

5. PROPOSED PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

5.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to report on and/or monitor measures adopted as part of the environmental review process (see Public Resources Code Section 21081.6 and CEQA Guidelines Sections 15091[d] and 15097). This Mitigation Monitoring and Reporting Program (MMRP) accomplishes this for the Teichert Shifler Mining and Reclamation Project, as evaluated in the Final EIR.

5.2 PURPOSE

This MMRP has been prepared to ensure required implementation, monitoring, and reporting of/for all required mitigation measures of the Teichert Shifler Mining and Reclamation Project, as evaluated in the Final EIR. Monitoring and documenting compliance with mitigation measures are the responsibility of Yolo County.

5.3 ROLES AND RESPONSIBILITIES

As required by Section 21081.6(a)(2) of the Public Resources Code, the Yolo County Community Services Department is the “custodian of documents and other material” that constitute the “record of proceedings” upon which the decisions related to the proposed project are based.

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Project files and relevant project information are also available at this address.

5.4 MITIGATION MONITORING AND REPORTING PROGRAM

The table attached to this report identifies the mitigation measures set forth in the Final EIR, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The County will be responsible for monitoring compliance.

The following table provides the impact each mitigation measure was designed to address, the mitigation measure number and text, the agency responsible for monitoring, the required timing for implementation of the measure, and an area for verification of compliance.



MITIGATION MONITORING AND REPORTING PROGRAM				
Teichert Shifler Mining and Reclamation Project				
Impact	Mitigation Measures	Monitoring Agency	Implementation Timing	Sign-off
Chapter 4.2 – Agricultural Resources				
4.2-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	4.2-1 <i>The applicant shall complete the following, subject to approval by the County. Item a) shall be completed in accordance with the approved reclamation plan and conditions of approval. Items b) and c) shall be completed prior to the commencement of mining activity on any Prime Farmlands, Unique Farmlands, or Farmland of Statewide Importance:</i> a) <i>Reclaim 116.7 acres of Prime Farmland onsite, equivalent in quality and capacity to existing Prime Farmland permanently converted as a result of the project.</i> b) <i>Establish a permanent agricultural conservation easement on 452.4 acres (267.50 disturbed acres – 116.7 reclaimed acres, at a 3:1 ratio) of equivalent or better (in quality and capability) Prime Farmland compliant with the requirements in County Code Sections 8-2.404(d) and Section 8-2.404(e), (f) and (g). The total acreage placed in permanent easement may be reduced to a minimum of 150.8 acres (267.50 disturbed acres – 116.7 reclaimed acres at a 1:1 ratio) in accordance with Sections 8-2404(d) or 10-5.525(a), (b), (c), or (d), provided the total acreage is determined to be equivalent to the applicable ratio and acreage required under Section 8-2.404. The proposal and the substantiation in support of finding equivalency shall be provided in writing by the applicant, for review by staff</i>	Yolo County Planning Division	Prior to commencement of mining activities	



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Impact	Mitigation Measures	Monitoring Agency	Implementation Timing	Sign-off
	<p><i>and acceptance by the Board of Supervisors. The County may in its discretion approve phasing of the required easement so long as mitigation is satisfied prior to or coincident with impacts to Prime Farmland.</i></p> <p><i>c) Establish a permanent agricultural conservation easement on 17.5 acres (0.5 acres + 8.25 acres, at a 2:1 ratio) of equivalent or (in quality and capability) better Farmland of Statewide Importance and Unique Farmland compliant with the requirements in County Code Sections 8-2.404(d) and 8-2.404(e), (f), and (g). The total acreage placed in permanent easement may be reduced to a minimum of 8.75 acres (0.50 acres + 8.25 acres, at a 1:1 ratio) in accordance with Sections 8-2.404(d) or 10-5.525(a), (b), (c), or (d), provided the total acreage is determined to be equivalent to the applicable ratio and acreage required under Section 8-2.404. The proposal and the substantiation in support of finding equivalency shall be provided in writing by the applicant, for review by staff and acceptance by the Board of Supervisors. The County may in its discretion approve phasing of the required easement so long as mitigation is satisfied prior to or coincident with impacts to Farmland of Statewide Importance and Unique Farmland.</i></p>			



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Chapter 4.3 – Air Quality, Greenhouse Gas Emissions, and Energy				
4.3-7 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	<p>4.3-7 <i>Prior to initiation of mining activity at the Shifler mining site, the project applicant shall submit, for review and approval, a Greenhouse Gas Reduction Plan (GHGRP) to the Yolo County Department of Community Services. In order to demonstrate that implementation of the proposed project would not result in a net increase in GHG emissions from baseline conditions, the GHGRP shall demonstrate how operational emissions of the proposed project would be reduced by at least 1,887.84 MTCO₂e/yr. Strategies to achieve emissions reductions may include, but are not limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Replacement of existing fossil fueled equipment with hybrid or electrically powered equipment;</i> • <i>Installation of additional renewable energy systems on-site;</i> • <i>Purchase of an increased proportion of electricity from renewable sources;</i> • <i>Purchase carbon credits to offset Project annual emissions. Carbon offset credits shall be verified and registered with The Climate Registry, the Climate Action Reserve, or another source approved by CARB, YSAQMD, or Yolo County.</i> <p><i>If purchase of off-site mitigation credits is selected as a means of meeting the requirements of this mitigation measure, purchase of off-site mitigation credits shall be negotiated with the County and YSAQMD at the time that credits are sought. Off-</i></p>	Yolo County Planning Division	Prior to commencement of mining activities	



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	<p><i>site mitigation credits purchased as part of this mitigation measure shall be real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2). Such credits shall be based on protocols that are consistent with the criteria set forth in subdivision (a) of Section 95972 of Title 17 of the California Code of Regulations, and shall not allow the use of offset projects originating outside of California, except to the extent that the quality of the offsets, and their sufficiency under the standards set forth herein, can be verified by Yolo County and/or the YSAQMD. The credits must be purchased through one of the following: (i) a CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard; (ii) any registry approved by CARB to act as a registry under the California Cap and Trade program; or (iii) through the CAPCOA GHG Rx and the YSAQMD.</i></p>			
4.3-8 Conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.	4.3-8 <i>Within the first three years of initiation of mining activity at the Shifler Project site, the project applicant shall submit to the County an Electric Vehicle Parking Plan for the Woodland Plant, that shall specify the number and location of electric vehicle charging installations.</i>	Yolo County Planning Division	Within the first three years of initiation of mining activity at the Shifler Project site	



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4.4 Biological Resources				
4.4-1 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.	<i>VELB</i>			
	4.4-1(a) <i>Prior to initiation of any ground-disturbing activities at the project site, the project applicant shall obtain coverage under the Yolo HCP/NCCP, remit payment of any applicable Yolo HCP/NCCP fees, and implement all applicable Yolo HCP/NCCP Avoidance and Minimization Measures (AMMs). Proof of payment of HCP/NCCP coverage and fee payment shall be submitted to the County. This requirement may be satisfied by the execution of an agreement with the Yolo Habitat Conservancy, which could include, at the discretion of the YHC, phased payment of fees consistent with phased project approvals.</i>	YHC	Prior to initiation of any ground-disturbing activities at the project site	
	4.4-1(b) <i>The project applicant shall implement Yolo HCP/NCCP AMM-12 (Minimize Take and Adverse Effects on Habitat of Valley Elderberry Longhorn Beetle) to the satisfaction of the County and the YHC.</i>	Yolo County Planning Division YHC	Prior to initiation of any ground-disturbing activities at the project site	
	<i>Western Pond Turtle</i>			
4.4-1(c) <i>Implement Mitigation Measure 4.4-1(a), which mitigates for the loss of habitat for the Western Pond Turtle by funding the acquisition of suitable habitat easements through the Yolo HCP/NCCP.</i>	YHC	Prior to initiation of any ground-disturbing activities at the project site		
4.4-1(d) <i>The project applicant shall implement Yolo HCP/NCCP AMM-14 (Minimize Take and Adverse Effects on Habitat of Western Pond Turtle) to the satisfaction of the County and the YHC. In addition, prior to demolition and grading activities associated with the existing alignment of Moore</i>	Yolo County Planning Division YHC	Prior to demolition and grading activities associated with the existing alignment of Moore		



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	<p><i>Canal and Magnolia Canal, the existing on-site sections of each canal that are to be abandoned or disturbed shall be surveyed in order to confirm that no Western pond turtles have become stranded. Should Western pond turtles be found within the portions of Moore Canal or Magnolia Canal that are to be abandoned or disturbed, the turtles shall be physically moved by a qualified biologist in compliance with the guidance provided in AMM-14.</i></p> <p>Northern Harrier and Short-Eared Owl</p> <p>4.4-1(e) <i>The project applicant shall not initiate project-related vegetation removal or earthmoving within 500 feet of the nearest potential nesting tree during the nesting season (February 15 through August 31). All initial project-related vegetation removal and earthmoving removal shall occur between September 1 and February 14 to the maximum extent feasible.</i></p> <p><i>Alternatively, if project-related vegetation removal or earthmoving is required within 500 feet of the nearest potential nesting tree between February 15 and August 31, a qualified biologist shall conduct a survey for northern harrier and short-eared owl in suitable nesting habitat within and out to 500 feet from the area proposed for disturbance. Any surveys conducted outside the project site shall occur to the extent practicable from publicly accessible areas. The survey(s) shall be conducted no more than 14 days prior to initiation of each phase of project-related vegetation removal or earthmoving on the project site. A</i></p>	Yolo County Planning Division	<p>Canal and Magnolia Canal</p> <p>During the nesting season</p>	



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	<p><i>written summary of the survey results shall be submitted to the County within 14 days of survey completion. If nesting individuals are not identified, further mitigation is not required for that phase.</i></p> <p>4.4-1(f) <i>If nesting individuals are found prior to initiation of project-related vegetation removal or earthmoving in the year of the survey, a project exclusion zone shall be established within 500 feet of the active nest(s) until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest. All exclusion zones shall be demarcated by security fencing.</i></p> <p><i>Alternatively, the project applicant may retain a qualified biologist to monitor on a weekly basis active nests that are within 500 feet or less from project-related vegetation removal or earthmoving to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 500 feet of the nest will be terminated until the young-of-the-year are no longer reliant upon the nest. Project-related vegetation removal or earthmoving shall not be initiated within 200 feet of an active nest once nesting has begun, under any circumstances. The project applicant shall establish a 500-foot protective buffer around active Northern harrier or short-eared owl nests if nesting is initiated after active mining has begun. The biologist shall submit a written summary of the monitoring results to the County.</i></p>	Yolo County Planning Division	Prior to initiation of project-related vegetation removal or earthmoving	



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	<p><i>Swainson's Hawk and White-Tailed Kite</i></p> <p>4.4-1(g) <i>Implement Mitigation Measure 4.4-1(a), which mitigates for the loss of habitat for the Swainson's Hawk and White-Tailed Kite by funding the acquisition of suitable habitat easements through the Yolo HCP/NCCP.</i></p> <p>4.4-1(h) <i>The project applicant shall implement Yolo HCP/NCCP AMM-16 (Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite) to the satisfaction of the County and the YHC. Any surveys outside the project site conducted pursuant to AMM-16 shall occur to the extent practicable from publicly accessible areas. In addition to implementing AMM-16, the project applicant shall establish a 500-foot protective buffer around active Swainson's hawk/white-tailed kite nests on or near the project site if nesting is initiated after active mining has begun.</i></p> <p><i>Loggerhead Shrike</i></p> <p>4.4-1(i) <i>The project applicant shall not initiate project-related vegetation removal or earthmoving within 200 feet of the nearest potential nesting tree during the loggerhead shrike/migratory bird nesting season (February 15 through August 31). All initial project-related vegetation removal and earthmoving removal shall occur between September 1 and February 14 to the maximum extent feasible.</i></p> <p><i>Alternatively, if project-related vegetation removal or earthmoving is required within 200 feet of the</i></p>	<p>YHC</p> <p>Yolo County Planning Division</p> <p>YHC</p> <p>Yolo County Planning Division</p>	<p>Prior to initiation of any ground-disturbing activities at the project site</p> <p>Prior to initiation of any ground-disturbing activities at the project site</p> <p>During the loggerhead shrike/migratory bird nesting season</p>	



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	<p><i>nearest potential nesting tree between February 15 and August 31, a survey shall be conducted for non-special-status nesting raptors in suitable nesting habitat within and out to 200 feet from the area proposed for disturbance. Any surveys conducted outside the project site shall occur to the extent practicable from publicly accessible areas. The survey(s) shall be conducted by a qualified biologist within 14 days prior to initiation of each phase of project-related vegetation removal or earthmoving on the project site. This survey may be conducted concurrently with the survey required per Mitigation Measure 4.4-4(a). A written summary of the survey results shall be submitted to the County within 14 days of survey completion. If nesting individuals are not identified, further mitigation is not required for that phase.</i></p> <p>4.4-1(j) <i>If nesting loggerhead shrike individuals or other nesting migratory birds are found prior to initiation of project-related vegetation removal or earthmoving in the year of the survey, a project exclusion zone shall be established within 200 feet of the active nest(s) until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest. All exclusion zones shall be demarcated by security fencing.</i></p> <p><i>Alternatively, the project applicant may retain a qualified biologist to monitor any active nests that are within 200 feet or less from project-related vegetation removal or earthmoving to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the</i></p>	Yolo County Planning Division	Prior to initiation of project-related vegetation removal or earthmoving in the year of the survey	



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	<p><i>qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 200 feet of the nest will be terminated until the young-of-the-year are no longer reliant upon the nest. Project-related vegetation removal or earthmoving shall not be initiated within 100 feet of an active nest once nesting has begun, under any circumstances. The project applicant shall establish a 200-foot protective buffer around active nests if nesting is initiated after active mining has begun. The biologist shall submit a written summary of the monitoring results to the County.</i></p> <p>Other Nesting Raptors Protected Under the MBTA 4.4-1(k)</p> <p><i>The project applicant shall not initiate project-related vegetation removal or earthmoving within 300 feet of the nearest potential nesting tree during the raptor nesting season (February 15 through August 31). All initial project-related vegetation removal and earthmoving removal shall occur between September 1 and February 14 to the maximum extent feasible.</i></p> <p><i>Alternatively, if project-related vegetation removal or earthmoving is required within 500 feet of the nearest potential nesting tree between February 15 and August 31, a survey shall be conducted for non-special-status nesting raptors in suitable nesting habitat within and out to 500 feet from the area proposed for disturbance. Any surveys conducted outside the project site shall occur to the extent practicable from publicly accessible areas. The survey(s) shall be conducted by a qualified biologist within 14 days prior to initiation</i></p>	Yolo County Planning Division	During the raptor nesting season	



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	<p><i>of each phase of project-related vegetation removal or earthmoving on the project site. This survey may be conducted concurrently with the survey required per Mitigation Measure 4.4-4(a). A written summary of the survey results shall be submitted to the County within 14 days of survey completion. If nesting individuals are not identified, further mitigation is not required for that phase.</i></p> <p>4.4-1(l) <i>If nesting raptor individuals are found prior to initiation of project-related vegetation removal or earthmoving in the year of the survey, a project exclusion zone shall be established within 300 feet of the active nest(s) until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest. All exclusion zones shall be demarcated by security fencing.</i></p> <p><i>Alternatively, the project applicant may retain a qualified biologist to monitor any active nests that are within 300 feet or less from project-related vegetation removal or earthmoving to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 300 feet of the nest will be terminated until the young-of-the-year are no longer reliant upon the nest. Project-related vegetation removal or earthmoving shall not be initiated within 200 feet of an active nest once nesting has begun, under any circumstances. The project applicant shall establish a 300-foot protective buffer around active raptor nests if nesting is initiated after active</i></p>	Yolo County Planning Division	Prior to initiation of project-related vegetation removal or earthmoving in the year of the survey	



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	<p><i>mining has begun. The biologist shall submit a written summary of the monitoring results to the County.</i></p> <p><i>Other Nesting Birds Protected Under the MBTA</i> 4.4-1(m) <i>Implement Mitigation Measures 4.4-1(i) and (j).</i></p> <p><i>Foraging Habitat for Tricolored Blackbirds, Swainson's Hawk, and White-Tailed Kite and Winter Foraging Habitat for Ferruginous Hawk and Merlin</i> 4.4-1(n) <i>Implement Mitigation Measures 4.4-1(a), which mitigates for the loss of habitat for the Tricolored Blackbirds, Swainson's Hawk, and White-Tailed Kite and Winter Foraging Habitat for Ferruginous Hawk and Merlin by funding the acquisition of suitable habitat easements through the Yolo HCP/NCCP.</i></p> <p><i>Silver-Haired Bat, Western Red Bat, and Hoary Bat</i> 4.4-1(o) <i>Removal of the four trees identified as potential special-status bat species habitat in Figure 4.4-6</i></p>	<p>Yolo County Planning Division</p> <p>YHC</p> <p>Yolo County Planning</p>	<p>During the loggerhead shrike/migratory bird nesting season</p> <p>Prior to initiation of project-related vegetation removal or earthmoving in the year of the survey</p> <p>Prior to initiation of any ground-disturbing activities at the project site</p> <p>Prior to formation of maternity bat</p>	



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	<p><i>of this EIR shall occur either prior to formation of maternity bat colonies (April 15) or after young are capable of flight (August 15). Disturbance-free buffer zones, as determined by a qualified biologist, shall be observed for maternity roosts or hibernacula found during the maternity roost season (i.e., April 15 through August 15).</i></p> <p><i>Tree removal activities shall take place over a minimum of two days, with the first day consisting of trimming to open the roosting area up to airflow. Final tree removal shall only occur after at least one night has passed since trimming has been completed, to allow bats to wake from torpor and leave during darkness. The biologist shall submit a written summary of the tree removal activities, including any bat individuals observed, to the County within 14 days of completion of tree removal.</i></p>	Division	colonies (April 15) or after young are capable of flight (August 15)	
4.4-3 Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<p>4.4-3(a) <i>Implement Mitigation Measure 4.4-1(a), which mitigates for the loss of aquatic resources by funding the acquisition of aquatic habitat easements through the Yolo HCP/NCCP.</i></p> <p>4.4-3(b) <i>Prior to disturbance associated with relocation of the Moore and/or Magnolia Canal, the applicant shall notify CDFW pursuant to Section 1602 of the Fish and Game Code to determine whether a Lake or Streambed Alteration Agreement is required for the relocation of the Moore/Magnolia Canal and any other activities affecting the bed, bank, or associated riparian vegetation of the canals. The information provided in the application(s) shall include a description of all of the activities</i></p>	YHC	Prior to initiation of any ground-disturbing activities at the project site	
		Yolo County Planning Division	Prior to disturbance associated with relocation of the Moore and/or Magnolia Canal	



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	<p><i>associated with the relocation of the canals and any other activities affecting the bed, bank or any associated riparian vegetation of those features. Impacts to the canals and any associated riparian vegetation shall be outlined in the application and shall be substantially consistent with the impacts to biological resources outlined in this EIR. If this is not the case, the County shall be immediately notified to determine an appropriate response pursuant to CEQA. Impacts for each activity shall be broken down by temporary and permanent, and a description of the proposed mitigation for biological resource impacts, including compliance with the Yolo HCP/NCCP as applicable, shall be outlined per activity and as temporary or permanent. Information regarding project-specific drainage and hydrology changes resulting from project implementation shall be provided as well as a description of storm water treatment methods. Mitigation may include restoration or enhancement of resources on- or off-site, purchase habitat credits from an agency-approved mitigation/conservation bank, off-site, working with a local land trust to preserve land, or any other method acceptable to CDFW. Written verification of the applicant's compliance with Section 1602 of the Fish and Game Code shall be submitted to the County.</i></p>			



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4.5 Cultural and Tribal Cultural Resources				
4.5-1 Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5.	<p>4.5-1 <i>Prior to initiation of construction activities associated with relocation of Moore Canal within the project site, the project applicant shall retain a qualified archaeologist to provide for documentation of the Canal. A series of high-resolution photographs shall be taken of the resource, including any features and general overviews of canal segments planned for removal, to document the current appearance, with associated GPS readings. In addition, GPS readings shall be taken of the linear extent of Moore Canal.</i></p> <p><i>Cross-sectional profiles shall be recorded at various points along the segments, depending on variations of the width and depth of the feature. The project applicant shall ensure that copies of the photographs of the canal section are filed with the Northwest Information Center, the Yolo County Archives, the Yolo County Flood Control and Water Conservation District, and the Yolo County Department of Community Services.</i></p>	<p>Northwest Information Center</p> <p>Yolo County Archives</p> <p>Yolo County Flood Control and Water Conservation District</p> <p>Yolo County Department of Community Services</p>	Prior to the initiation of construction activities associated with relocation of Moore Canal within the project site	
4.5-3 Directly or indirectly disturb or destroy a unique tribal cultural resource, such as a site, feature, place, cultural landscape, sacred place or object with cultural value to a	<p>4.5-3 <i>Develop and Implement a Tribal Cultural Resources Monitoring Plan</i></p> <p><i>The project proponent shall prepare, with input from the Yocha Dehe Wintun Nation, a Tribal Cultural Resources Monitoring Plan for County approval that includes the following components. The Plan shall be fully executed and copies provided to the County prior to the initiation of ground-disturbing activities associated with the approved project.</i></p>	Yolo County Department of Community Services	Prior to the initiation of ground-disturbing activities associated with the approved project	



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California Native American Tribe.	<ul style="list-style-type: none"> • <i>Awareness Training -- The scope, format, and timing of delivery of a contractor awareness training program to inform equipment operators and their supervisors of the procedures required by the Monitoring Plan, which includes, at a minimum, annual training for all personnel involved in project implementation. The program shall include relevant information regarding sensitive tribal cultural laws and regulations. The program shall describe appropriate avoidance and minimization measure (as described in the executed Monitoring Plan) for resources that have the potential to be located on the project site and shall outline specific actions and contacts should any potential archeological resources or artifacts be encountered. The program shall also underscore the requirement for confidentiality and culturally-appropriate treatment of any finds of significance to Native American peoples and for behavior consistent with Native American Tribal values. A copy of the contractor awareness training program materials and written verification of completion of the training program shall be submitted to the Yolo County Department of Community Services.</i> • <i>Compliance with Applicable Laws – The Monitoring Plan shall describe applicable laws and regulations relevant to potential cultural resource finds, including specific procedures to ensure compliance during implementation.</i> 			



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	<ul style="list-style-type: none"> • <i>Extent of Monitoring – The plan shall include a description of the extent that monitoring will be required. Monitoring shall be limited to the depth of overburden (topsoil), which is the area in which unknown Tribal Cultural Resources could occur. The plan shall acknowledge that monitoring of the excavation of gravels and aggregate materials, or backfilling and restoration, is not required. The parties may identify a phasing system to facilitate efficient monitoring – this phasing shall not be in conflict with approved mining phasing. The level of monitoring may be determined in the field based on observed actual conditions as mining moves away from Cache Creek into areas where the likelihood of resources is reduced based on known cultural practices and activities.</i> • <i>Reporting By Phase – The applicant shall file a written report to the County within 30 days of completion of monitoring for each monitoring phase. The report shall document compliance with the terms of the Monitoring Agreement and shall report on the nature and disposition of any cultural resource discoveries. Applicable requirements for confidentiality shall be observed in these reports.</i> • <i>Treatment and Disposition of Cultural Items and Remains – Detailed unanticipated discovery procedures for cultural resources, unique archaeological resources, tribal cultural resources, or human remains that</i> 			



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	<p><i>includes consultation with the County to ensure that any discoveries are treated in accordance with applicable state law before work can resume at the discovery location.</i></p> <ul style="list-style-type: none"> • <i>Other Procedures and Requirements – Timing and procedures for other relevant actions necessary to implement the Monitoring Plan.</i> <p><i>The County shall be afforded 15 calendar days to review and approve the draft Monitoring Plan prior to execution. Ground-disturbing activities subject to the Monitoring Plan cannot begin until the County approves the Monitoring Plan and the Plan is executed between the project proponent and the Yocha Dehe Wintun Nation.</i></p>			
4.5-4 The project has the potential to eliminate important examples of the major periods of California history or prehistory.	4.5-4 <i>Implement Mitigation Measures 4.5-1 and 4.5-3.</i>	See Mitigation Measures 4.5-1 and 4.5-3	See Mitigation Measures 4.5-1 and 4.5-3	
4.6 Geology and Soils, Mineral Resources, and Paleontological Resources				
4.6-5 Directly or indirectly destroy a unique paleontological resource.	4.6-5 <i>Pursuant to Section 10-4.410(b) of the mining ordinance, should paleontological resources be discovered during ground disturbing activities, work shall be halted in the area within 75 feet of the find. The applicant shall notify the Director (as defined by the OCSMO as the County Administrator or designee chosen by the Administrator) and the Yolo County Department of Community Services and retain a qualified paleontologist to inspect the discovery. The find</i>	Yolo County Department of Community Services	During ground-disturbing activities	



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	<i>must be recorded by a qualified archaeologist or paleontologist using relevant professional protocols and a report fully recording the find submitted to the County Administrator or designee chosen by the Administrator and the Yolo County Department of Community Services. This report shall include recommendations for appropriate removal and preservation of the artifact. If deemed appropriate in the report, the resource(s) shall then be salvaged and deposited at the Cache Creek Nature Preserve, or other appropriate venue, where the discovery would be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans, mining plans, and reclamation plans approved by the Department of Community Services for the proposed project, where ground disturbance would be required.</i>			
4.7-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	4.7-2(a) <i>Prior to initiation of ground-disturbing activities within 50 feet of the domestic water well on the project site, the project applicant shall obtain a water well abandonment permit from the Yolo County Environmental Health Division (YCEHD), and coordinate with the YCEHD regarding procedures for abandonment of the on-site domestic water well.</i>	YCEHD	Prior to initiation of ground-disturbing activities	
	4.7-2(b) <i>Prior to initiation of ground-disturbing activities within 50 feet of the natural gas well on the project site, the project applicant shall submit a Notice of Intention (Form OG106) to the California Division of Oil, Gas, and Geothermal Resources (DOGGR) stating the applicant's intent to re-abandon the</i>	Yolo County Department of Community Services DOGGR	Prior to initiation of ground-disturbing activities within 50 feet of the natural gas well on the project site	



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	<p><i>existing on-site gas well. Subsequent to acquisition of an approved gas well abandonment permit from DOGGR, the project applicant shall retain a licensed contractor to cut off the well at the maximum depth of the proposed excavation and install a cement plug at least 25 feet below the final proposed elevation of the well. Subsequently, the casing of the well shall be cut off five to 10 feet below the final ground surface and a steel plate affixed to the top of the casing with the well identifier number, indicated by the last five digits of the API well number, welded onto the plate. The location of the well shall be surveyed for future reference. The project applicant shall submit a copy of the approved well abandonment permit to the Yolo County Department of Community Services. Records of all re-abandonment activities shall be submitted to the Yolo County Department of Community Services and DOGGR.</i></p>			
	<p>4.7-2(c) <i>During removal of overburden associated with the proposed project, potentially hazardous materials identified in the vicinity of the former ranch headquarters on the project site, shall be removed from the site and disposed of in accordance with the following regulations and requirements:</i></p> <ul style="list-style-type: none"> • <i>Hazardous materials identified on the project site shall be handled in accordance with Chapter 6.5, Division 20, of the California Health and Safety Code.</i> • <i>Hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered</i> 	<p>Yolo County Department of Community Services</p> <p>YCEHD</p>	<p>During removal of overburden associated with the proposed project</p>	



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	<p><i>hazardous waste hauler using correct manifesting procedures and vehicles displaying a current Certificate of Compliance. The project applicant shall identify by name and address the site where toxic substances shall be disposed of. Disposal shall be coordinated with the Yolo County Environmental Health Division, and the necessary applications shall be filed. The applicant shall provide CEHD with a valid certification from the approved disposal site that the material was delivered.</i></p> <p><i>The applicant shall notify the Yolo County Department of Community Services and the Yolo County Environmental Health Division when this measure has been fulfilled and provide supporting documentation.</i></p>			
4.8 Hydrology and Water Quality				
4.8-4 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows.	4.8-4(a) <i>Prior to mining or other activity closer than 700 feet to the top of bank, the applicant shall implement a reinforcement improvement in an approximately 600-foot area of streambank (shown in Figure 4.8-1 of the Draft volume of the EIR) which lies in the path of a potential theoretical migration of the creek meander bend. Along this alignment the improvements will consist of a soil-backfilled and planted rock revetment designed and installed to help prevent future bank erosion in the area closest to the Moore Canal and where there is the highest potential for channel migration. The design and placement of this improvement will be subject to review and approval by the Cache Creek TAC.</i>	Cache Creek Technical Advisory Committee (TAC)	Prior to mining or other activity closer than 700 feet to the top of bank	



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	<p>4.8-4(b) <i>Prior to mining of other activity closer than 700 feet to the top of bank, the applicant shall implement a habitat enhancement improvement in an approximately 6-acre area of inset terrace (shown in Figure 4.8-1 of the Draft volume of the EIR). There exists an area on the inset terrace below the Shifler property that extends from County Road 94B along the right (south) bank to the Teichert Aggregates Woodland Plant. This terrace has some native woody vegetation along the first approximately 1,000 feet east of CR 94B but is otherwise predominantly bare or covered with non-native ruderal species. Within the approximately 6-acre zone shown in the referenced figure, the applicant shall remove non-native species and plant appropriate native woody (tree and shrub) species (with the species selection informed by which trees and shrubs are already present on the terrace). This action shall be undertaken in a manner so as not to disturb existing native species (especially elderberry) that already exist within this 6-acre zone. This action will help stabilize this terrace in addition to enhancing habitat between the creek channel and the project site, further reducing potential for channel migration. The habitat enhancement project shall be implemented, monitored, and maintained to the same revegetation standards as stipulated in the approved reclamation plan.</i></p>	Cache Creek TAC	Prior to mining of other activity closer than 700 feet to the top of bank	
	<p>4.8-4(c) <i>The minimum allowed setback between the top of bank and mining or other activity shall be 250 feet. Mining and reclamation plans shall be modified accordingly.</i></p>	Cache Creek TAC	During mining and reclamation	



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4.10 Noise				
<p>4.10-1 Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.</p>	<p>4.10-1(a) <i>The following language shall be included as a condition of approval on the Mining Permit for the proposed project, to the satisfaction of the Yolo County Department of Community Services:</i></p> <ul style="list-style-type: none"> • <i>Initial scraper operations occurring within 300 feet of the project site boundary near Receptors 1 or 6 (as identified in Figure 4.10-4 of this EIR) shall be limited to 15 minutes per hour;</i> <p style="text-align: center;"><i>OR</i></p> <ul style="list-style-type: none"> • <i>An earth berm or other form of noise barrier shall be constructed along 300 feet of the eastern and western site boundaries nearest to Receptors 1 and 6. The barrier shall be a minimum of eight feet in height relative to the existing ground elevation.</i> <p><i>In addition, the Mining Permit shall be conditioned with the following language, to the satisfaction of the Yolo County Department of Community Services, to further reduce the potential for annoyance associated with proposed excavation activities:</i></p> <ul style="list-style-type: none"> • <i>Excavation activities occurring within 560 feet of an existing residence shall be limited to the hours of 6:00 AM to 6:00 PM until such time as the excavation equipment has recessed in the pit a sufficient depth to no longer be visible from the nearest</i> 	<p>Yolo County Department of Community Services</p>	<p>Prior to the issuance of a Mining Permit</p>	



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	<p><i>residences.</i></p> <ul style="list-style-type: none"> • <i>Teichert shall coordinate with Monument Hill Memorial Park cemetery representatives on an ongoing basis to determine when funeral services are scheduled to occur at the cemetery, and shall limit on-site operations during such services. Alternatively, Teichert may initiate communication with Monument Hill Memorial Park representatives to identify other feasible methods for minimizing potential noise intrusion during services.</i> <p>4.10-1(b) <i>A noise survey shall be conducted following the installation and operation of any new equipment which will be required to increase processing capacity of the Woodland Plant. The results of the noise survey shall be submitted to the Yolo County Department of Community Services within two months of the new equipment being brought online. In the event that the survey results indicate the additional equipment has resulted in a substantial increase in processing plant noise emissions (in excess of 5 dB), the equipment causing the substantial increase shall cease operation until the following noise mitigation options shall be implemented, as appropriate, to reduce the overall increase in plant noise levels to less than 5 dB at the nearest residences:</i></p> <ul style="list-style-type: none"> • <i>Construct localized noise barriers adjacent to ground level equipment determined to be responsible for substantial increases in ambient noise levels.</i> 	<p>Yolo County Department of Community Services</p>	<p>Following the installation and operation of any new equipment which will be required to increase processing capacity of the Woodland Plant</p>	



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	<ul style="list-style-type: none"> • Suspend acoustic curtains adjacent to elevated equipment determined to be responsible for substantial increases in ambient noise levels. • Line new conveyor transfer points and hoppers with heavy urethane linings. • Utilize urethane screens in new screen decks. • Utilize automatic reverse-activated strobe lights in lieu of audible backup beeper devices for any new mobile equipment, if the applicant can obtain a variance from Cal/OSHA. If a variance cannot be obtained, then utilize MHSA-approved broad-band backup warning devices for any new mobile equipment rather than the traditional tonal back-up beeper devices. • Ensure that all internal combustion engines which may be required to drive new equipment is equipped with appropriate mufflers. 			
4.12 Transportation and Circulation				
4.12-2 Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	4.12-2 Transportation Demand Management (TDM) Program. Prior to commencement of mining activities at the project site, the project applicant shall develop and implement a TDM program to reduce the number of daily employee commute trips made to the project site, and shall submit the TDM Program to Yolo County for review and approval. The TDM Program shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. The TDM	Yolo County Planning Division	Prior to commencement of mining activities at the project site	



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	<p><i>Program shall be designed to achieve the following trip reduction:</i></p> <ul style="list-style-type: none"> • <i>Reduce employee commute VMT to the maximum extent feasible.</i> <p><i>Feasible trip reduction strategies may include, but are not limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Develop an employer-led program that considers:</i> <ul style="list-style-type: none"> ○ <i>Carpooling encouragement;</i> ○ <i>Ride-matching assistance; and</i> ○ <i>Vanpool assistance.</i> 			
5 Cumulative Impacts and Other Required Sections				
5-2	Cumulative impacts to farmland.	<i>Implement Mitigation Measure 4.2-1.</i>	Yolo County Planning Division	Prior to commencement of mining activities
5-14	Cumulative impacts to transportation and circulation.	<i>Implement Mitigation Measure 4.12-2.</i>	Yolo County Planning Division	Prior to commencement of mining activities at the project site

