for corrective action.

Text Change # 34:

Page 4.4-50 -- Mitigation Measure 4.4-3a is hereby amended to read as follows:

In order to clarify an additional issue regarding use of equipment in and near the wet pit lakes, the following text amendment is made:

~~The potential for water quality degradation resulting from the legal operation of motorized watercraft is adequately mitigated by Performance Standard 3.5-10.~~ The potential impacts associated with illegal operation of watercraft in the lakes is adequately mitigated by the requirement for fencing and locked gates, discussed above (Performance Standard 2.5-8). Performance Standard 3.5-10 of the OCMP shall be modified as indicated below.

Performance Standard 3.5-10:

~~The use of motorized watercraft on any pond, lake, or other water body created as part of the approved reclamation plan is prohibited.~~ Only motorized dredges shall be allowed on the wet pit lakes. All other fuel-powered (gasoline or diesel) watercraft shall not be used on the wet pit lakes. Electric-powered boats would be permissible.

The following changes have been made to the new Performance Standard presented on page 4.4-51:

Prior to approval of reclamation of aggregate mining areas to permanent lakes, the County shall commission a sampling and analysis program to be implemented in the existing wet pit mining area in the CCMP planning area, to evaluate the potential for increased methylmercury production associated with wet pit mining and reclamation of mining areas to lakes. The program shall include sampling of water and sediments from the bottom of the existing pit and analysis of the samples for organic content, pH, dissolved oxygen content, dissolved carbon content, and total mercury. In addition, samples of predatory fish (preferably, largemouth bass) shall be collected and analyzed for mercury ~~and methylmercury~~ content. If the initial sampling indicates either of the following conditions, the County shall perform verification sampling:

- *Average concentrations of total mercury in excess of 0.000012 mg/l in the water;*
- *Average m~~M~~ercury levels in fish samples in excess of 0.5 mg/kg.*

If verification sampling indicates exceedance of these mercury ~~standards~~ criteria, the County shall ~~not~~ approve reclamation of mining areas to permanent lakes Only if the average level of mercury in fish collected from the existing mining pits is shown to be equal to or less than ambient (background) mercury levels determined from a representative sample of similar species of fish (of similar size) collected in the Cache Creek channel within the CCRMP planning area. The determination of the ambient mercury level shall be performed by the County within six months after approval of the OCMP and paid for by the mining permit applicants on a fair-share basis. After ten years, the County shall evaluate available data to determine any significant change in ambient concentrations of mercury in fish within the Cache Creek channel.

In the event of approval of reclamation of mined areas to permanent lakes, ~~the first~~ each mining area to be reclaimed to a permanent lake ~~reclaimed~~ as part of each approved long-range mining plan shall be evaluated annually by the landowner for five years after creation of the lake for conditions that could result in significant methylmercury production. The annual evaluations shall be conducted bv a qualified aquatic biologist or limnologist and shall include the following analyses:

Lake condition profiling during the period June through September, including measurements of pH, ~~eH~~ (or redox potential), temperature, dissolved oxygen, and total dissolved carbon.

- *I of a representative sample of fish specimens (including minimum of five pre fish ~~(preferably largemouth bass)~~ if available) ~~specimens~~ and analysis of the specimens for mercury and ~~methylmercury~~ content. Sampling and analysis shall be conducted using methodologies which are consistent with the California State Water Resources Control Board Toxic Substances Monitoring Program procedures, or more stringent procedures.*

The results of the evaluation shall be summarized in a report and submitted to the County. The report shall include a comparison of the site specific data to available data on the background concentrations of mercury in fish within the Cache Creek watershed. The County shall be responsible for submitting the data on mercury levels in fish to the California Department of Fish and Game and the Office of Environmental Health Hazard Assessment for a determination of whether a fish advisory should be issued.

- *If a fish advisory is issued, the owner/operator shall be required to post warnings on fences surrounding the mining pit lakes which prohibit fishing in the lakes an describe the fish advisory.*

If the average fish specimen mercury content exceeds ~~0.5 mg/kg~~ the statistically verified ambient mercury concentrations for comparable fish species (of similar size) collected within the CCRMP planning area for two consecutive [illegible]s, wet pit mining on [illegible]ty controlled by the mining operator/owner shall be suspended and the owner/operator shall either:

> *Present a revised reclamation plan to the Yolo County Community Development Agency which provides for filling the reclaimed lake to a level five feet above the average seasonal high groundwater level with a suitable backfill material, or*
>
> *Present a mitigation plan to the Yolo County Community Development Agency which provides a feasible and reliable method for reducing methylmercury production or exposure to elevated mercury levels. Potential mitigation could include permanent aeration of bottom [illegible]vels o[illegible] lake, alt[illegible]ratio[illegible] of water chemistry (increasing pH or dissolved organic carbon levels), ~~or~~ control of anaerobic bacteria populations, or removal and replacement of affected fish populations. Th[illegible] itigati[illegible] [illegible]ld [illegible]ire approval by the Regional Water Quality Control Board, Department of Fish and Game, and the Yolo County Department of Environmental Health.*

The following amendment is made to the fourth bulleted statement on page 4.4-51:

> *Collection of a minimum of five predatory fish (preferably largemouth bass) specimens or a representative sample of fish population within the lake (as determined by a qualified biologist), and analysis for mercury ~~and methylmercury~~ content. Sampling and analysis shall be conducted using methodologies which are consistent with the California State Water Resources Control Board Toxic Substance Monitoring Program procedures.*

The following text is added to the end of Mitigation Measure 4.4-3a (bottom of page **4.4-51):**

- *The reclamation plan shall be modified to provide that mitigation approved for methylmercury reduction shall be applied to all mining areas proposed for reclamation to permanent lakes within the reclamation plan.*

Text Change # 35:

Pages **4.4-52** & 53 -- The last paragraph is hereby modified to read as follows:

> <u>Draft OCMP and Implementing Ordinances</u>
>
> Implementation of the OCMP would result in the creation of numerous permanent wet pits within the planning area. Based on the mining and reclamation plans proposed under the five long-term applications currently under review by the County, the total wet pit surface area that would be created in the next 30 years would be approximately 771 acres. Annual losses of groundwater from these wet pit surfaces and associated wetland habitat is estimated at ~~3,022~~ 4,260 acre-feet per year, based on a rate of 3.92 feet/year for open water surfaces (assumed to be 90% of the wet pit surface) and 20 feet/year for wetland perimeters (assumed to be 10 % of the wet pit surface). Net loss after precipitation (no runoff) would be 3,030 acre-feet per year. In contrast to a tomato crop of the same size (771 acres), net

evapotranspiration losses would be 698 acre-feet/year (average runoff at the site is 2.5 inches per year (Rantz, 1974) (2.5 inches of the 19 inches of precipitation leaves the field as runoff). Therefore, the net loss of water from open water/wetland habitat is 2,341 acre-feet/year (3,039 - 698 acre-feet). ~~This apparent loss would be reduced by the amount of precipitation that does not run off [21] (average runoff is 2.5 inches per year (Rantz, 1974).~~

~~Therefore the net loss of water due to evaporation associated with the wet pits is estimated to be 2,861 acre-feet per year (3.71 feet/year from lakes, 5.21 feet/year from wetland habitat). The potential impact associated with the loss of 2,861 acre-feet of water per year may be mitigated by the creation of valuable wildlife habitat in the open water lake areas.~~

In addition, the footnote [21] on the bottom of page 4.4-52 is hereby deleted as follows:

~~[21] Precipitation that does not run off stays within the basin as soil moisture (used by plants) or groundwater recharge. Under existing conditions, 16.5 inches of the average 19 inches of rainfall remain in the basin. The 2.5 inches that would typically run off under existing conditions would be captured by the proposed wet pits. This would reduce the net loss of water from storage due to evaporation from the pits by 161 acre-feet.~~

Text Change # 36:

Page 4.4-56 – Objective 3.3-3 shown at the top of the page is incorrectly numbered, and is hereby corrected as follows:

Objective 3.3-~~3~~ 2

This change is also made to the reference to Objective 3.3-3 (now corrected as Objective 3.3.-2) in Mitigation Measure 4.4-5a on page 4.4-57.

Text Change # 37:

Page 4.4-60 – Action Policy 4.4-7 of the OCMP shall be revised as follows to indicate that securing a regular source of surface water would allow for natural revegetation of in-channel areas along Cache Creek:

> Enter into a Memorandum of Understanding with the Yolo County Flood Control and Water Conservation District to provide a regular source of surface water flow in Cache Creek throughout the year, when annual precipitation is sufficient. The timing and volume of flows should be established consistent with the Technical Studies, in order to create a stable low-flow channel and allow for the natural revegetation of ~~off~~ in-channel areas along the creek, where appropriate.

Text Change # 38:

Page 4.4-62 – Mitigation Measure 4.4-6a is hereby amended as follows:

The second sentence in the first paragraph under Mitigation Measure 4.4-6a:

> Cache Creek east of Road 94B ~~and the tributaries~~ cannot convey 100-year flows in **its** ~~their~~ banks.

Text Change # 39:

Page 4.4-64 -- The fourth sentence of the last paragraph under Impact 4.4-8 is hereby amended as follows:

> Under extreme conditions ~~access to farming~~ the reclaimed surface could be **significantly delayed** ~~rendered unfarmable~~.

Text Change # 40:

Page 4.5-16 – The following text is added as the second paragraph (i.e., it will become the first complete paragraph):

> **In order to be consistent with the Williamson Act, mining areas within prime farmland under contract would be required to be reclaimed to prime agricultural use. Mining in non-prime areas that are under contract could be reclaimed to the uses allowed in Action 5.4-2. Mined lands within the A-P zone which are not under contract when mining commences could be reclaimed to the allowable non-agricultural uses.**

In addition, Action 5.4-2 of the OCMP is amended, as follows:

> ***Revise the A-P (Agricultural Preserve) Zone to allow for the operation of surface mining on contracted land, in accordance with the provisions of the California Land Conservation (Williamson) Act. The primary purpose of the Williamson Act is to preserve open space, including agriculture, scenic areas, wildlife habitat, and recreational uses. ~~Where surface mining operations propose to reclaim sites to one of the above uses, the land may remain in contract.~~***

Text Change # 41:

Page 4.5-20 -- The fourth paragraph is amended as follows:

> The Teichert-Esparto application proposes mining of ~~283~~ **148** acres of land made up of primarily ~~of~~ Class **I (Yolo** silt loam) and Class **IV** (Loamy alluvial land) soils. The northern portion of the site (approximately ~~45~~ **42** acres) is designated as "Prime Farmland"; the central portion is "Unique Farmland"; and the southern portion is "Other Land" along Cache Creek.

Text Change # 42:

Page 4.5-21 --The fourth complete paragraph is amended as follows:

> The mining of the proposed projects and the Schwarzgruber property ~~would result in the disturbance of 2,256 acres of land, the majority of which is under some form of agricultural production. The combined reclamation plans~~ would return ~~1,143~~ 1,033 acres to agricultural production following mining, including ~~642~~ 542 acres to row crops, ~~456~~ 446 acres to tree crops, and 45 acres to pasture land. Approximately 1,229 acres of existing farmland would be reclaimed to non-agricultural uses, including open water bodies (771 acres), habitat (273 acres), and vegetated slopes and permanent roads (~~179~~ 186 acres). The net result would be the approximate loss of ~~1,223~~ 1,329 acres of agricultural land.

Text Change # 43:

Page 4.5-24 – Mitigation Measure 4.5-2a has been amended as follows:

Performance Standard 4.5-9 (second bulleted item):

- ***Placement of ~~permanent~~ Agricultural Preserve easements on lands meeting Williamson Act definition of "prime farmland" that are not currently under Wiliamson Act contract***

Text Change # 44:

Page **4.5-26** -- Change Table **4.5-4** as follows:

Table 4.5-4. Anticipated Conversion of Productive Agricultural Lands due to Mining.

Name	Total Acres To Be Mined[1]	Acres To Be Reclaimed for Agriculture	Haul Roads/ Slopes	Acres To Be Reclaimed for Other Uses	Net Loss of Agricultural Land
Solano Concrete	598	364[1,2]	26	226	252
Syar	734	~~413~~[2] 458[3]	74	247	321
Collet	360	114	28	218	246
Teichert-Esparto	148	0	19	129	148
Teichert-Woodland	283	115	~~32~~ 38	136	~~168~~ 174
Schwarzgruber[4]	88	0	0	88	~~0~~ 88
Subtotal	**2,211**	~~988~~ 987	~~179~~ 185	**1,044**	~~1135~~ 1,229
Rezonings					
Stephens	296	Unk.	Unk.	Unk.	-- Unk.
Lowe	250	Unk.	Unk.	Unk.	-- Unk.
Syar	130	Unk.	Unk.	Unk.	-- Unk.
Subtotal	676	-- Unk.	-- Unk.	-- Unk.	-- Unk.
TOTAL	2,887	~~988~~ 987	~~179~~ 185	1,044	~~1,233~~ 1,229[3]

Note: Unk. = Acreages of reclaimed uses are unknown for rezoning area.

[1] The gross "before mining" agricultural figures include some non-agricultural uses, such as hedgerows, access roads, and utility rights-of-way.
[2] Excludes an additional 100 acres reclaimed from the Hutson parcel under a previous reclamation plan.
[3] Excludes net loss due to mining of the parcels proposed for rezoning.
[4] Schwarzgruber is operating within an existing permit on a site that has been mined since the 1940s and is not presently in agricultural use.

Text Change # **45:**

Page **4.5-27** -- Change Table **4.5-5** as follows:

Table 4.5-5. Alternative Projects -Anticipated Conversion of Productive Agricultural Lands to Non-Agricultural Uses

Alternative	Acreage ~~Acreage~~ Disturbed by Mining	Acreage ~~Acreage~~ Reclaimed to Agricultural Use	Acreage Reclaimed to ~~Non-Agricultural~~ Non-Agricultural Use
~~2,211~~ 2,256[1]		~~988~~ 1,033[1]	~~1,223~~ 1,178[1]
No Project (Existing Conditions)	543%	~~202~~ 506	~~47~~ 37
No Project (Existing Permits)	~~543~~[2]	506	~~47~~ 37
No Mining (Alternative Site)	0	0	0
Plant Operation Only	0	0	0
Shallow Mining	2,211	1,769	442
Decreased Mining (Restricted Allocation)	1,105	541	564
Decreased Mining (Shorter Mining Period)	1,105	541	564
Agricultural Reclamation	5,250	4,200	1,050

[1] Includes 45 acres of borrow area reclaimed.
[2] Includes 294 acres of in-channel mining that were not previously in agricultural use.

Text Change # **46:**

Page 4.5-31 -- Mitigation Measure 4.5-4a has been amended as shown below. Mining plans for areas outside Yolo County should also include a similar requirement.

> Action 5.52: Topsoil, subsoil, and *subgrade* materials in stockpiles shall not exceed ***(40)*** feet in height with slopes no steeper than *2:1 (horizontal:vertical)*. *Stockpiles, other than aggregate stockpiles,* shall be seeded with a vegetative cover to prevent erosion and leaching. The use of topsoil for purposes other than reclamation shall not be allowed without the prior approval of the Community Development Director.

Text Change **# 47:**

Page 4.5-32 -- Performance Standard 5.5-4 is amended as follows:

> Where areas are lo be reclaimed to agricultural usage, all A and B horizon soil shall be ripped to a depth of three (3) feet after every ~~one (1)~~ two (2) foot layer of soil is laid down, in order to minimize compaction.

Text Change **# 48:**

Page 4.5-35 -- the last paragraph has been amended as follows:

> Following reclamation, Teichert Aggregates ~~Fong site~~ attempted to voluntarily place the 22-acre Coors site in ~~reclaim lands for~~ agricultural production ~~use~~. ~~According to the~~

~~proposed reclamation plan prepared by the company, approximately 22 acres of mined lands near Cache Creek were to be restored as productive farmland~~.

Text Change # 49:

Page 4.5-37-- The following two sentences are inserted at the end of the first paragraph under "Atmospheric Temperatures":

The tree crops that are proposed for planting in some of the reclaimed fields are not conventional fruit or nut orchards, but fast-growing trees, such as poplars, that are to be harvested for their wood product. Fruit or nut orchards are more susceptible to frost damage than row crops and wood tree crops.

Text Change **# 50:**

Page 4.5-38 – the first paragraph of Mitigation Measure 4.5-6a has been amended, as follows:

The OCMP and ordinances shall be augmented with the following standard to ensure reclamation drainage systems would be designed so that uncontrolled runoff would not affect reclaimed agricultural fields. Mining and reclamation requirements in areas outside the planning area should also include similar requirements.

Text Change **# 51:**

Page 4.6-8 – In the last sentence of the second paragraph, "~~Gorton~~ Slough" is hereby changed to "Goodnow Slough".

Text Change # **52:**

Page 4.6-9 -- Figure 4.6-1 is hereby modified as shown (see revised Figure 4.6-1).

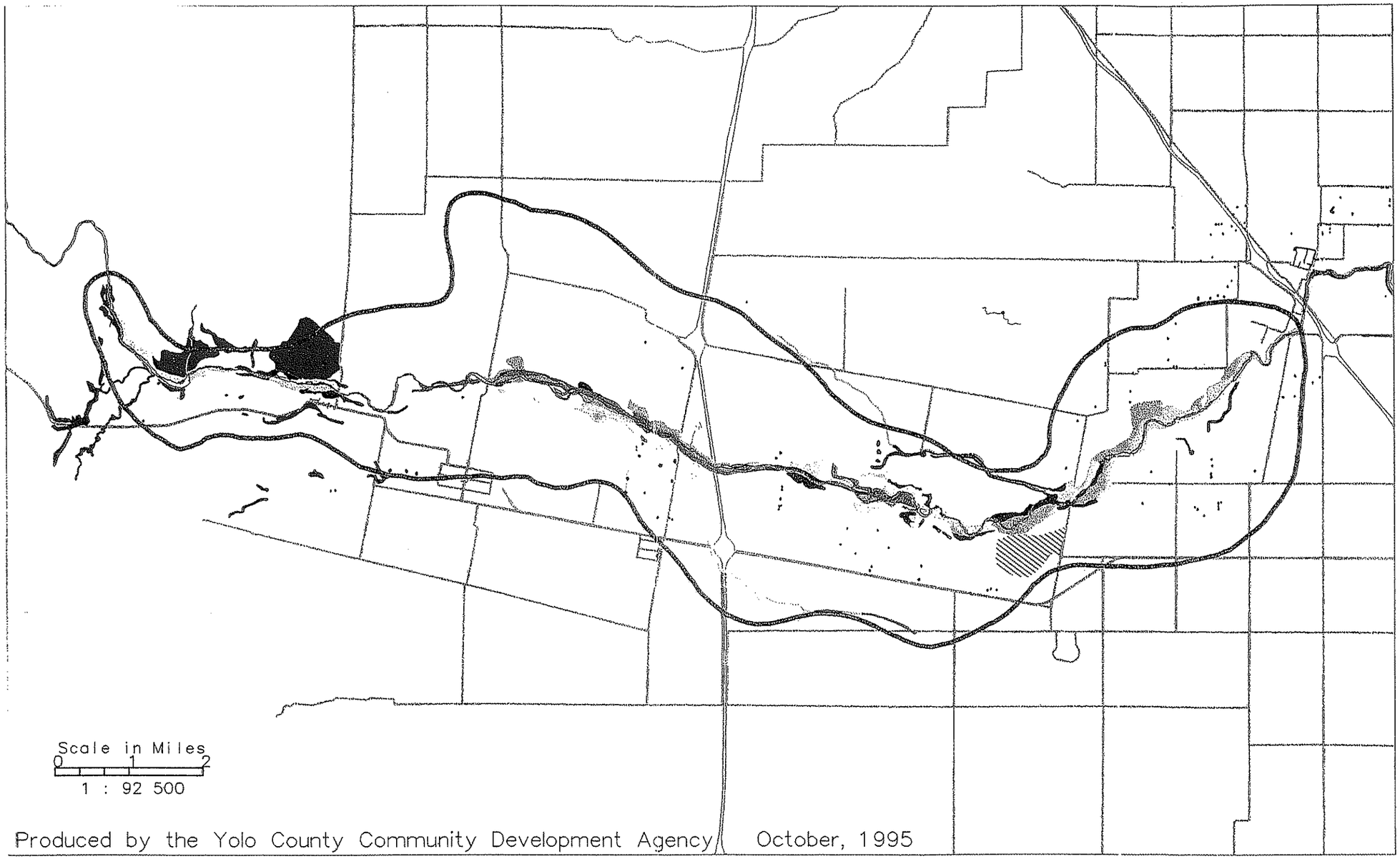


Figure 4.6-1 Habitat Types

SOURCE: YOLO COUNTY COMMUNITY DEVELOPMENT AGENCY

Text Change # 53:

Page 4.6-12 -- The discussion of wildlife use of riparian habitat is hereby modified by adding the following paragraph:

> Riparian habitat serves as home to numerous resident and migrant bird specifies in Yolo County. Cache Creek's forest and scrub represent some of the largest riparian habitat patches in the lower Sacramento Valley. Although most of the creek has been affected by agriculture and mining in past years, many large existing forest groves are relatively undisturbed, and are diverse in structure and botanical composition. Therefore, avian species richness also is high, especially between I-505 and Road 94B.

Text Change # 54:

Page 4.6-16 – The first sentence of the second paragraph is amended as follows:

> ...(CDFG, ~~1993~~ 1994a). These criteria include: location within a ...

Text Change # 55:

Page 4.6-29 – The first sentence of the third paragraph is amended as follows:

> The ~~*Draft Mitigation Guidelines for Swainson's hawk in the Central Valley of California*~~ "Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California" was ~~were~~ prepared by the CDFG to provide information on recommended management, history and population status, nesting and foraging requirements, and mitigation criteria for Swainson's hawk, with a general goal of no net loss of breeding or foraging habitat (CDFG, ~~1993~~ 1994).

Text Change # 56:

Page 4.6-28 – Mitigation Measure 4.6-3a is amended by modifying the recommended new Action policy 6.4-13 as follows:

> *6.4-13. Where fence row or field margin habitat previously existed, reestablish ~~fence row~~ similar habitat as part of reclamation to agricultural use to replace and improve the wildlife habitat value of agricultural lands, allowing for reestablishment of scattered native trees, shrubs, and ground covers along the margins of reclaimed fields. Reestablished habitat can be in locations other than where occurred originally. Restoration plans shall specify ultimate fence row or field margin locations, identify planting densities for trees and shrubs, and include provisions for monitoring and maintenance to ensure establishment.*

Text Change # **57:**

Page 4.7-2, first line of the fourth paragraph now reads:

> .....~~and~~ existing aggregate processing **plants, concrete and asphaltic concrete plants.**

Text Change # **58:**

Page 4.7-3 --the following has been added to the list of sensitive receptors at the top of the page:

- **Esparto Grammar School**

Text Change # 59:

Page 4.7-9 – The last sentence in the second paragraph now reads as follows:

> This rule identifies SOx emissions of 100 tons per ~~day~~ **year** as a threshold in an SO, attainment area such as Yolo County.

Page 4.7-10 (Table 4.7-3) – The following modifications have been made to Table 4.7-3:

ROG Emissions for the OCMP (last column): ~~19.72~~ 62.53
SOx Emissions for the OCMP (last column): ~~72.57~~ 72.53

As a note, these changes do not alter the level of significance for Impact 4.7-2 (pre-or post-mitigation), and it would remain significant and unavoidable impact of the OCMP.

Page 4.7-11 – The last part of footnote 6 has been changed to read:

> ...other 5%, **40** miles.

Text Change # 60:

Page 4.7-12 -- Performance Standard 2.5-6 is modified as follows:

a. All **active** soil stockpiles should be ~~vegetated,~~ 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.**

b. **During operating hours,** all disturbed soil and unpaved roads shall be adequately watered to keep soil moist ~~at all times~~.

c. All **disturbed but** inactive portions of the site shall either be seeded or watered until vegetation is gown or shall be stabilized using methods such as chemical soil binders, jut netting, or other YSAQMD approved methods.

Text Change # 61:

Page 4.7-19 – Mitigation Measure 4.7-2a is hereby modified to read as follows:

OCMP Performance Standard 2.5-7 and proposed Off-Channel Surface Mining Ordinance Section 10.4.11 should be amended as follows:

All internal combustion engine driven equipment and vehicles shall be kept tuned according to the manufacturers specifications and properly maintained to minimize the leakage of oils and fuels. No vehicles or equipment should be left idling for a period of longer than 3 10 minutes.

Text Change # 62:

Page 4.8-44 -- Mitigation Measure 4.8-2a has been amended as follows:

Performance *Standard 2.5-5 (the following sentence has been added to the end of the first paragraph):*

The operator does not assume the liability for the roadway, except for cases where the operator has not fulfilled its maintenance obligations.

Text Change # 63:

Page 4.847 -- Mitigation Measure 4.8-3a has been amended as follows:

The following performance standard should be added to the OCMP and to the Off-Channel Surface Mining Ordinance:

Each operator sh p its fai sl toward ovements required to maintain LOS C operations on County roads L D c p on St h Hig h j within the OCMP planning area. Fair sh it tic ll a be required h mp isting operational deficiencies of the transportation system. Specific locations shall be identified through the project-specific environmental review process for each operator's long-term mining permit application. Each operator shall participate in a funding program operated by Yolo County which is designed to ensure that all improvements are made in a timely manner and that a reimbursement mechanism is in place to ensure repayment of any costs contributed in excess of fair share amounts. The program shall be initiated upon the approval of the long-term mining permits and shall be updated biennially by Yolo County to ensure any new or modified impacts or funding sources are being addressed.

Each operator shall have the option to complete the work at their expense without triggering the competitive bid process, as long as they comply with the applicable legal requirements of the County. If the operator declines the option, the County shall utilize the competitive bid process.

Text Change # **64:**

Page 4.9-8 – The first two bullets under '"Standard of Significance" are hereby modified to read as follows:

- Activities exceeding an exterior noise level of 80 dB(A) between 6:00 a.m. and 6:00 p.m., measured at the property site boundary of residential land-uses and the outdoor-use space of agricultural uses.

- Activities exceeding an exterior noise level of 65 dB(A) between 6:00 p.m. and 6:00 a.m., measured at the property site boundary of residential land-uses and the outdoor-use space of agricultural uses.

Text Change # **65:**

Page 4.10-1 – The following text is added to the bottom paragraph on page 4.10-1 of the Draft EIR:

> Farming operations in the planning area typically involve the use of heavy equipment (tractors, cultivators, harvesters, trucks, etc.) in a seasonal cycle of field preparation, planting, growing, and harvesting. The appearance of large farm equipment operating within the fields and traveling on local or county roads is common. Under dry conditions, these vehicles can produce a visible trail of airborne dust as they move across the landscape on unpaved roads or fields. The appearance of the fields themselves evolves annually depending on the type and number of crops produced during a season. In the case of cultivated crops, fields appear as barren earth after harvesting and prior to planting.

Text Change # **66:**

Page 4.10-12 – Performance Standard 2.5-22 has been amended to read as follows:

PS 2.5-22	There shall be no pPermanent piles of mine waste and/or overburden. Berms established for visual screening and noise abatement shall be contoured to conform visually with the surrounding topography.

Text Change # **67:**

Page 4.10-15 – Mitigation Measure 4.10-lb is hereby amended as follows:

> Where mining would occur within 1,000 feet of a public right-of-way, ~~*including Roads 85, 87, 89, 94B and I-505, the O*~~ *operators* shall *phase mining* such that no more *than* 50 acres of the *area* that *lies* within *1,000 feet* of the *right-of-way would be actively disturbed at any time, except where operations are adequately screened from public view. Where adequate screening exists in the form of*

mature vegetation and/or constructed berms that effectively block public views, the area of active disturbance within 1,000 feet of the right-of-way shall not exceed the area that is screened by more than 50 acres at any time. Actively disturbed areas are defined as those on which mining operations of any kind, or the implementation of reclamation such as *grading,* seeding or *installation* of plant material are taking place.

Text Change # **68:**

Page 4.10-17 – The sentence shown below (located approximately in the middle of page 4.10-17) is hereby amended as follows:

The following policy would help make water bodies that will persist following reclamation more attractive and reduce their man-made appearance.

Text Change # **69:**

Page 4.10-20 – Mitigation Measure 4.10-2a has been made a condition of approval by modifying the second sentence under the mitigation as follows:

Mitigation Measure 4.70-2a (OCMP, A-4, *A-5a, A-5b,* A-6)

None required. However, the following *condition ~~mitigation measure~~* would *further* reduce the impact on views and vistas after reclamation.

Text Change # **70:**

Page 4.11-9 -- The new Performance Standard recommended under Mitigation Measure 4.11-1a is hereby modified to read as follows:

An additional performance standard shall be added to the OCMP to protect cultural resources as follows:

All resource records shall be checked for the presence of and the potential for prehistoric and historic sites. Damaging effects on cultural resources should be avoided whenever possible. If avoidance is not feasible, the importance of the site shall be evaluated by a qualified professional prior to commencement of mining operations. If a cultural resource is determined not to be important, both the resource and the effect on it shall be reported to the County, and the resource need not be considered further. If avoidance of an important cultural resource is not feasible, a mitigation plan shall be prepared and implemented. The mitigation plan shall explain the importance of the resource, describe the proposed approach to mitigate destruction or damage to the site, and demonstrate how the proposed mitigation would serve the public interest.

Text Change # **71:**

Pages 4.12-9 and 10 – Mitigation Measure 4.12-1a is hereby amended as follows:

Action 2.4-2: ~~Improve the County's monitoring of mining by requiring that all operations within the planning area submit detailed annual reports, as well as copies of permits approved by other agencies or jurisdictions.~~ Hazardous materials business plans must be submitted biannually as required by the Health and Safety Code, unless the types of hazardous materials used change, in which case revised business plans must be submitted within 30 days of the change. ~~This will enable the County to better assess the impacts of off-channel mining and the success of reclamation efforts.~~

Text Change # 72:

Page 4.12-10 --The last line of the first paragraph is hereby amended to read:

; in ition, special provision shall be made for fueling and maintenance of draglines and floating suction dredges:

For the purposes of consistency, the following text amendment to Mitigation Measure 4.12-Ia (page 4.12-10) is also made:

Performance Standard 4.59: Fueling and maintenance activities of heavy equipment (except draglines and floating suction dredges) are prohibited within 100 feet of open bodies of water during mining and reclamation. All ~~Storm~~ Water Pollution Prevention Plans shall include provisions for releases of fuels during fueling activities for draglines and floating suction dredges.

Text Change # 73:

Page 6-9 – The following reference has been added to the bibliography for Biological Resources:

California Department of Fish and Game, 1994a, Staff Report regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California.