

## 4.9 TOPICS FOUND TO HAVE NO SIGNIFICANT IMPACTS

### 4.9.1 INTRODUCTION

The discussion below explains why further analysis in this Draft SEIR is not required to evaluate potential impacts related to the proposed project for the following topics determined to have no impact or a less-than-significant impact with continued implementation of required Conditions of Approval (COAs) and mitigation measures.

#### **Resource Topics With No Impacts**

As noted in the 1996 EIR and Initial Study, the following resource topics: Population and Housing; Public Services and Recreation; and Utilities and Service Systems, would not be impacted by the approved project. Furthermore, per the following discussion, there would also be a finding of no impact for implementation of the proposed project. For the following topics, the regulatory framework, assessment methods, determination of impacts, and associated mitigation measures remain as described in the Solano Long-Term Off-Channel Mining Permit Application Environmental Impact Report (1996 EIR) and the Cache Creek Area Plan (CCAP) Update FEIR.

#### **Population and Housing**

The project proposes to modify and extend an approved project. The project proposes no increase in the approximately 15 mining and processing employees currently working at the site, and the project would not directly or indirectly induce population growth in the area. The project also would not displace housing or substantial numbers of people, and therefore, similar to the conclusions reached in the 1996 EIR, no impact associated with population or housing would occur.

#### **Public Services and Recreation**

The proposed changes to CEMEX's surface mining and reclamation plans at the project site would not have an effect on public services and would not require the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. The Madison Fire Protection District (District) provided NOP comments dated February 26, 2021 (see Appendix B). The District raised the following points (responses are noted in *italics*).

- There could be potential impacts regarding emergency access and fire road access for fires, accidents and medical emergencies. The Fire Protection District would like a copy of the emergency plan submitted to the County.

*The Cache Creek Ready Mix Plant Cache Creek Aggregate Emergency Action/Fire Prevention Plan<sup>1</sup> was provided to the Fire Protection District on July 13, 2021. The project is an extension and modification of an approved project that will continue to be mined in phases, no revisions to the Emergency Plan are necessary or required. Additionally,*

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<sup>1</sup> CEMEX Construction Materials Pacific, LLC, 2021. Cache Creek Ready Mix Plant Cache Creek Aggregate Emergency Action/Fire Prevention Plan. July.

*access points for emergency services are also well-established and no changes to emergency access provisions are proposed as part of the project.*

- Will there be an increase in employees?

*There will be no increase in employees as 15 employees are currently on the site, and no increase is proposed as part of the project.*

- Would the expansion in mining need more buildings or relocation of buildings?

*No expansions or relocations of buildings are proposed as part of the project.*

Regarding fire and police services, access points and traffic patterns (including truck routes associated with the facility) are well established and no changes are proposed. Except for local deliveries, trucks leaving the CEMEX plant must either exit west onto State Route (SR 16) to Interstate 505 (I-505) (north or south) or east on SR 16 to Interstate 5 (I-5) (via SR 16 only). Trucks must stay on I-5 until they have left Yolo County, as there are no designated haul routes on County roads. There would be no impact associated with new or modified fire or police protection, services or facilities associated with an increase in truck trips.

As noted above, the project would not involve the creation of new housing and would not induce population growth in the area that would require new services. Existing utilities, including electrical, sanitary and water infrastructure, at the site are sufficient to meet the increase in mining operations and revisions to the reclamation plans.

Because, employment would not change, and no housing or population impacts would occur, the project would not increase demand for schools, parks, or other local public services/facilities. The project proposes to dedicate permanent lakes to the County, which will be used for future recreational and habitat uses, consistent with the CCAP and the Cache Creek Parkway Plan. This is consistent with the provision of “net gains” described in the existing Development Agreement.

### **Utilities and Service Systems**

The project is an extension and modification of an approved project. CEMEX proposes no change to the following elements of the existing operation: mining methods, maximum depth of mining, processing operations, use of settling ponds to contain and settle aggregate wash fines, water use, power use, or hours of operation.

Pacific Gas and Electric Company (PG&E) provided NOP comments dated February 26, 2021, (see Appendix B) on the Notice of Preparation and raised the following points (responses are noted in *italics*).

- PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

*No response required.*

- PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

*This Draft SEIR has been provided to PG&E for review and comment.*

- Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

*No response required.*

Regarding relevant standards of significance identified in the CEQA Guidelines Appendix G, the project meets wastewater treatment requirements, and the project site has existing sewage systems (e.g., septic system and portable toilets) that will continue to be utilized and may be supplemented with additional serviced portable toilets as needed in the mining areas. No additional employees are proposed as part of the project modifications. No new or additional wastewater is anticipated to be generated through implementation of the proposed project. Therefore, the project would have no impact on wastewater treatment capacity, wastewater treatment requirements, or wastewater facilities.

The project does not propose any large-scale storm water drainage facilities typical of municipal or regional utilities. The project includes continued installation/use of site-specific Best Management Practices (BMPs) and other requirements specified in the Mitigation Monitoring Reporting Program (MMRP), Conditions of Approval, and Off-Channel Mining Plan (OCMP), such as riprap run-downs and drainage ditches to control stormwater runoff and minimize the effects of erosion. These BMPs are themselves intended to prevent and reduce environmental impacts. Therefore, the project would have no impact in terms of the construction of new storm water drainage facilities or expansion of existing facilities.

The project would have sufficient water supply consisting of recycled aggregate process wash water and water sourced from existing on-site groundwater extraction wells, and storm water that collects in open water ponds. Water use at the site is primarily associated with construction materials processing and dust control. Water is/will also be used for irrigation purposes for restored habitats, but at a much lesser demand. Given that the project would have sufficient water supply (as established under existing entitlements), the project would have no impact related to water supply.

The project would not result in changes to existing solid waste generation quantities or collection procedures. Consistent with existing operations, mine waste will be limited to overburden (to be used on-site for reclamation) and general refuse (which will be disposed of in accordance with applicable standards). Any incidental refuse or garbage will continue to be collected, hauled off-site and disposed of in accordance with state and local standards. Therefore, the project would have no impact related to solid waste generation.

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## **Resource Topics With Less-than-Significant Impacts**

For the approved project, the 1996 EIR identified, evaluated, and mitigated significant impacts to a less-than-significant level for the following resource topics: Aesthetics; Hazards and Hazardous Materials; and Land Use and Planning. In the following discussion, the potential for there to be new or more severe impacts associated with the proposed project or changes in circumstances leading to new significant impacts is analyzed. Due to the 2018 update of the CEQA Guidelines, the topic of Wildfire has been included in this section. For the following topics, the regulatory framework, assessment methods, determination of impacts, and associated mitigation measures remain as described in the 1996 EIR, the CCAP Update EIR, and the CEMEX Conditions of Approval. The following discussions are also based, in part, on the information provided by the applicant in the 2018 Application<sup>2</sup> as revised.

### **Aesthetics and Visual Resources**

The significance criteria related to aesthetics were revised as part of the Appendix G CEQA Guidelines update in 2018. While the wording of the criteria changed relative to the significance standards used in the 1996 EIR, all of the criteria considered in the 1996 EIR are substantively covered by the revised criteria. Additionally, the description of the regional and local landscape and environment, the locations (i.e., SR 16 and I-505) from which public views of the site and mining operations can be seen, and the way in which mining and reclamation activities would alter the visual environment have not substantially changed since described in the 1996 EIR.

In regards to the current existing setting, the proposed project site is not located within the vicinity of an officially designated or eligible State Scenic Highway, according to the California Scenic Highway Mapping System.<sup>3</sup> Thus, the proposed project would result in a less-than-significant impact related to the potential for the proposed project to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.

As noted in the 1996 EIR, travelers on I-505 would have continuous views of aggregate extraction and processing activities. Active mining operations are particularly visible at the point where I-505 gently rises and crosses Cache Creek. Since a greater number of persons travel on I-505, as compared to SR 16, and better visual access to the site is afforded from I-505 due to its elevation, the project would result in a more significant visual impact on views from I-505 than on views from SR 16. Impacts to views from roadways would be primarily from the creation of stockpiles of up to 40 feet in height during mining of the site. Stockpiles on the Phase 2 area (east of I-505) are especially prominent and any that would occur on the Phase 7 area (west of I-505) could also be seen (Figure 3-2). Stockpiles and mining activities in Phases 3, 4, 5 and 6 would be most prominent to viewers traveling along SR 16.

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<sup>2</sup> Compass Land Group. 2018. Application for Extension of Modification of an Approved Project for CEMEX Cache Creek Mining Permit and Reclamation Plan Amendment Project. February.

<sup>3</sup> California Department of Transportation. California Scenic Highway Mapping System. Available at: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>. Accessed June 8, 2021.

Since 1996, 61 acres of the Phase 2 area have been mined and no further mining is permitted in the area. As part of the proposed project, the western half of Phase 2 (closest to I-505) is proposed to be reclaimed to agriculture within five years (approximately 2026). Per the project description, the eastern half of Phase 2 is proposed to be used as an extension of the plant site (located to the north of Phase 2) for purposes of stockpiling and would be reclaimed to agriculture at the end of the life of permit (as proposed in 2047). While the eastern portion of Phase 2 would remain in a disturbed condition with visible stockpiles for a longer period of time under the proposed project, the views of the stockpiles (which can be 40 feet high) would be similar to those evaluated in the 1996 EIR. Additionally, the planted windbreak along I-505 was included as part of the approved project and provides some visual screening (Figure 3-5). CEMEX also proposes to occasionally use a portable plant in the below grade area of Phase 2 to process stockpiled recycled construction materials process, which is an existing use.

To reduce significant effects to public views associated with the project, the 1996 EIR includes Mitigation Measure 4.10-1a (Condition of Approval No. 71) which requires implementation of Section 10-4.429 of the County Off-Channel Surface Mining Ordinance (Mining Ordinance) related to setbacks to reduce aesthetic impacts:

Section 10-4.429. Setbacks.

All off-channel surface mining operations shall comply with the following setbacks:

- (a) New processing plants and material stockpiles shall be located a minimum of one thousand (1,000) feet from public rights-of-way, public recreation areas, and/or off-site residences, unless alternate measures to reduce potential noise, dust, and aesthetic impacts are developed and implemented;
- (b) Soil stockpiles shall be located a minimum of five-hundred (500) feet from public rights-of-way, public recreation areas, and off-site residences, unless alternate measures to reduce potential dust and aesthetic impacts are developed and implemented;
- (c) Off-channel excavations shall maintain a minimum one-thousand (1,000) foot setback from public rights-of-way and adjacent property lines of off-site residences, unless a landscaped buffer is provided or site-specific characteristics reduce potential aesthetic impacts. Where landscaped buffers are proposed, the setback for off-channel excavations may be reduced to a minimum of fifty (50) feet from either the property line or the adjoining right-of-way, whichever is greater. Where mining occurs within one-thousand (1,000) feet of a public right-of-way, operators shall phase mining such that no more than fifty (50) acres of the area that lies within one-thousand (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 one-thousand (1,000) feet of the right-of-way shall not exceed the area that is screened by more than fifty (50) acres at any one 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.

The 2020 Ten-Year Permit Review notes the following related to this Condition and Mitigation Measure:

*...The project was approved to mine to within 200 feet of the channel bank subject to installation of bank stabilization consistent with the Test 3 improvements in effect at the time. Ongoing compliance with all applicable required setbacks in this section is required.*

The approved and proposed project are and would be in compliance with the required buffers, and significant impacts associated with public reviews would be reduced to a less-than-significant level, similar to the 1996 EIR.

Compliance with other County ordinances would also assist in reducing aesthetic impacts, as follows.

Section 10-4.404 of the Mining Ordinance provides the following requirements related to aesthetics:

Section 10-4.404. Aesthetics.

The visibility of mining operations, facilities, and landform alterations from public areas, viewpoints, and nearby residences shall be minimized, based on an assessment of site specific visual characteristics and viewing conditions. The use of berms, vegetative screens, seeding, special plant materials and contouring the sides and top surfaces of modified landforms or other measures, shall be incorporated in the individual mine and reclamation plans as appropriate.

Section 10-4.420 of the Mining Ordinance provides the following requirements related to lighting:

Section 10-4.420. Lighting.

All lighting shall be arranged and controlled so as not to illuminate public rights-of-way or adjacent properties.

Section 10-5.502 of the Yolo County Surface Mining Reclamation Ordinance (Reclamation Ordinance) states the following regarding aesthetics:

Section 10-5.502. Aesthetics.

Means of improving the appearance of the landscape after mining has been completed shall be assessed based on site-specific visual characteristics, site

lines, and view corridors. The use and placement of berms, vegetative screens, special plant materials, grading slopes, and contouring the sides and top surfaces of modified landforms to mimic surrounding landforms, or other measures, shall be incorporated into the mine reclamation plan as appropriate.

Section 10-5.521 of the Reclamation Ordinance states the following regarding permanent stockpiles:

Section 10-5.521. Permanent Stockpiles.

There shall be no permanent 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.

The proposed project would extend mining for an additional 20-years, among other changes, the visual effects of the mining methods, equipment and activities, and timing for reclamation of those areas would be similar to those identified in the 1996 EIR. With implementation of Mitigation Measure 4.10-1a (Condition of Approval No. 71) and other County requirements, impacts to public views would be reduced to a less-than-significant level. Cumulative visual impacts in the Cache Creek area would continue to be unavoidable and adverse as documented in the 1996 EIR and the CCAP Update EIR.

Visual conditions and character, under both existing and proposed reclaimed conditions will not substantially change from what was evaluated in the 1996 EIR, the resulting long-term changes to public views and vistas would continue to be a less-than-significant impact.

Similarly, views of mining, reclamation, and post-reclamation activities for the proposed project would be substantially the same as for the approved project. Potential impacts related to visual incompatibility of mining and reclamation with surrounding land uses would also continue to be less than significant.

Additionally, the 1996 EIR found that any light and glare impacts that may be created from nighttime mining operations would be less than significant as a result of Off-Channel Surface Mining Ordinance Section 10-4.420. The 1996 EIR noted that highway projects and resurfacing are often conducted at night to avoid disruption to traffic. Since asphalt cools quickly, it must be delivered for use soon after it is mixed; therefore, hot asphalt plants are required to operate during the night. Night lighting of mining facilities and headlights of heavy equipment transporting materials to and from the plant could be seen by occupants of nearby residences and travelers using SR 16 and I-505. CEMEX currently conducts maintenance activities on conveyors and processing equipment five nights per week. CEMEX does not typically operate the crushing/screening plant at night, but early 4:00 a.m. starts for mining and processing equipment are common. Nighttime production is allowed under the CCAP and the existing CEMEX approvals and would be utilized as needed based on job specifications and customer demands. Customer trucks/bins occasionally get loaded as early as midnight.<sup>4</sup> Similar to existing conditions, nighttime

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<sup>4</sup> Saber, Yasha, Project Manager, Compass Land Group. 2021. Personal Communication to Judith Malamut

operation is expected to be infrequent. Residences are located at least 1,500 feet from mining areas and haul roads; therefore, impacts from light and glare would continue to be less than significant with the proposed project.

### **Hazards and Hazardous Materials**

The significance criteria related to hazards and hazardous materials were revised as part of the Appendix G CEQA Guidelines update in 2018. While the wording of the criteria changed relative to the significance standards used in the 1996 EIR, the criteria considered in the 1996 EIR are substantively covered by the revised criteria. The one criterion not addressed was the potential for impacts from a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and whether the project would result in a safety hazard or excessive noise for people residing or working in the project area. As the project site is not located within an airport land use plan or within two miles of an airport, and the mining employees would not be subject to a safety hazard associated with excessive noise, there would be no impact related to this criterion.

The project is an extension and modification of an approved project. CEMEX proposes no change to the following elements of the existing operation relative to hazards and the use of hazardous materials: mining methods, maximum depth of mining, processing operations, use of settling ponds to contain and settle aggregate wash fines, water use, power use, or hours of operation. Therefore, the focus of this analysis is limited to review of potential environmental impacts of the proposed increase in total extracted tonnage, mining over a longer period of time, and changes to CEMEX's surface mining and reclamation plans.

Given that the project would not increase the routine transport, use, or disposal of hazardous materials as compared to the permitted baseline operations, the project would not result in an increase in the associated potential to create a significant hazard to the public or the environment. Public health and safety precautions are currently in place at the project site in accordance with local, State and federal standards, and would continue to be implemented. In addition, Mine Safety and Health Administration (MSHA) and California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards are presently employed to protect both the public and on-site employees and would continue to be employed under the proposed project. The CEMEX processing facilities, including the shop, are covered under a Spill Prevention, Control, and Countermeasure Plan (SPCC Plan) and Hazardous Materials Business Plan (HMBP) prepared and implemented pursuant to 40 CFR Part 112 and 19 CR Section 2729, respectively. As previously stated, no changes to any fundamental operations are proposed. As required, CEMEX will continue to implement these plans.

Further, the potential impacts associated with hazards and hazardous materials were fully analyzed in the 1996 EIR. To reduce significant effects related to hazardous materials, the 1996 EIR required implementation of the following conditions of approval/mitigation measures that remain applicable to the proposed project:

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of Baseline Environmental Consulting via email. June 2, 2021.



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COA #77 Implement the performance standard included in Section 10-4.415 of the OCSMO (Off-Channel Surface Mining Ordinance) relating to equipment maintenance and fueling restrictions (Mitigation Measure 4.12-1a).

The 2020 Ten-Year Permit Review notes that implementation of this condition is ongoing.

COA #78 Implement the performance standards included in Sections 10-4.406 (relating to benches) and 10-4.431 (relating to slopes) of the OCSMO (Off-Channel Surface Mining Ordinance); and Sections 10-5.510 (relating to fencing) and 10-5.530 (relating to slopes) of the SMRO (Surface Mining Reclamation Ordinance), altogether relating to hazard prevention. (Mitigation Measure 4.12-3a)

The 2020 Ten-Year Permit Review notes that:

*... The operator must ensure compliance with the regulation going forward, and specifically address compliance in the annual compliance report.*

COA #25 Pursuant to Action 2.4-2 of the Off-Channel Mining Plan, comply with Mining Ordinance Section 10-4.403 (Accident Reporting) related to reporting of accidents and/or hazardous conditions at the site, pursuant to Action 2.4-2 of the Off-Channel Mining Plan, and Section 10-4.419.1 (Hazardous Material Storage) related to annual submittal/update of a Hazardous Materials Business Plan (HMBP) and Spill Prevention Countermeasure Contingency Plan (SPCCP).

The 2020 Ten-Year Permit Review notes that CEMEX last submitted a HMBP on January 1, 2020. Update of that plan and submittal of a SPCCC will be required in 2021 and annually thereafter. CEMEX's most recent HMBP update was submitted via the CERS online portal and accepted by the County on May 31, 2022.

Given that the project would not significantly increase the routine transport, use, or disposal of hazardous materials as compared to the permitted baseline, and with continued adherence to the cited mitigation measures, conditions of approval, and performance standards in the County codes and ordinances, the project would have a less-than-significant impact related to the routine transport, use, or disposal of hazardous materials.

The project's operations would not be located within one-quarter mile of an existing or proposed school; therefore, no impact related to hazard risks to schools is anticipated.

The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, no impact related to a listed site is anticipated.

At its closest point (the east end of Phase 6), the project is located approximately 2 miles from the Yolo Fliers Club air strip. However, the project proposes no substantial changes to existing

operations that would result in a safety hazard for people residing or working in the project area; therefore, no impact related to proximity to that private use air strip is anticipated.

The project would not modify the existing access roadways or public rights-of-way (e.g., SR 16), and established truck traffic patterns would not significantly change. Access points and traffic patterns associated with the facility are well established and no changes to these fundamental aspects of the operation are proposed. In addition, CEMEX maintains health and safety plans on-site that would not be affected by implementation of the proposed project. Accordingly, the project would not interfere with any adopted emergency response plan or emergency evacuation plan; therefore, no impact associated with changes to these plans is anticipated.

The project site is highly disturbed as a result of continuous mining and agricultural activity. With the exception of the areas located between the northern boundaries of the proposed mining phases and Cache Creek, the majority of the proposed surface mining disturbance footprint is very sparsely vegetated, with the exception of agricultural row crops. The proposed project does not propose any substantial changes that would increase the potential for people or structures to be exposed to risks involving wildland fires. Therefore, no impact associated with an increased risk from wildfire is anticipated.

### **Land Use and Planning**

The proposed project is an extension and modification of an approved project. CEMEX proposes no change to fundamental elements of the existing operation (e.g., mining methods, maximum depth of mining, processing operations, use of settling ponds to contain and settle aggregate wash fines, water use, power use, truck traffic, or hours of operation). The focus of this analysis is therefore limited to review of potential environmental impacts of mining an additional 20 years, mining more total tonnage, and the proposed changes to CEMEX's surface mining and reclamation plans at the project site.

The significance standards related to land use were revised as part of the Appendix G CEQA Guidelines update in 2018. While the wording of the standards changed relative to the significance standards used in the 1996 EIR, all of the standards considered in the 1996 EIR are substantively covered by the revised criteria.

The extension of mining for an additional 20 years and an increase in the total amount of mined material within the approved boundaries of the project site would not result in the physical division of an established community, and there would be no impact associated with incompatibilities with existing land uses or planned growth.

The project site's existing General Plan land use designation is Agricultural and Open Space, and the site is zoned Agriculture Intensive (A-N) with a Sand and Gravel overlay. The General Plan designation of Agriculture supports surface mining (per General Plan Policy LU-1.1, page LU-14) and all areas proposed for mining have this designation. The portions of the site that carry the Open Space designation apply to the in-channel portions of the parcels associated with Cache Creek. The General Plan supports the proposed continuation of mining through the following policies:

- Policy ED-1.2 Support the continued operation of existing aggregate mining activities within the county as well as new aggregate mining in appropriate areas, to meet the long-range construction needs of the region.
- Policy ED-1.8 Retain and encourage growth in important economic export sectors, including mining, natural gas, tourism and manufacturing.

Surface mining is allowed in the A-N zone with approval of a Major Use Permit for lands that are in the OCMP area on lands within the mineral resources overlay zone (Yolo County Code, Title 8, §8-2.304 and §8-2.306(t)). The project site is within this area, designated with a sand and gravel (“SG”) overlay, and is already operating under a mining and reclamation permit which is a type of major use permit.

The project’s consistency with other applicable land use plans, policies and regulations is detailed throughout this Draft SEIR.

Further, the potential land use impacts of the approved project were fully analyzed in the 1996 EIR. The 1996 EIR analyzed and fully mitigated for land use impacts by requiring implementation of the following mitigation measure, adopted as a condition of approval that remains applicable to the proposed project:

- COA #29 Implement Mitigation Measures 4.4-3a, 4.4-4a, and 4.4-7a of the Final EIR for the proposed project (Mitigation Measure 4.2-1a).

The 2020 Ten-Year Permit Review notes the following related to this Condition and Mitigation Measure:

*Project-level Mitigation Measures 4.4-3a and 4.4-4a were OCMP Mitigation Measures 4.4-2a and 4.4-3(a) which became the following regulations in the Mining Ordinance: 10-4.413 (Drainage), 10-4.417 (Groundwater Monitoring Programs), 10-4.427 (Protection of Nearby Drinking Water Wells), 10-4.428 (Sanitary Facilities), and 10-4.429 (Setbacks); and the following regulations in the Reclamation Ordinance: 10-5.510 (Fencing), 10-5.517 (Mercury Bioaccumulation in Fish), 10-5.519 (Motorized Watercraft Prohibition), 10-5.524 (Post-Reclamation Groundwater Monitoring), and 10-5.532 (Use of Overburden and Fine Sediments in Reclamation). Project-level Mitigation Measure 4.4-7a became 10-5.516 (Lowered Elevations for Reclaimed Agricultural Fields).*

*The operator must ensure compliance with the regulations going forward, and specifically address compliance in the annual compliance report.*

Potential impacts to drainage, water quality, groundwater monitoring, and protection of drinking water wells are also discussed in Section 4.6, Hydrology and Water Quality in this Draft SEIR.

Given that the project does not propose any significant land use changes, and with continued adherence to the cited mitigation measures, conditions of approval, and performance standards in County ordinances, the project would have no impact in terms of conflicting with any applicable

land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental impact.

### **Wildfire**

The topic of wildfire was included in CEQA Appendix G as part of the 2018 CEQA update. A potentially significant impact could occur if the proposed project is located in or near a State Responsibility Area or in or near lands classified as very high fire hazard severity zones. According to a review of the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program maps,<sup>5</sup> the project site is not located within a State Responsibility Area or in or near a high or very high fire hazard severity zone. Therefore, the proposed project would have a less-than-significant impact related to wildland fires.

### **4.9.2 CONCLUSIONS**

For resource topics with no impacts and/or less-than-significant impacts, based on the assessment provided above and continued implementation of COAs and mitigation measures from prior approvals, there are no proposed changes in the project that would result in new significant impacts or substantial increase in the severity of previously identified significant impacts, and therefore no revisions to the analysis in the 1996 EIR are required related to this area of impact.

There are no changes in the circumstances under which the project would be undertaken that would result in new significant impacts or substantial increase in the severity of previously identified significant impacts, and therefore no revisions to the analysis in the 1996 EIR are required related to this area of impact.

There is no new important information relevant to this area of impact that was not previously known at the time of the 1996 EIR. There are no related new significant impacts, more substantial increase in the severity of previously identified significant impacts, previously dismissed mitigation that is now feasible, previously dismissed alternatives that are now feasible, or different more effective alternatives that have emerged or become known.

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<sup>5</sup> California Department of Forestry and Fire Protection. Yolo County, Fire Hazard Severity Zones in State Responsibility Areas. November 7, 2007. <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-maps>