

Teichert Shifler Mining and Reclamation Project

Yolo County Planning Commission

Thursday, December 9, 2021

HEARING OVERVIEW

1. Staff Presentation
2. Applicant Remarks
3. Questions from Commissioners
4. Public Comments
5. Commission Discussion
6. Commission Action

RECOMMENDED ACTIONS

RECOMMEND THE FOLLOWING ACTIONS TO THE BOARD (with edits identified in 12/09/2021 staff report):

- Certify EIR (Att. B)
- Approve General Plan Amendment (Att. C)
- Approve Rezoning (Att. D)
- Approve Mining Permit (Att. E and Att. G)
 - Approve Tonnage Transfers
 - Reject 20% Exceedance
 - Authorize Mining in Streamway Influence Zone
- Approve Reclamation Plan (Atts. E, F, and G)
- Authorize Execution of Development Agreement (Att. H)
 - Approve Acceptance of Equivalent Net Gains

Note: all attachment references are from the 11/10/2021 staff report.

RECOMMENDED PROJECT

Component	Recommended
Mining Area	264 acres
Reclamation Area	319 acres
Total Tonnage	35.4 mil tons mined
Maximum Annual Tonnage	2.12 mil tons mined/year
20% Market Exceedance	No
Creek Buffer	250 feet minimum
Canal Relocation	No
Haul Route and Hours of Operation	No change from existing

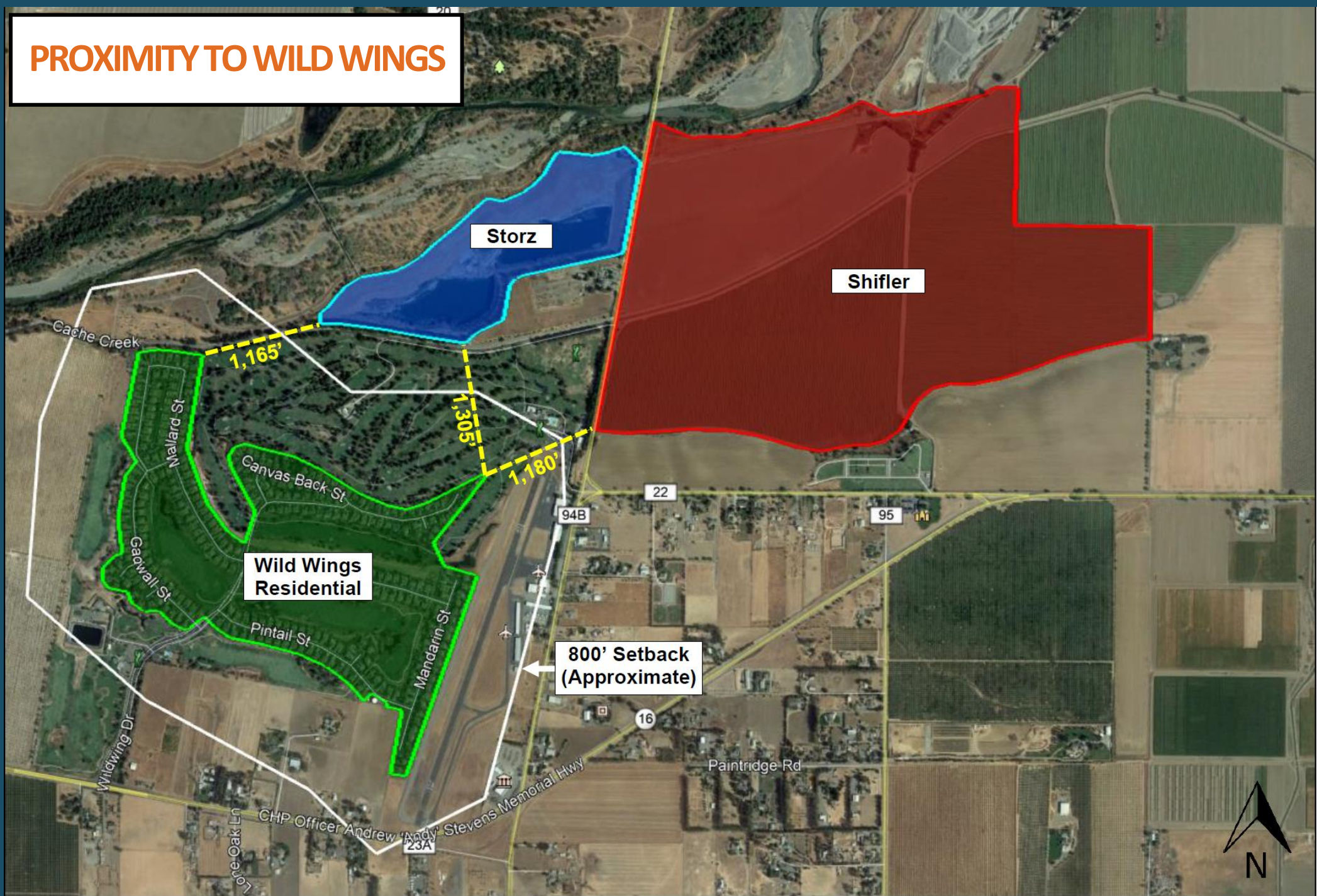
COMMENTS RECEIVED

- 60 comment letters on NOP
- 38 Comment Letters on Draft EIR
- 74 Comment Letters Since Release of Final EIR
- Comments on environmental issues fall within the scope of the EIR
- Responses provided on all comments

KEY ISSUES RAISED IN COMMENTS

- Wild Wings
 - Proximity
 - Property Values
 - Disclosures
- Sustainability
- Various Environmental Concerns
 - Agricultural Resources
 - Cultural and Tribal Cultural Resources
 - Water Quality and Quantity
 - Mercury
 - Other Analyzed Issues

PROXIMITY TO WILD WINGS



PROPERTY VALUES

- The proximity of aggregate mining operations to residentially-designated property in Yolo County has not negatively impacted home values, primarily because the aggregate mining was in place for decades prior to the development and sale of these units, and therefore was already internalized in the property values. (BAE Urban Economics' Aggregate Mining Economic Analysis, 2021)

DISCLOSURES

- 1984 Monument Hills Specific Plan
- 1996 Off Channel Mining Plan
- 1996 Cache Creek Resources Management Plan
- 2003 Condition of Approval #C.6: “The CC&R’s shall state the following notices: ... 3. It is the policy of the County of Yolo to protect lands in the vicinity of sand and gravel mining operations that may lead to safety or nuisance hazards near sand and gravel operations and conversely uses that may imperil the continued operation of the sand and gravel mining. Property owners of the Wild Wing Country Club shall recognize the rights of the sand and gravel industry to conduct mining operations and practices in compliance with the sand and gravel overlay zone and their approved state and county permits”.
- 2003 Condition of Approval #F.1: “The Final Subdivision Map shall show a "Sand and Gravel Mining Operations and Extraction Easement" providing for noise, vibrations, fumes, smoke, dust, and safety conducted with a sand and gravel mining operation to protect the rights of adjacent mining operators. Said Sand and Gravel Mining Operations and Extraction Easement shall be by separate instrument approved as to form by the County Counsel of Yolo County, and the Director of the Yolo County Community Development Agency and shall be referenced on and recorded simultaneously with the Final Subdivision Map. Said easement shall be made available to the owner(s) of said adjacent mining operations prior to the recordation of the Final Subdivision Map for comment.”

DISCLOSURES (continued)

- 2003 Subdivision Map Notes: “All lots and parcels shown hereon are subject to a “Sand and Gravel Mining Operations and Extraction” easement to protect the rights of adjacent property owners conducting mining operations per Document No. 2003-0032880.”
- 2003 Condition of Approval #F.2: “No residential units shall be constructed within eight hundred feet (800') of any approved sand and gravel mining operation located within Cache Creek existing at the date of approval of the Vesting Tentative Subdivision Map.”
- 2003 CC&R, Section 4.19: “Notice Regarding Sand and Gravel Mining – It is the policy of the County of Yolo to protect lands in the vicinity of sand and gravel mining operations that may lead to safety or nuisance hazards near sand and gravel operations and conversely uses that may imperil the continued operation of the sand and gravel mining. Owners within the Wild Wings Development shall recognize the rights of the sand and gravel industry to conduct mining operations and practices in compliance with the sand and gravel overlay zone and their approved state and county permits.”

DISCLOSURES (continued)

- 2003 CC&R, Section 4.19: “Ongoing Operations – Owner acknowledges that sand and gravel mining operations are being conducted to the north of the Development across Cache Creek, currently by Teichert Aggregates (“Teichert”). Declarant has entered into an Easement Agreement (Sand and Gravel Mining Operations) regarding such operations, a copy of which is attached hereto as Exhibit F. Owner is hereby given notice of the content of such Easement Agreement.”
- 2003 Easement Agreement
- 2009 Countywide General Plan
- 2018 Cache Creek Parkway Plan, Baseline Inventory
- 2020 Cache Creek Parkway Plan, Master Plan
- 2019 Cache Creek Area Plan Update

SUSTAINABILITY

- Consistent with General Plan
- Consistent with Climate Action Plan
- Consistent with CEQA (Section 15183.5(b))
- Consistent with CCAP Update Final EIR
- Local Source of Gravel
- Incentives for Recycling
- Reductions in Numbers of Plants
- Electric Conveyor System
- Woodland Plant Upgrades
- Woodland Plant Recycling Program
- Proximity to Market
- Vehicle Fleet Conversion
- Project-Level GHG Reduction Plan (MM 4.3-7)
- Electric Vehicle Charging Plan (MM 4.3-8)
- Applicant Green Energy Portfolio Commitments (Appendix I, Final EIR)

AGRICULTURAL RESOURCES

- General Plan and CCAP constrain mining acreage
- Analyzed in CCAP Update EIR
- Project impacts to 258 acres of farmland
- Reclamation of a minimum of 113 acres to agriculture
- Permanent protection of a minimum of 145 acres of farmland
- Dedication of 212 acres of additional Parkway land as “equivalent” net gains

TRIBAL CONSULTATION

- CEQA Coordination
- Cultural Resources Assessment and Peer Review
- Tribal Cultural Resources Consideration and Field Testing
- Tribal Consultation
- Tribal Monitoring Agreement
- Operator Awareness Training

WATER QUALITY AND QUANTITY

- Required Monitoring and Reporting
- History of Monitoring and Reporting
- Teichert Shifler Studies:
 - Feb. 2016 - Groundwater Conditions Report (Appendix L to Final EIR)
 - Dec. 2019 - Supplemental Analysis to Groundwater Conditions Report (Appendix K1 to Draft EIR)
 - Feb. 2020 - Effects on Wild Wings wells from proposed operations at Shifler (water levels, water quality, arsenic). (Appendix K1 to Draft EIR)
 - Feb. 2020 - Alternative Mining Pit Configuration (Moore Canal Retention Alternative) (Appendix O2 to the Draft EIR)
 - Oct. 2020 - Alternative Routing of Canal South of Pit (Moore Canal Southern Alternative) (Appendix Q2 to the Draft EIR)
 - Apr. 2021 - Technical Memo (Appendix E to Final EIR) – More information and background on arsenic
- Conclusions

MERCURY

- Legacy Contaminant
- Known Existing Condition
- Status of Soil, Water, or Air
- CCAP Bioaccumulation Requirements (Section 10-5.517)
- Maintenance and Remediation Fee
- Presentation from Dr. Darell Slotton

OTHER ANALYZED ISSUES

- Aesthetics
- Air Quality, GHGs, and Energy
- Biological Resources
- Geology and Soils, Mineral Resources, Paleontological Resources
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services, Utilities, Service Systems
- Transportation and Circulation
- Cumulative Impacts
- Alternatives

REASONS FOR RECOMMENDATION

- Documented important gravel reserve
- Consistent with General Plan, CCAP, and CAP
- Minimizes impacts to surrounding land uses and environment
- Minimizes and mitigates impacts to farmland
- Reduction in annual and total tonnage
- Consolidates plant sites and upgrades Woodland Plant
- Important net gains and open space benefits
- Economic and fiscal benefits

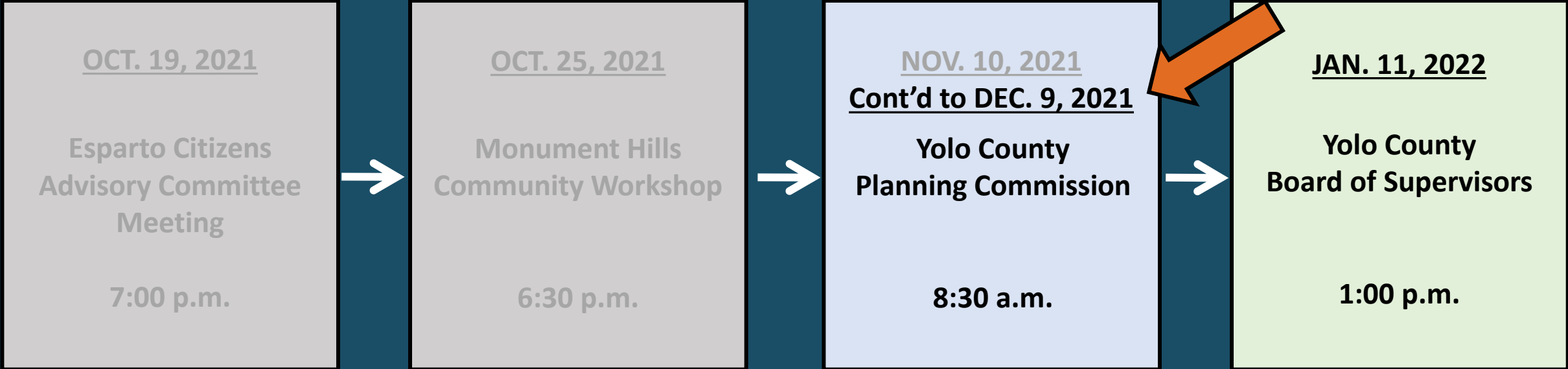
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Note: all attachment references are from the 11/10/2021 staff report.

PROJECT SCHEDULE



Project information can be accessed online at:
www.yolonaturalresources.org

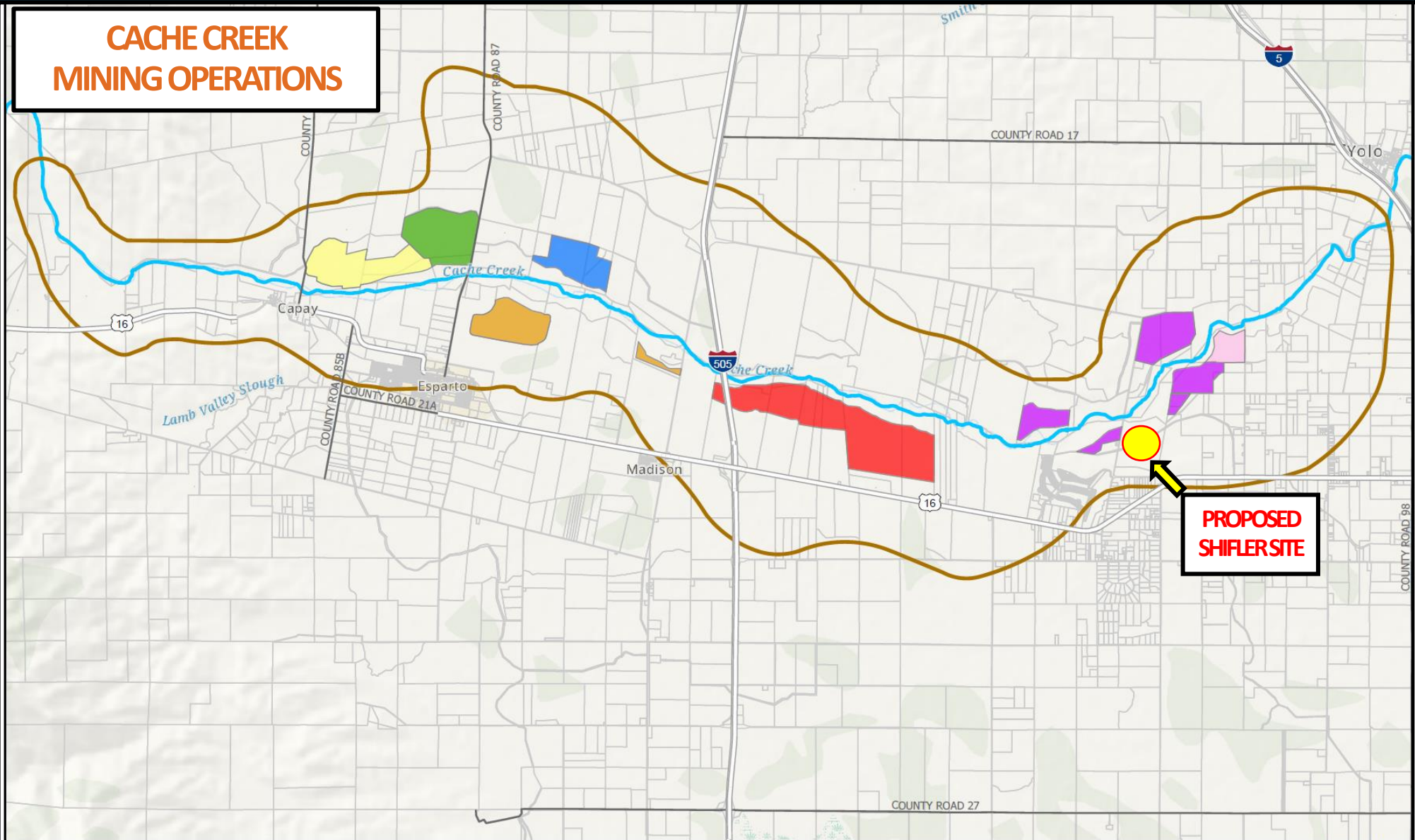
END OF STAFF PRESENTATION

The following slides are supplemental slides should they be needed.

PROJECT PROPOSAL

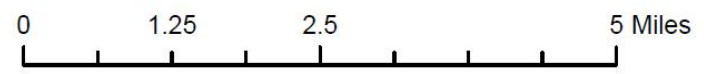
- Proposed project site – 319 acres of 442-acre Shifler property
- Proposed mining area – 264 acres (other mining-related activity on 55 acres)
- Mining of 35.4 mil tons total (30.0 mil tons sold) over 30 years
- Maximum mining of 2.6 mil tons annually (2.2 mil tons sold) with 20% Exceedance
- Transfer of tonnage allocation from Esparto and Schwarzgruber permits
- Mining depths of 40 to 110 feet
- Authorize mining within Streamway Influence Zone
- Processing to occur at Teichert Woodland Plant
- No change in approved haul route or hours of operation
- Reclamation to agriculture, lake, and habitat

CACHE CREEK MINING OPERATIONS



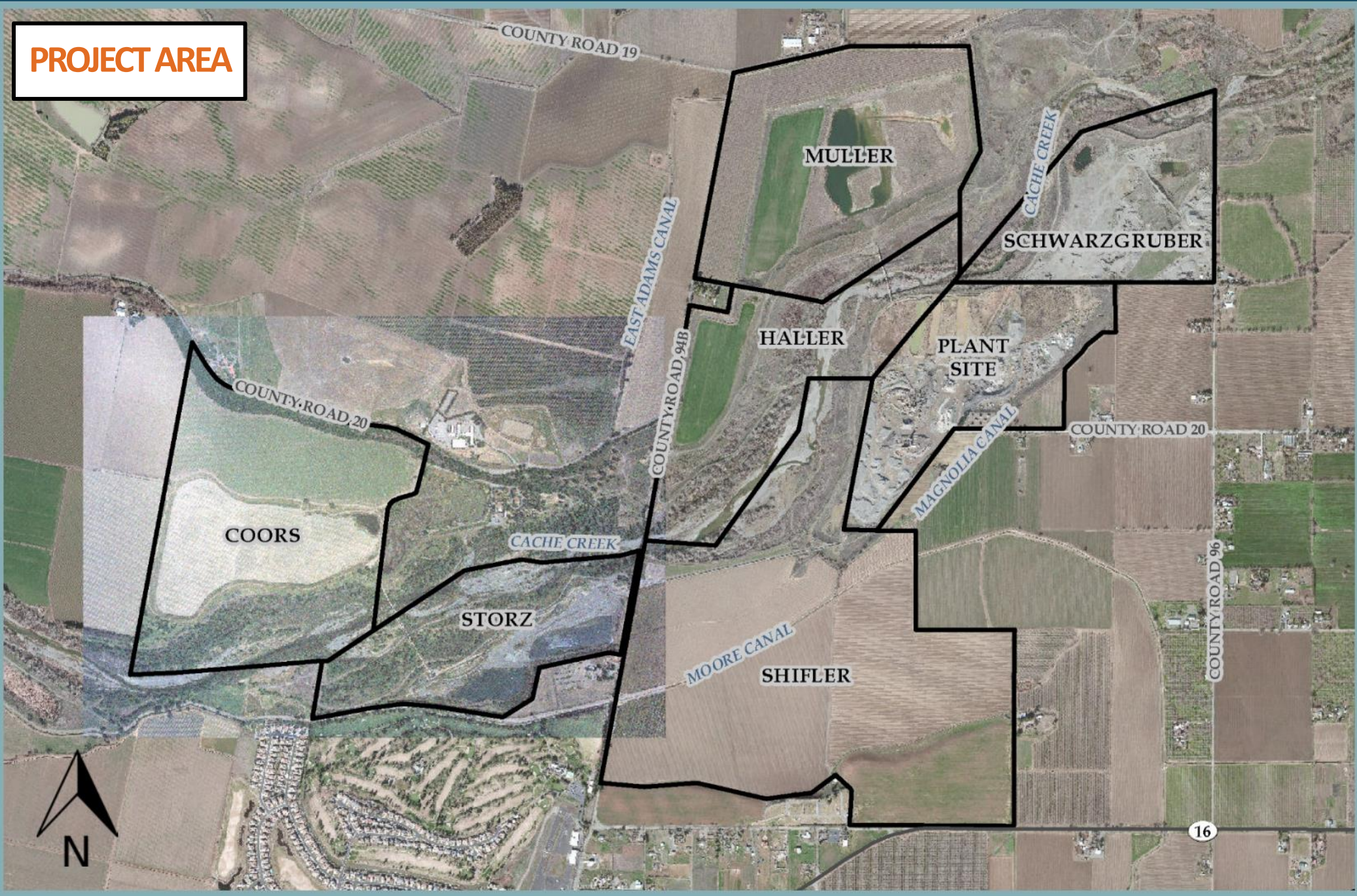
Legend

- | | | |
|--------------------------------|-----------------|------------------------|
| Highways | Parcels | Syar |
| Roads | Cemex | Teichert Esparto |
| Cache Creek | Granite Capay | Teichert Woodland |
| Cache Creek Area Plan Boundary | Granite Esparto | Teichert Schwarzgruber |

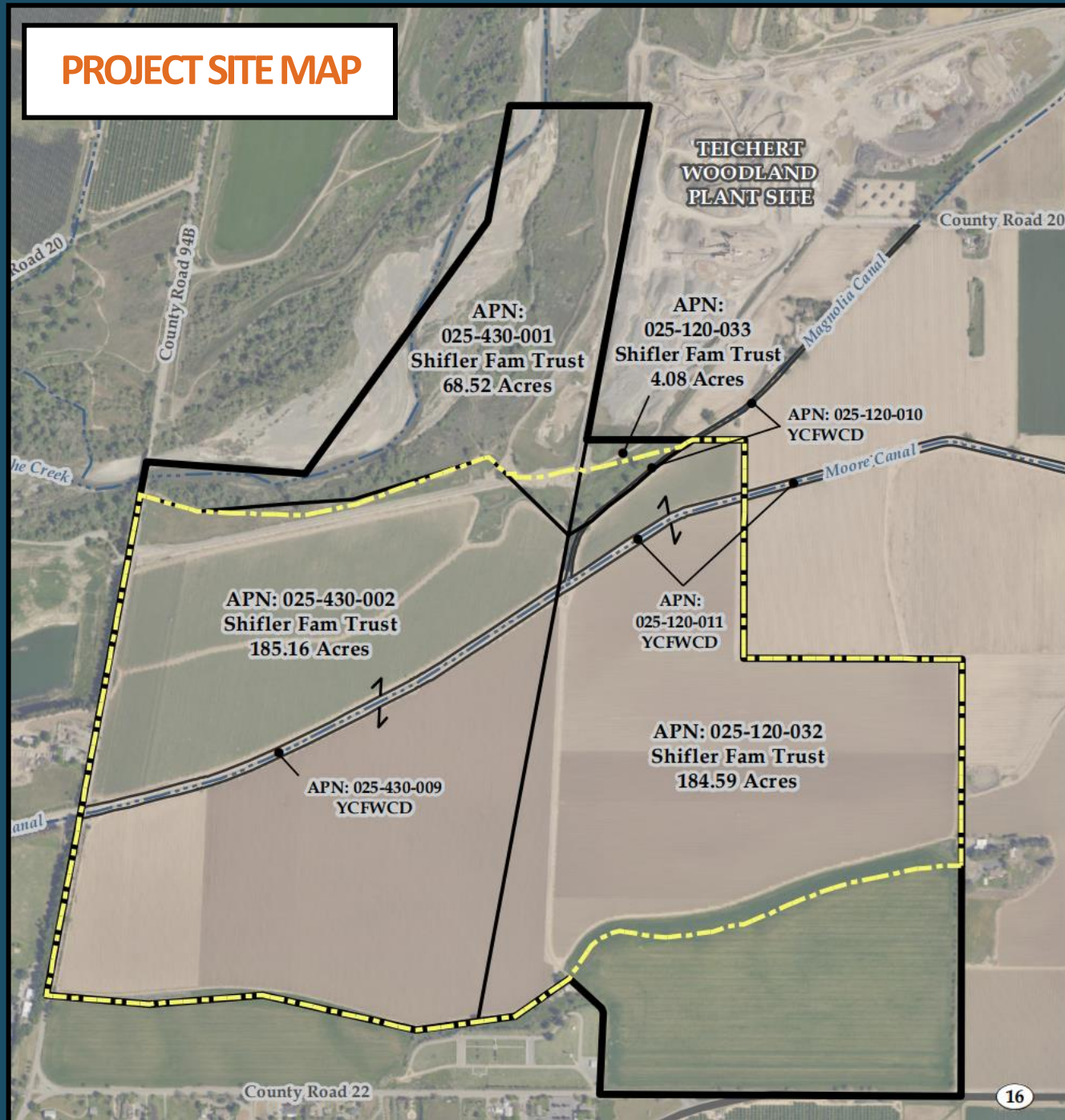


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PROJECT AREA

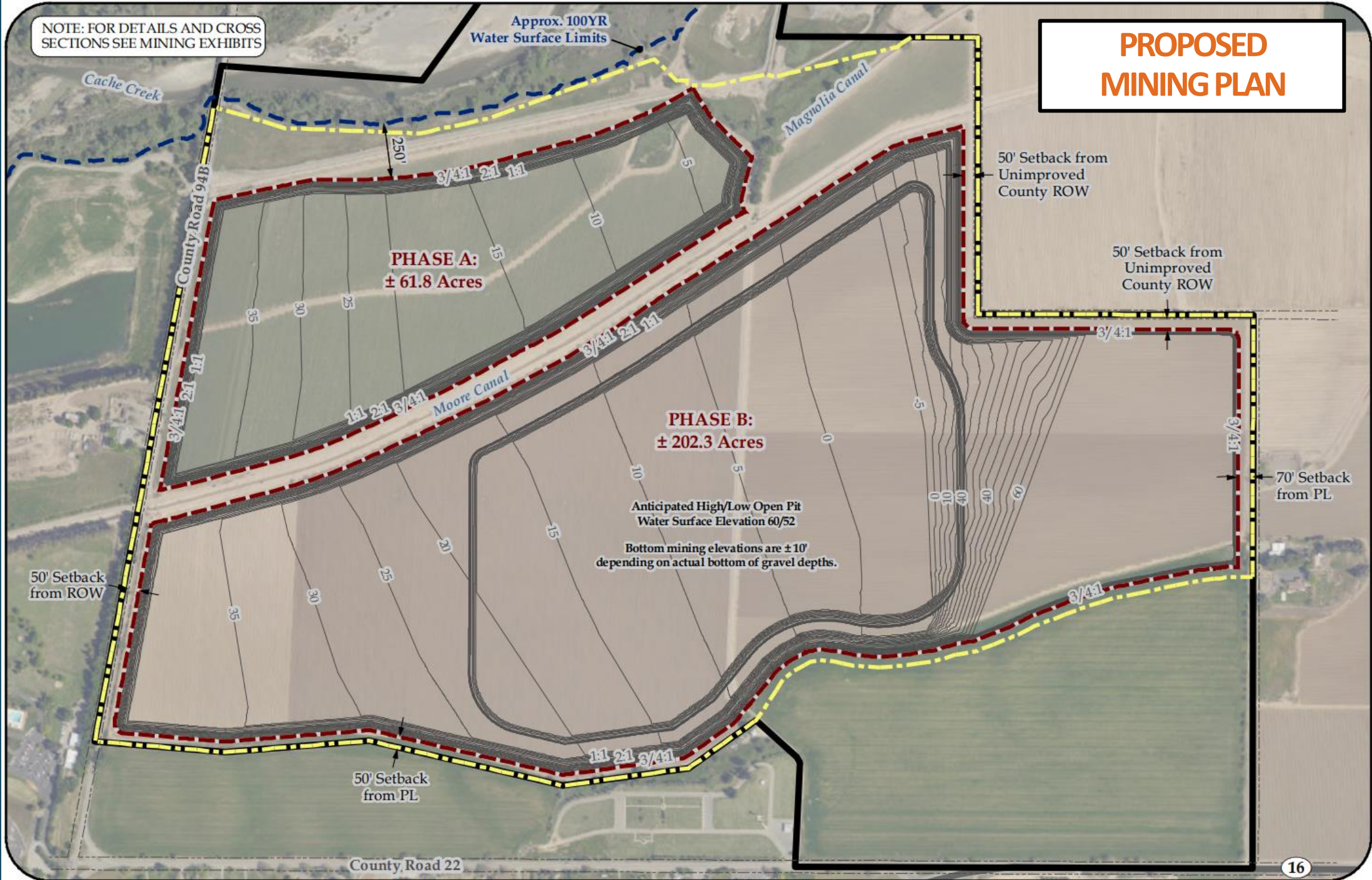


PROJECT SITE MAP

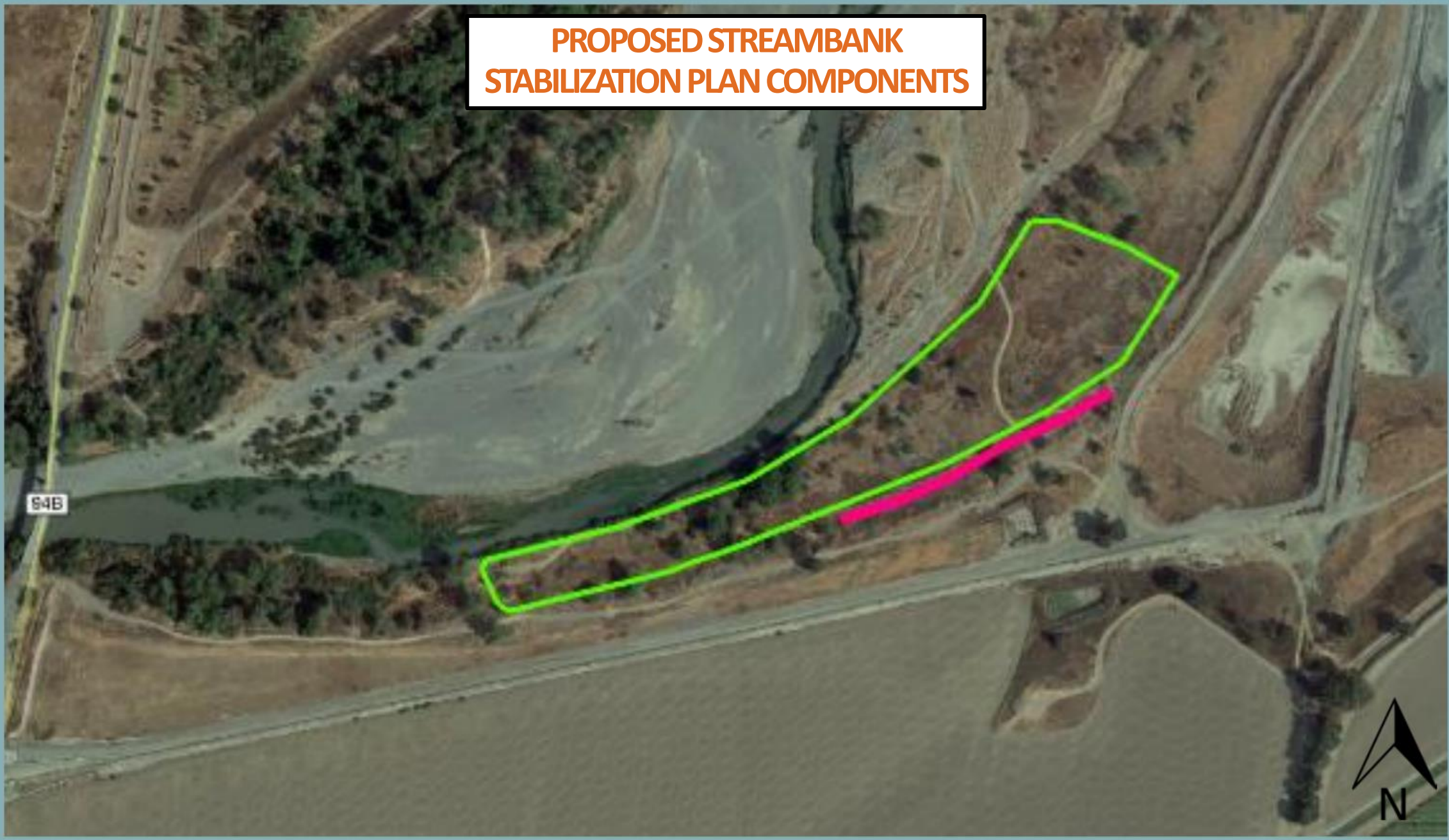


NOTE: FOR DETAILS AND CROSS SECTIONS SEE MINING EXHIBITS

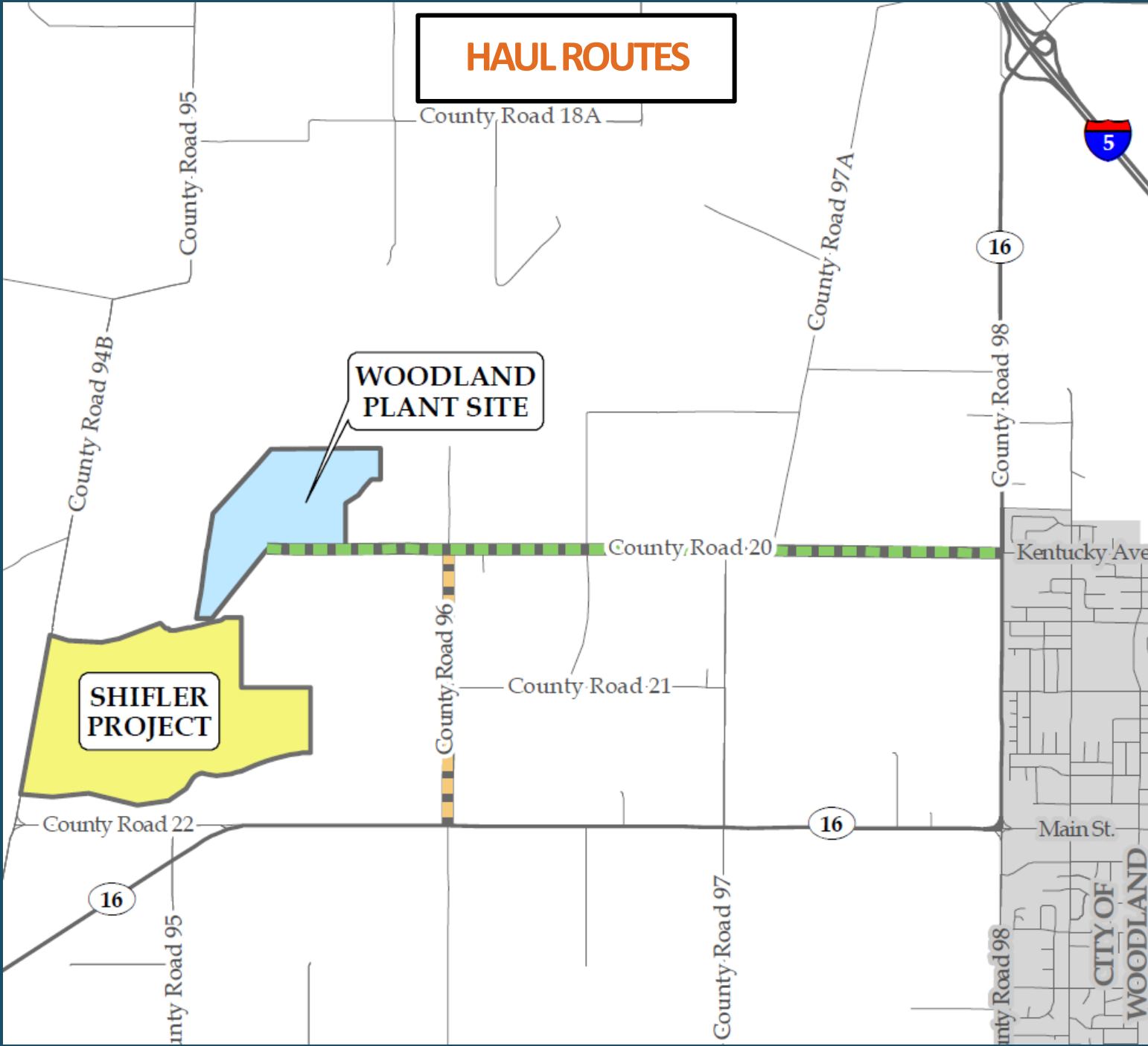
PROPOSED MINING PLAN



**PROPOSED STREAMBANK
STABILIZATION PLAN COMPONENTS**



HAUL ROUTES



HAUL ROUTE AND OPERATING HOURS

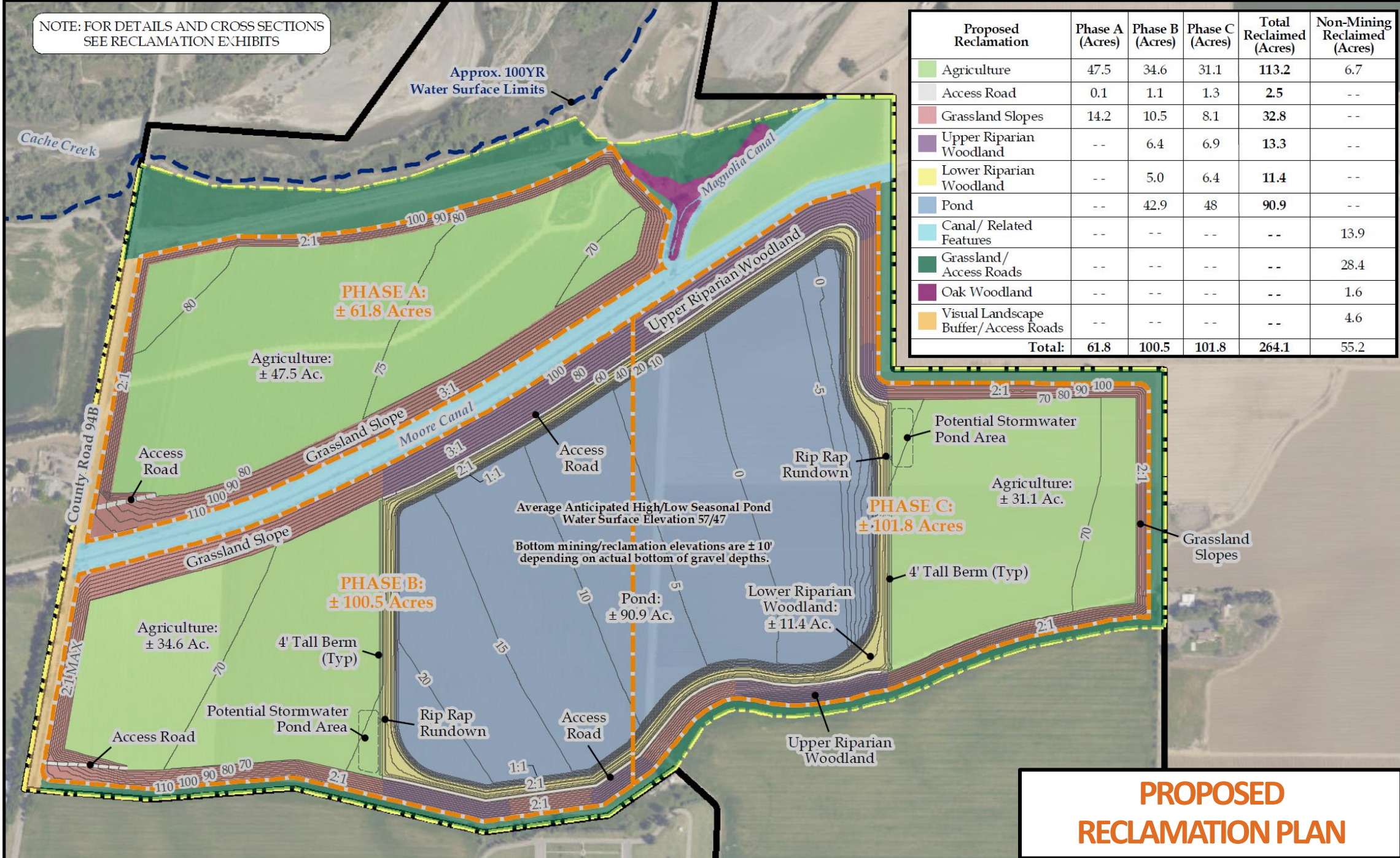
HAUL ROUTE

- East on CR 20 to CR 98/SR 16 north to I-5
and/or
- South on CR 96 to SR 16 west to I-505

OPERATING HOURS

- 6 a.m. – 6 p.m. Mon-Sat (mining)
- 6 a.m. – 6 p.m. Mon-Fri (plant)
- August to October
 - 6 a.m. – 10 p.m. Mon-Fri
 - 6 a.m. – 6 p.m. Sat/Sun
- 24-hours (as needed to meet contracts)

NOTE: FOR DETAILS AND CROSS SECTIONS SEE RECLAMATION EXHIBITS



Proposed Reclamation	Phase A (Acres)	Phase B (Acres)	Phase C (Acres)	Total Reclaimed (Acres)	Non-Mining Reclaimed (Acres)
Agriculture	47.5	34.6	31.1	113.2	6.7
Access Road	0.1	1.1	1.3	2.5	--
Grassland Slopes	14.2	10.5	8.1	32.8	--
Upper Riparian Woodland	--	6.4	6.9	13.3	--
Lower Riparian Woodland	--	5.0	6.4	11.4	--
Pond	--	42.9	48	90.9	--
Canal/ Related Features	--	--	--	--	13.9
Grassland/ Access Roads	--	--	--	--	28.4
Oak Woodland	--	--	--	--	1.6
Visual Landscape Buffer/ Access Roads	--	--	--	--	4.6
Total:	61.8	100.5	101.8	264.1	55.2

Approx. 100YR Water Surface Limits

PHASE A:
± 61.8 Acres

Agriculture:
± 47.5 Ac.

PHASE B:
± 100.5 Acres

Agriculture:
± 34.6 Ac.

PHASE C:
± 101.8 Acres

Agriculture:
± 31.1 Ac.

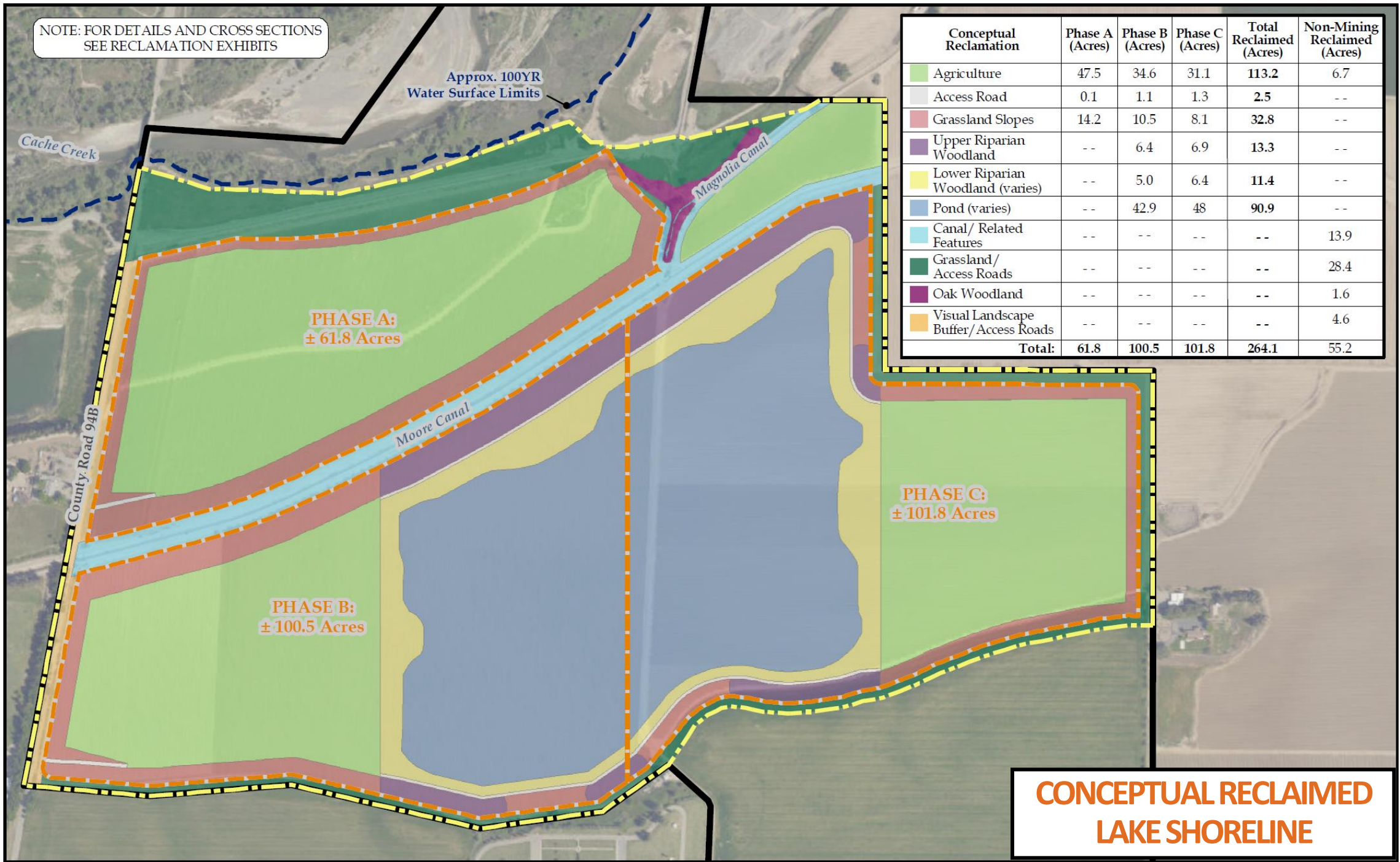
Average Anticipated High/Low Seasonal Pond Water Surface Elevation 57/47
Bottom mining/reclamation elevations are ± 10' depending on actual bottom of gravel depths.

Pond:
± 90.9 Ac.

Lower Riparian Woodland:
± 11.4 Ac.

PROPOSED RECLAMATION PLAN

NOTE: FOR DETAILS AND CROSS SECTIONS
SEE RECLAMATION EXHIBITS



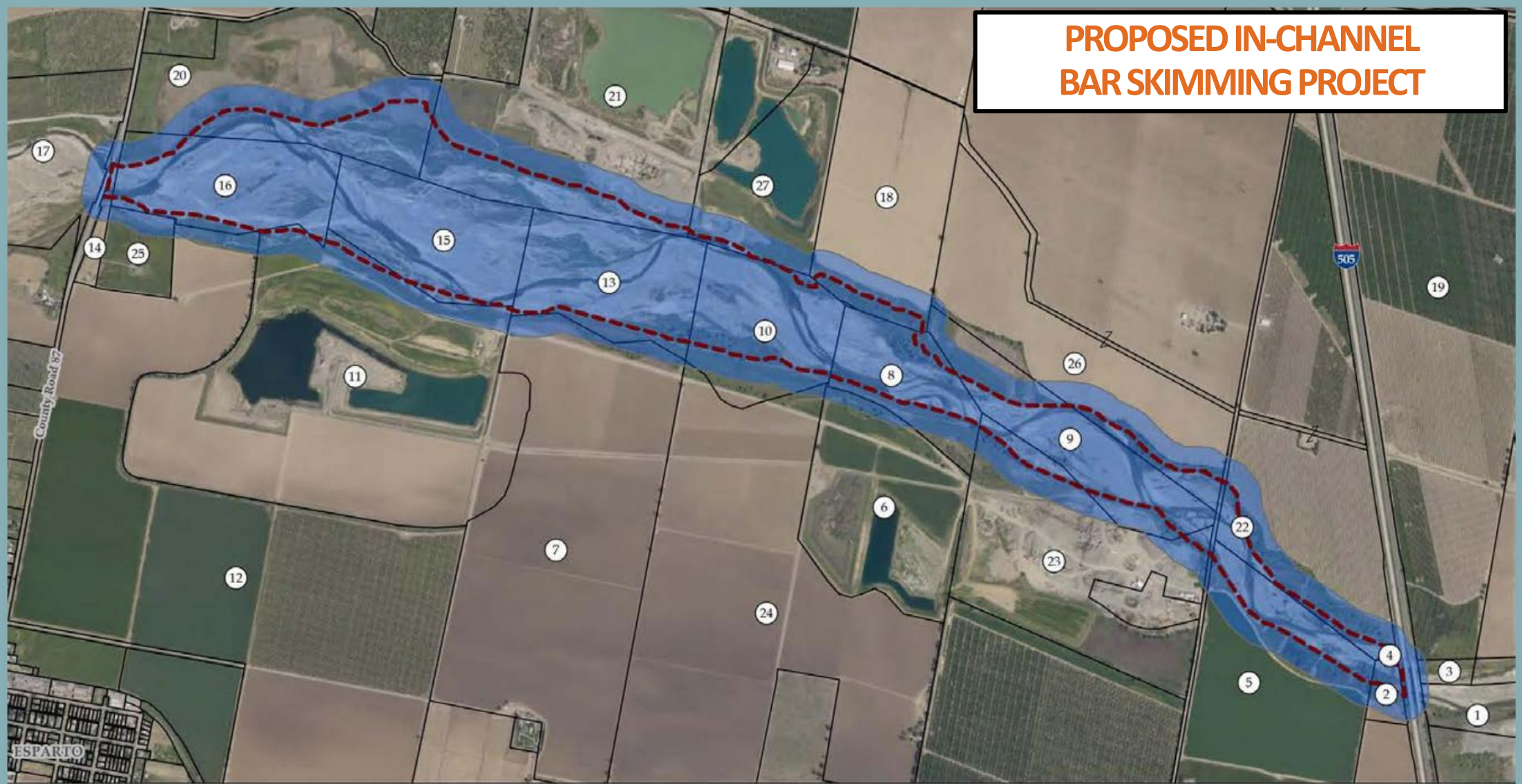
Conceptual Reclamation	Phase A (Acres)	Phase B (Acres)	Phase C (Acres)	Total Reclaimed (Acres)	Non-Mining Reclaimed (Acres)
Agriculture	47.5	34.6	31.1	113.2	6.7
Access Road	0.1	1.1	1.3	2.5	--
Grassland Slopes	14.2	10.5	8.1	32.8	--
Upper Riparian Woodland	--	6.4	6.9	13.3	--
Lower Riparian Woodland (varies)	--	5.0	6.4	11.4	--
Pond (varies)	--	42.9	48	90.9	--
Canal/ Related Features	--	--	--	--	13.9
Grassland/ Access Roads	--	--	--	--	28.4
Oak Woodland	--	--	--	--	1.6
Visual Landscape Buffer/ Access Roads	--	--	--	--	4.6
Total:	61.8	100.5	101.8	264.1	55.2

**CONCEPTUAL RECLAIMED
LAKE SHORELINE**

DEVELOPMENT AGREEMENT PUBLIC BENEFIT ITEMS (“NET GAINS”)

- In-Channel Maintenance – Bar Skimming (CR 87 to I-505)
- Property Dedications
 - Shifler Lake
 - Shifler In-Channel
 - Schwarzgruber
- Cash Donations to Nature Preserve and Parkway Plan
- Safe Pedestrian Crossing of CR 94B for Trail Connection
- Woodland Plant as Sales Tax Place of Sale
- Early Dedication of Teichert In-Channel Haller/Muller
- Enhanced Reclamation of County Borrow Site Property
- Future Trail from Muller Bridge to Schwarzgruber Property
- Removal of Restrictions on Muller Access “B”

PROPOSED IN-CHANNEL BAR SKIMMING PROJECT



LEGEND:

- 300 Ft Buffer
- In-Channel Bar Skimming Project Limit
± 422.61 Acres
- Parcel Boundaries

SOURCE:

Parcel Boundaries Provided by Yolo County GIS (2020)
 Parcel Ownership Provided by ParcelQuest (November 2020)
 Aerial Photography Provided by ESRI Basemap & Affiliates (Yolo County: April 13, 2018)

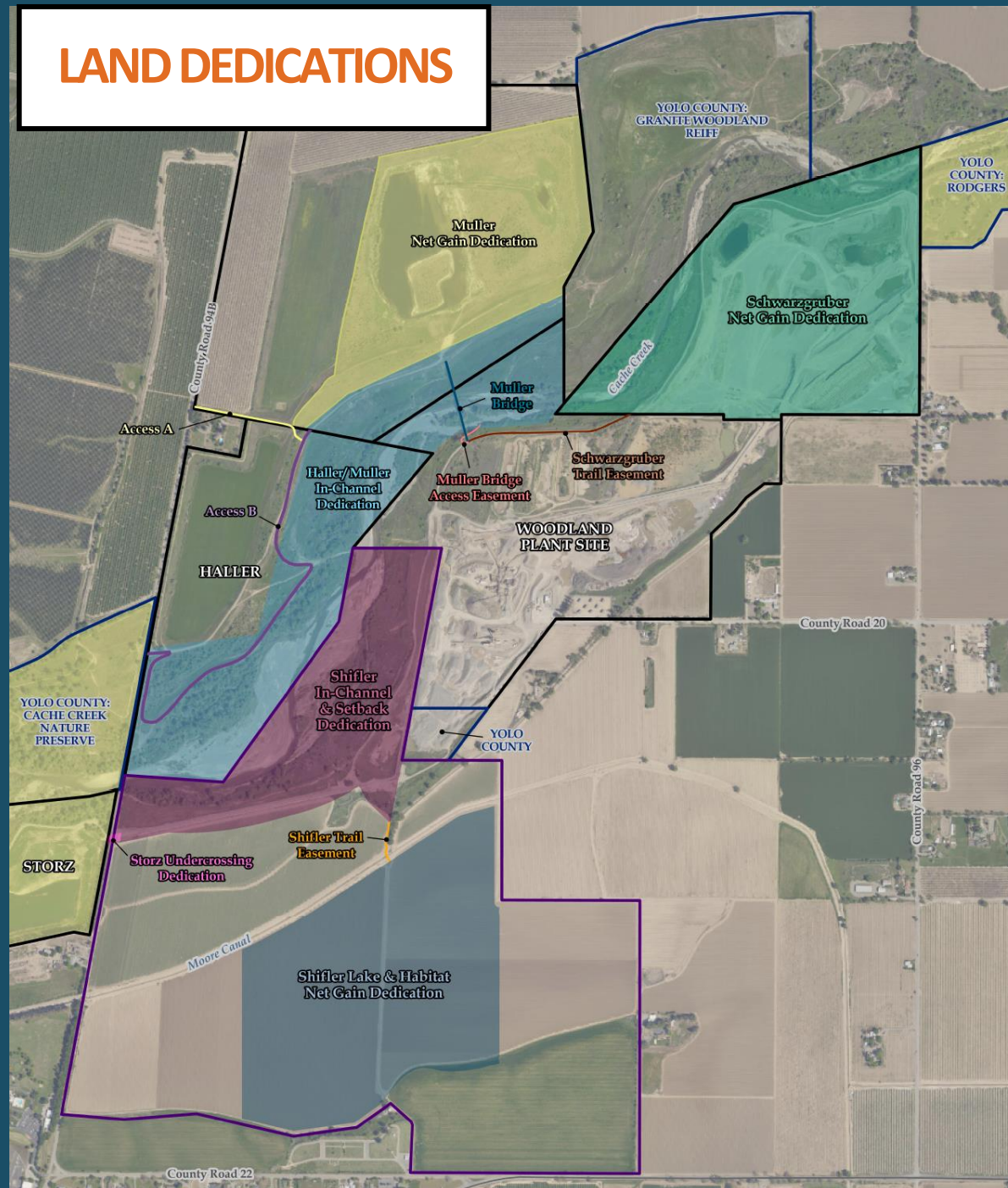


0 600 1,200 Feet

DISCLAIMER:

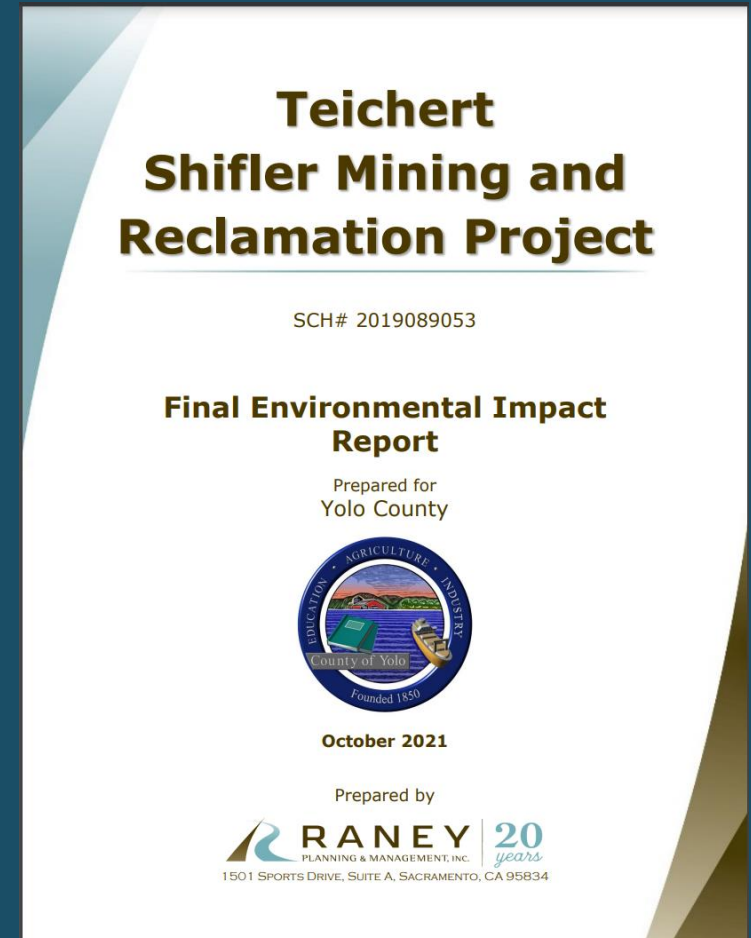
The data was mapped for assessment purposes only. No liability is assumed for the accuracy of the data shown.

LAND DEDICATIONS



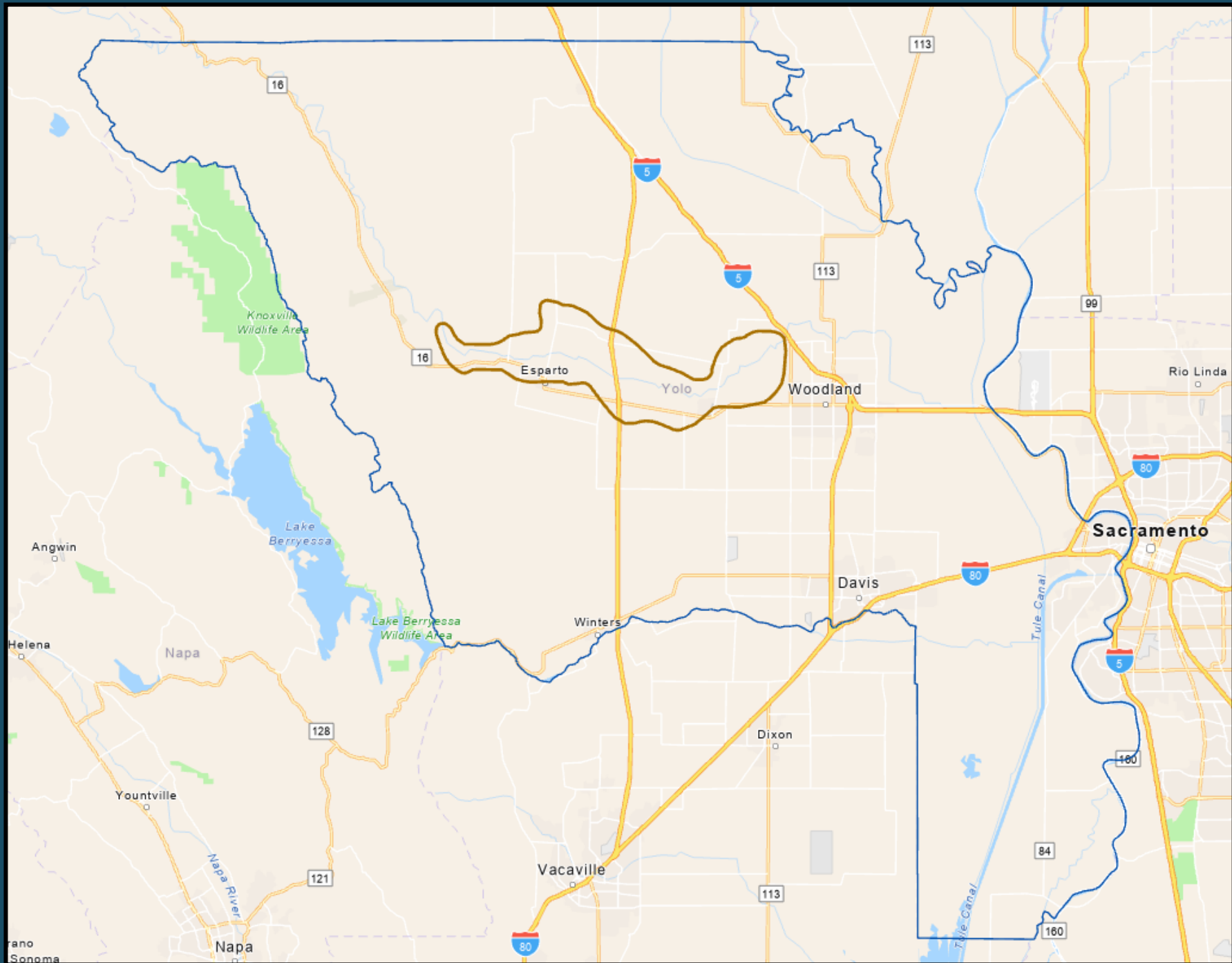
ENVIRONMENTAL IMPACT REPORT

- Draft EIR Released – December 11, 2020
- Final EIR Released – October 15, 2021
- 6 Project Alternatives
- 4 Unavoidable Impacts
- 38 Comment letters
- 5 Master Responses
 - Merits of the Project
 - Property Values
 - Transportation and Circulation
 - Hydrology and Water Quality
 - Agricultural Concerns



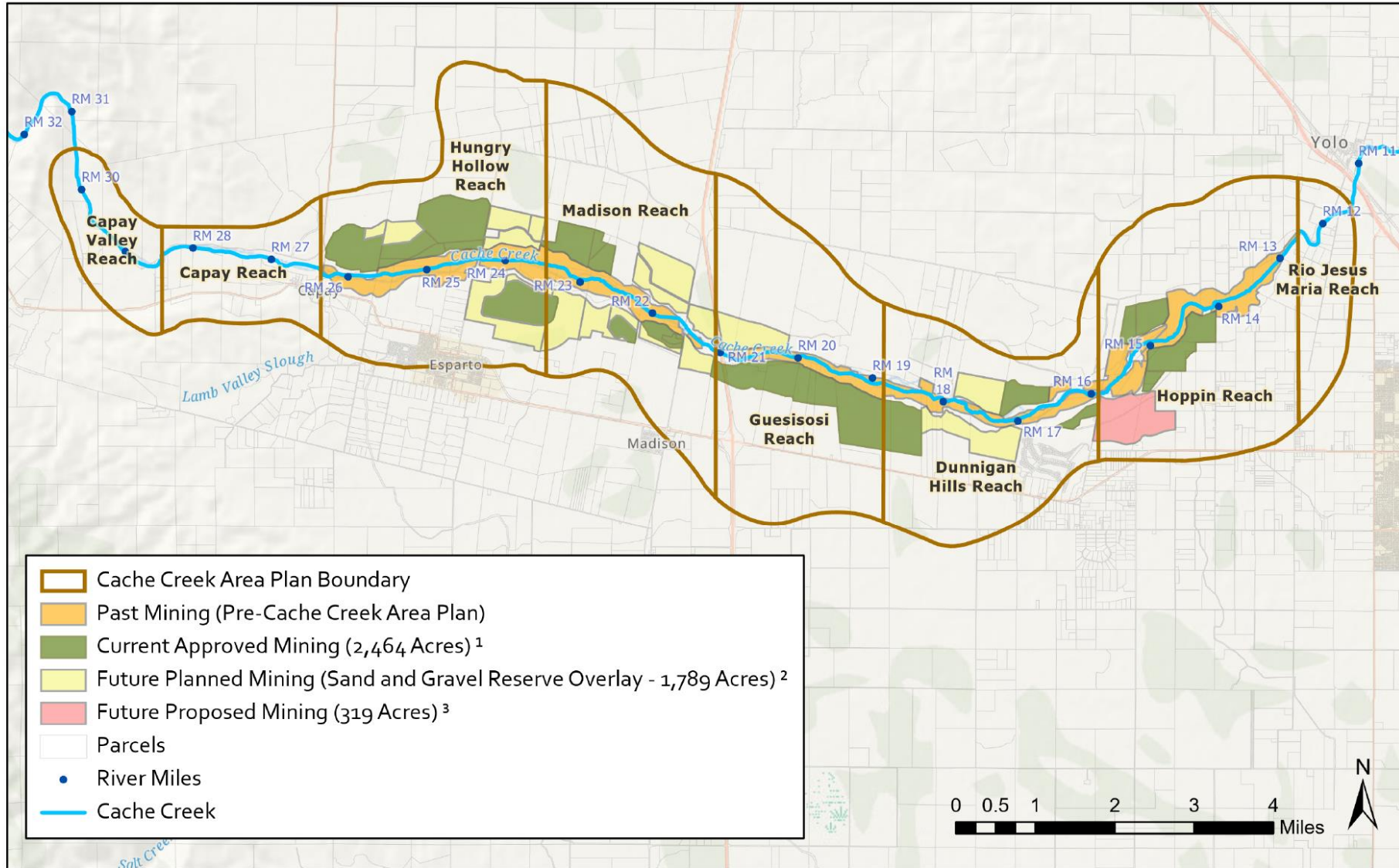
CACHE CREEK AREA PLAN

- State Mandate – SMARA
- 1995 Technical Studies
- Adopted and Public Vote 1996
- Rigorous Regulatory Framework (plans, policies, regulations)
- Adaptive Management – Watershed Focus – Science Based
- Governs land uses along Lower Cache Creek (14.5 miles)
- 2017 Technical Studies
- Cache Creek Parkway Plan (Baseline Inventory) 2018
- Comprehensive Update 2019
- Balances Multiple Priorities



Cache Creek Area Plan - Past, Current, and Future Mining

9/17/2020

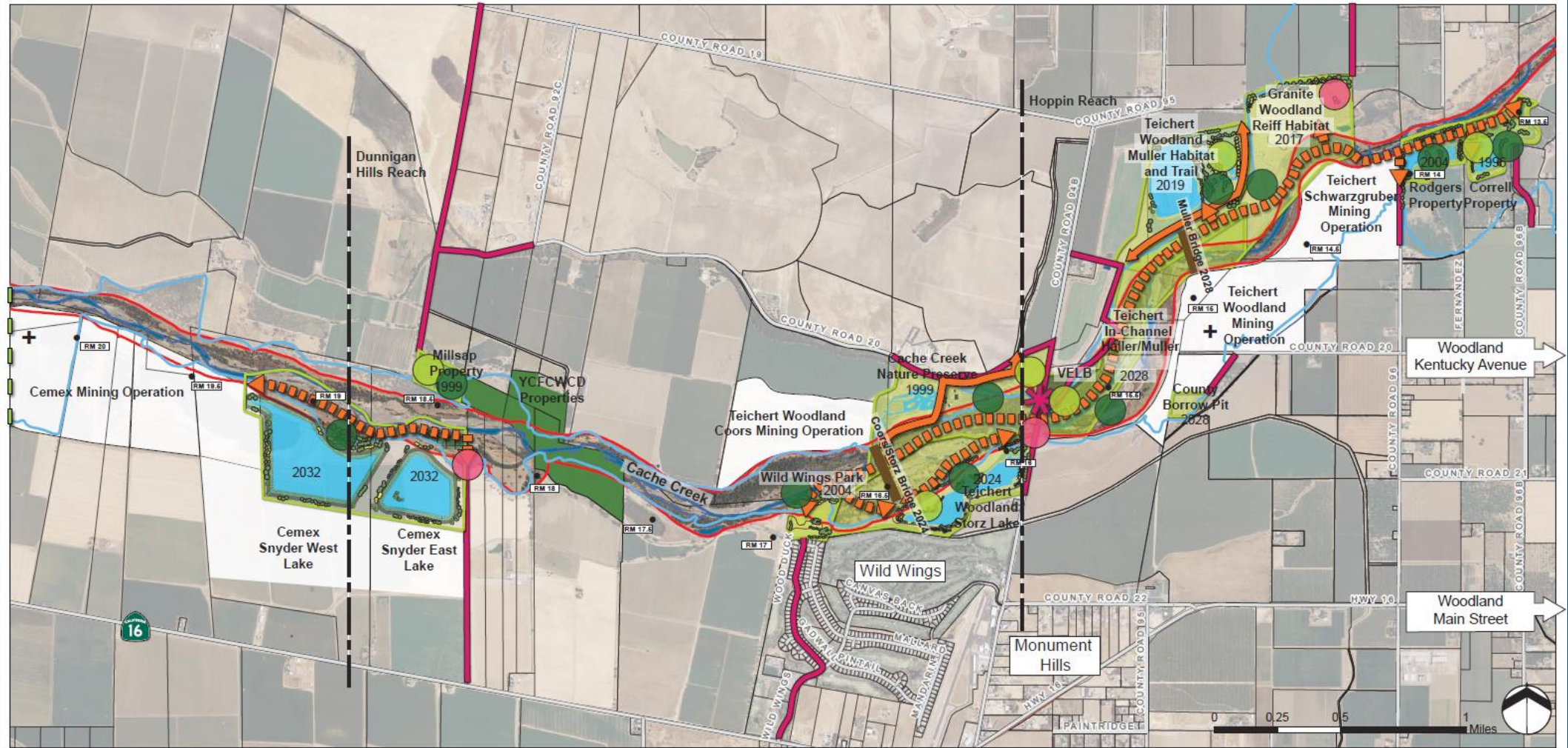


¹ Due to minor inaccuracies in the database and polygon boundaries, this total may be overstated by +/- 5 acres.
² Prior to adoption of the CCAP Update in December 2019, total SGRO zoned acreage was 1,001 acres. With adoption of the CCAP Update, the SGRO was added to an additional 788 acres, for a total of 1,789 acres.
³ This reflects the actual proposed mining acreage in the Teichert Shifler application. An additional +/- 81 acres assumed for rezoning as a part of the CCAP Update represented portions of the Shifler property not ultimately included in the Teichert Shifler application.

Folder: I:\GIS\Projects\Natural Resources\Large Scale Cache Creek Maps\

OCMP Figure 5

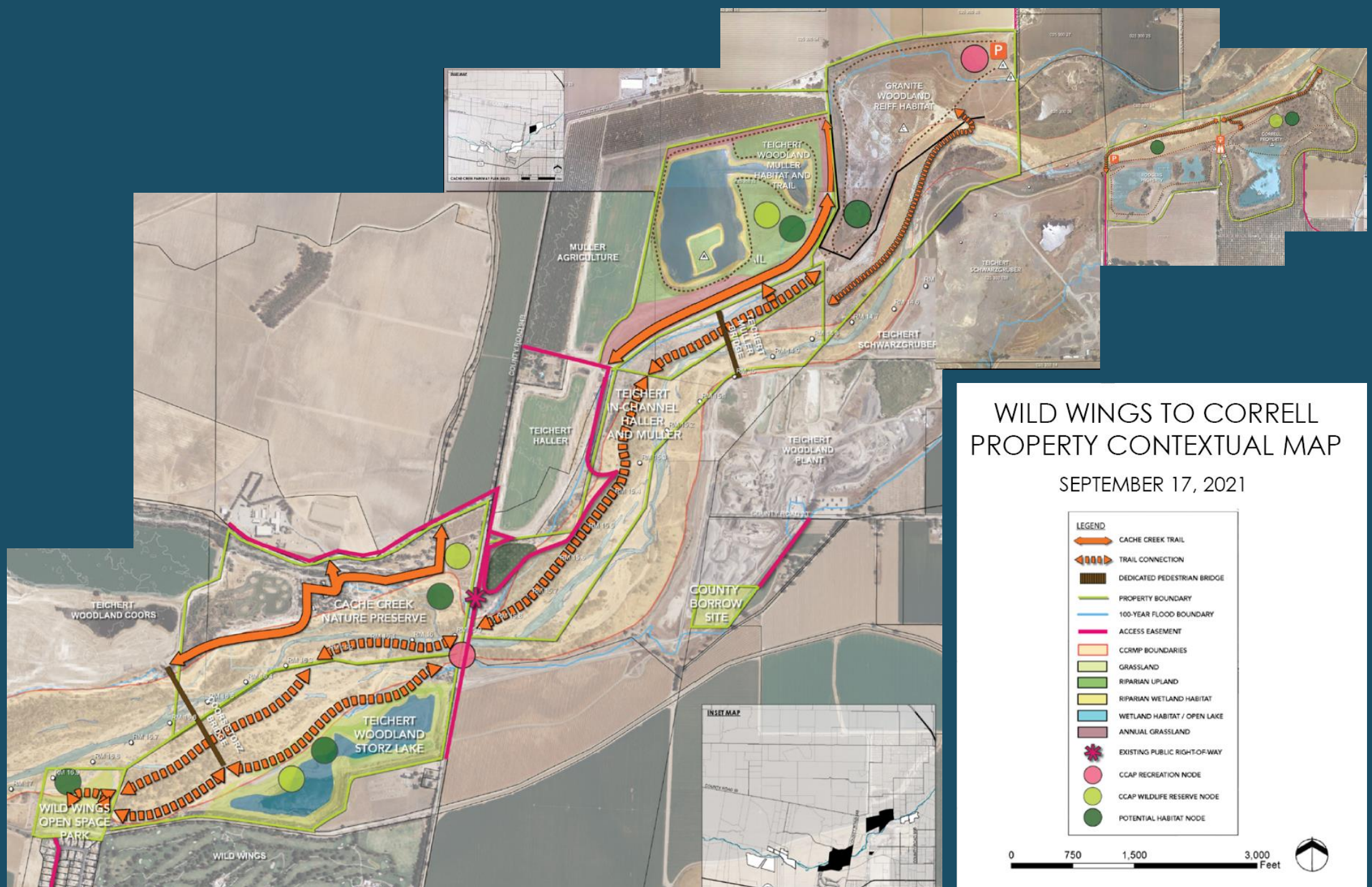
CACHE CREEK PARKWAY PLAN (EAST) - BASELINE IMPROVEMENTS



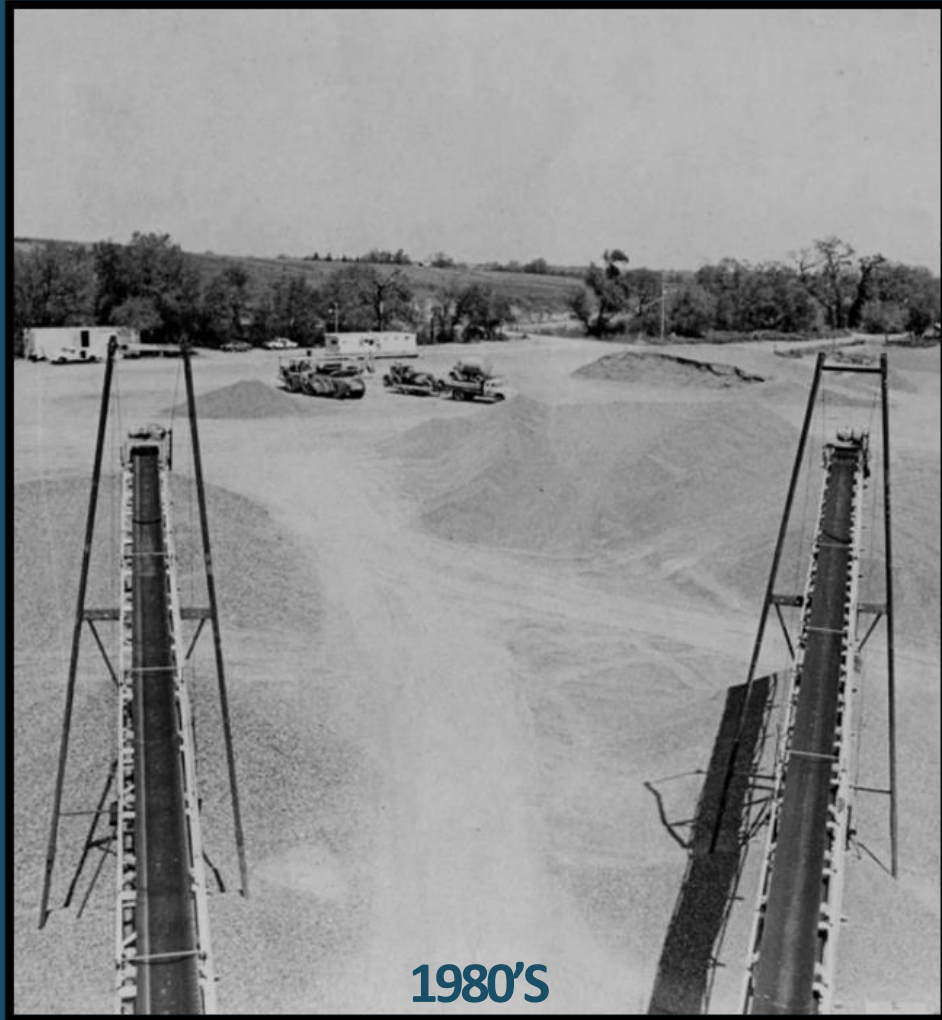
	WETLAND HABITAT / OPEN LAKE		TRAIL CONNECTION		PROPERTY BOUNDARY		DEDICATED PEDESTRIAN BRIDGE
	HABITAT		CACHE CREEK TRAIL		MAP MATCHLINE		EXISTING PUBLIC RIGHT-OF-WAY
	CCAMP BOUNDARY (IN-CHANNEL AREA)		ADA ACCESS		AGGREGATE PLANT		CCAP RECREATION NODE
	OTHER GOVERNMENT PROPERTIES		ACCESS EASEMENT		RIVER MILE		CCAP WILDLIFE RESERVE NODE
	RECLAIM TO AGRICULTURE OR HABITAT		100-YEAR FLOOD BOUNDARY		20XX DEDICATION DATE		POTENTIAL HABITAT NODE
							GEOMORPHIC REACH

Map Sources:
 Yolo County GIS Cooperative, Neuvier GIS, Tschudin Consulting Group,
 FEMA National Flood Hazard Layer, Cache Creek Resources Management Plan, Figure 9 and 10.
 Properties that have already been improved or for which there are no improvements planned
 under the baseline condition are depicted without colored overlays. Properties that have
 planned future improvements are depicted in colored habitat overlays.

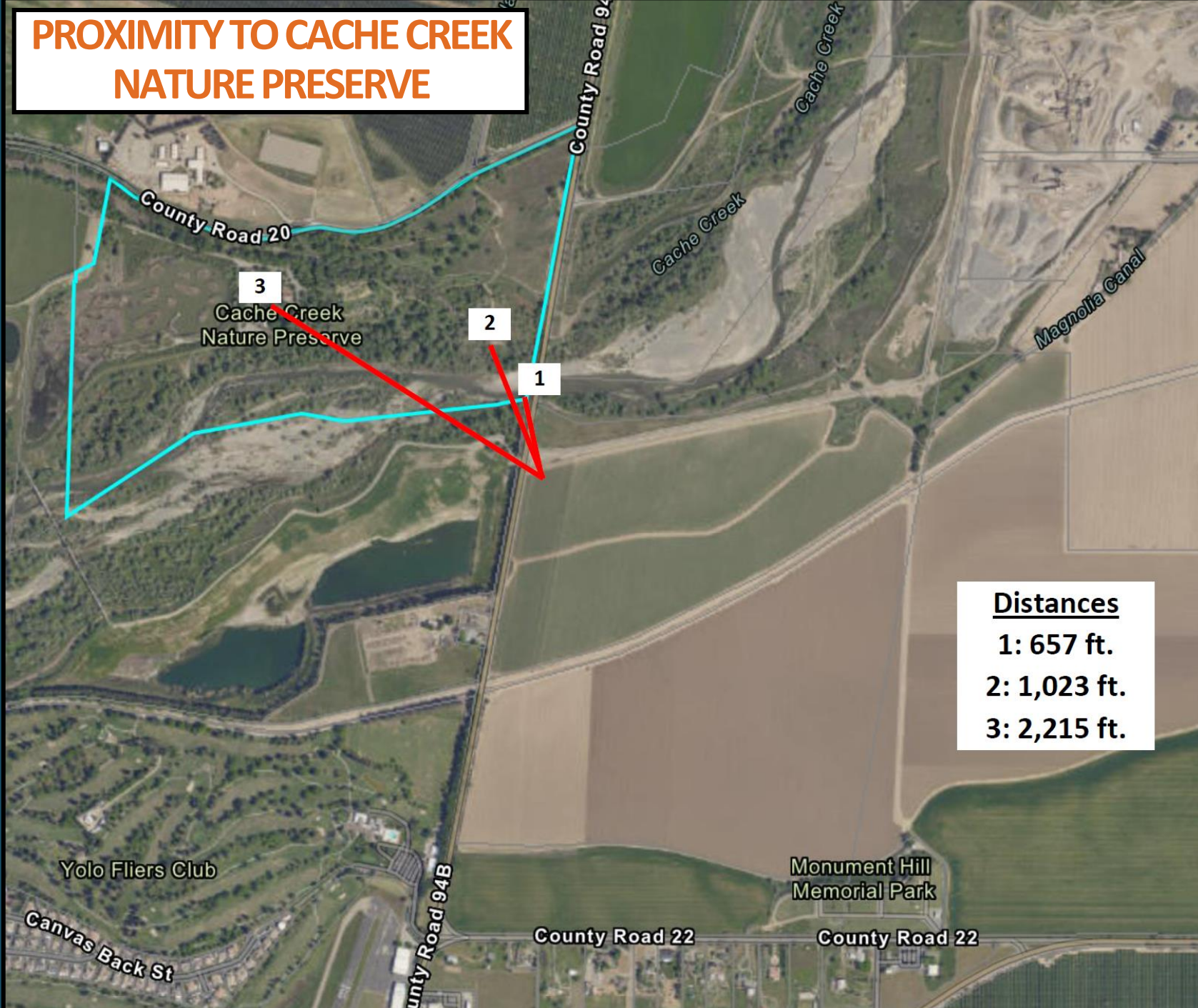




CACHE CREEK NATURE PRESERVE



PROXIMITY TO CACHE CREEK NATURE PRESERVE



<u>Distances</u>	
1:	657 ft.
2:	1,023 ft.
3:	2,215 ft.