

ATTACHMENT G

DRAFT CONDITIONS OF APPROVAL

**CONDITIONS OF APPROVAL
MINING PERMIT AND RECLAMATION PLAN NO. ZF #2018-0078**

TEICHERT SHIFLER MINING AND RECLAMATION PROJECT
January 11, 2022

The following conditions of approval include all identified mitigation measures, unless otherwise noted in the staff report. Post-approval modification to mitigation measures can only occur if: 1) the effectiveness of the measure in reducing the applicable environmental impact is not affected; or, 2) subsequent environmental analysis is performed to examine the new proposed measure and associated environmental impact.

MISCELLANEOUS

1. The operator shall agree to indemnify, defend, and hold harmless the County or its agents, officers, and employees from any claim, action, or proceeding (including damage, attorney's fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County is required to promptly notify the operator of any claim, action, or proceeding, and must cooperate fully in the defense. If the County fails to promptly notify the operators of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the operators shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the operators post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

2. The maximum permitted annual "base" tonnage allowed for this project (Teichert Shifler) is 1,800,000 tons (sold weight) and/or 2,117,648 tons (mined weight). Tons sold in any given year may not exceed this amount.

Pursuant to Action 2.4-9 of the OCMP and Action 6.4-4 of the CCRMP, these limits shall not apply to recycled concrete or asphalt, or aggregate obtained from in-channel maintenance work performed in accordance with the CCAP.

3. The maximum total tonnage allowed for this operation (Teichert Shifler) over the life of the permit is 30,000,000 tons (sold weight) and/or 35,400,000 (mined weight). Pursuant to Action 2.4-9 of the OCMP and Action 6.4-4 of the CCRMP, this limit shall not apply to recycled concrete or asphalt, or aggregate obtained from in-channel maintenance work performed in accordance with the CCAP.

4. The operator shall pay tonnage fees to the County and the Cache Creek Conservancy for every ton of aggregate materials sold. Payment of these fees shall be in accordance with the CCAP and all implementing ordinances, and the Gravel Mining Fee Ordinance enacted for this purpose.
5. Pursuant to Section 10-11.02(e) of the Gravel Mining Fee Ordinance, operators approved to utilize the Twenty Percent Production Exception Surcharge shall pay an additional \$0.20 per ton for tonnage in excess of the base amount. Payment of these fees shall be in accordance with the CCAP and all implementing ordinances, and the Gravel Mining Fee Ordinance enacted for this purpose. This operator is not approved to utilize the Twenty Percent Exceedance.
6. The processing of aggregate material approved under this Mining Permit shall cease when either permitted reserves are depleted or the life of the permit has expired, whichever event occurs first. The operator may apply for permit approval to extend aggregate processing beyond the limits described above. The extension may not exceed an additional period of twenty years and shall be subject to appropriate environmental review.
7. The Mining Permit is approved for a period not to exceed 30 years, starting from the date the approval is granted (January 11, 2022). The permit expires on January 11, 2025. If permitted aggregate reserves are still available at the end of the approved 30-year period, the operator may apply for Mining Permit approval to extend mining beyond the 30-year limit described above. The extension may not exceed an additional period of twenty years and shall be subject to appropriate environmental review.
8. The operator shall be responsible for all costs associated with implementing and monitoring these conditions.
9. The operator shall amend the financial assurances as appropriate to reflect the modifications to the project, in a form consistent with Section 10-5.702 of the Surface Mining Reclamation Ordinance, in an amount to be determined, naming the County of Yolo and the California Department of Conservation as beneficiaries, prior to the commencement of mining under the permit approval.
10. The project to which these conditions are applicable is as described in the 2021 project EIR as the Moore Canal Avoidance Alternative (Alternative 4) and summarized in the Yolo County Board of Supervisors Staff Report (dated January 11, 2022) as modified to reflect the adopted conditions of approval including mitigation measures. Any subsequent substantive changes in the project description, as determined by Yolo County, may only occur subject to amendment or modification of the Mining Permit and/or Reclamation Plan.
11. The project approval, including all permits and entitlements, shall not take effect until the Development Agreement between the County and the operator has been executed. The

Development Agreement shall be executed within 30 days of the date of approval by the Board of Supervisors.

12. The operator shall comply with both the spirit and intent of all applicable requirements of SMARA, County Code (particularly Title 10, Chapters 4 and 5), and all conditions of approval. The operation must remain consistent with the spirit and intent of the Cache Creek Area Plan.
13. Pursuant to Action 2.4-13 of the Off-Channel Mining Plan, the Teichert Woodland aggregate processing plant and all associated facilities must be closed, moved, and the site reclaimed consistent with the CCAP when mining has concluded at the site under the terms of this permit (Teichert Shifler), unless extended under subsequent permits to allow mining of additional aggregate deposits.
14. The aggregate material extracted from this site shall be processed at the adjoining Teichert Woodland plant facilities. Mining at Teichert Schwarzgruber shall be completed and final reclamation underway prior to transfer of mining tonnage allocation to Teichert Shifler and prior to commencement of mining activities at Teichert Shifler. The operator must notify the County in writing following conclusion of mining at Schwarzgruber and a minimum of 30 days prior to commencement of mining at Shifler informing the County that mining has ended, the status of final reclamation, and acknowledging that the Teichert Woodland plant facility is operating under the authority of the Teichert Shifler permit approval, from that point forward, for the purposes of processing material extracted from the Shifler site.

Mining at Teichert Esparto shall be completed and final reclamation underway prior to transfer of approved portion of mining tonnage allocation to Teichert Shifler. The operator must notify the County in writing following conclusion of mining at Teichert Esparto informing the County that mining has ended the status of final reclamation of the site, the status of closure/removal/reclamation of the plant, the timeframe for installation and operations of equipment transferred from the Esparto plant to the Woodland plant, and to request the transfer of the approved portion of mining tonnage allocation to the Teichert Shifler operation. The County shall have 30 days to respond to the request.

15. The Teichert Shifler operation (including the Teichert Woodland plant) is prohibited from processing imported aggregate material. This condition shall not apply to materials needed to meet construction specifications, recyclable material, aggregate obtained from in-channel maintenance work performed in accordance with the CCAP, or previously stockpiled material from prior permits.
16. The mining and reclamation plans shall be revised within six months of approval to reflect the items listed below. Revised plans are subject to review and approval by staff (including review by the serving Riparian Biologist on the Cache Creek Technical Advisory Committee) to ensure substantial compliance with the conditions of approval.

- a) The reclamation acreage shall include reclamation of the full 319.3-acre project site.
- b) The addition of hedgerows and buffers described in f) below, and Condition 43.
- c) Install an irrigation system for buffers, berms, and other pre-reclamation plantings. Add a requirement that landscaping/vegetation be monitored annually and require replacement of dead or dying trees and vegetation.
- d) Reflect all changes necessary to be consistent with this approval, including all conditions of the approval, and all mitigation measures.
- e) 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. (2021 EIR MM 4.8-4(c))
- f) Conditions 30, 31, 32, and 33.
- g) The reclamation plan and narrative for the Shifler project shall be modified and resubmitted for staff confirmation of compliance to the reflect the following:

Seed Mix, Tree/Shrub Diversity, and Planting Methods

- Sec. 8.2.1 – Drill seeding of the 32.8 acres of grass slopes is preferred. If broadcast seeding is utilized, a harrow, trackwalker, or imprinter shall be used to ensure seeds are sufficiently buried to ensure seed-soil contact and ensure seeds are not exposed on the soil surface.
- Sec. 8.2.1 – The diversity of the grass slope seed mix specified in the Reclamation Plan narrative shall be increased to enhance habitat for wildlife and pollinators, as well as to increase resistance to invasion by non-native species. The addition of broadleaf species at the time of initial planting may not be feasible because of the need for broadleaf weed control. To address this the applicant will undertake a two-phase approach as follows: a) additional native grasses (e.g., creeping wildrye, California barley) shall be added to the mix with the total Pure Live Seed (PLS) measure adjusted accordingly; and, b) native forbs (such as gumplant, tom cat clover, and sky lupine) shall be seeded or plug-planted into the site after a sufficient period of broadleaf weed control (e.g., two years). This two-phase approach is appropriate to ensure both native forb reintroduction and broadleaf weed control.
- Sec. 8.2.1 – The Reclamation Plan narrative suggests that nonnative species naturalized, non-native annual plants may readily colonize revegetated areas. The implication is that this outcome is unavoidable and may actually contribute to creation of additional plant cover in the sense of a desirable outcome. This outcome is not desirable, as the species listed (esp. filaree) are widely recognized as detrimental to the long-term success of grassland restoration projects in Central California. The required higher diversity seed mix (see above) will help

exclude such species. Further control of the non-native species listed will be required if necessary through management strategies such as strategic mowing and spot-treatment with herbicide.

- Sec. 8.2.3 – Lower riparian woodland. Successional native trees and shrubs (such as cottonwood; black, red, and arroyo willows; and mulefat) shall be actively planted in lower riparian zones. These species are key components of woody vegetation along lower Cache Creek, and are standard components of revegetation projects within the CCAP area. The applicant will assess natural establishment of these species after a two year period, and actively plant any species that are not naturally establishing into the site.
 - Additional woody species shall be added to the planting list to increase native diversity and add value for wildlife (e.g., California blackberry, California wild rose, and/or dogwood).
 - The seed mix applied to the understory of the lower riparian zone shall be customized to account for higher soil moisture, and include species such as creeping wildrye (via plugs) and broadleaf species like mugwort (and shall be added using the two-phase approach described above).
- Sec. 8.2.3 – Upper riparian woodland. To increase diversity and value for wildlife, additional woody species shall be added to the planting palette, such as interior live oak and California buckeye. Species such as purple needlegrass and creeping wildrye (planted via plugs) shall be included in the understory seed mix to augment the more diverse seed mix recommended above.
- Sec. 8.4 – The Reclamation Plan narrative states: “Plants collected and grown locally will always be given priority in the selection process”. This text shall be modified to be consistent with Sec. 10-5.601(c)(1) of the Reclamation Ordinance which specifically requires that all “native seeds, plants and cuttings used for reclamation and restoration activities shall be ecotypes of Cache Creek Watershed genetic origin, including areas outside of Yolo County, and of Yolo County genetic origin when materials are used that originate from outside of the Cache Creek Watershed” and that “Plant materials should be collected in the vicinity of the project site in order to control the origin of the genetic stock and provide the most site-adapted ecotypes.”
- Sec. 8.4.2. –Careful monitoring and treatment of non-native/invasive species is required on sites where natural recolonization is part of the formal reclamation strategy.
- Sec. 8.5.2 –The list of regularly-updated priority non-native and invasive species listed in the annual Cache Creek Status Report shall also be referenced for species to be controlled on reclamation/restoration sites.

Salvaged Soil Stockpiles

- Sec. 6.2 -- Salvaged soil stockpiles are to be planted with a native species mix (similar or identical to the mix used for grass slopes). Native cover is required pursuant to Sec. 10-4.433 of the Mining Ordinance. A complete native species mix (similar or identical to the mix used for grass slopes) may be used or, to achieve

similar results at reduced costs, a simplified mix may be planted including native annual *Festuca*, other fast-growing native species, and a sterile cover crop. Annual reseeded and control of noxious invasive species shall be undertaken to maintain native species planted on soil stockpiles. Where feasible, soils stockpiled for future use on reclaimed agricultural fields shall be planted in agricultural crops which will be harvested and/or managed annually to keep soil in good tilth, maintain organic matter, and promote soil aggregation. (House 10/1/2021)

Reclamation Design

- Per Sec. 10-5.533 of the Reclamation Ordinance, more variation is required regarding the design of the lake (e.g., shoreline heterogeneity). Specifically, sculpting and shoreline variation (e.g., a mix of slopes, terraces, and non-linear shoreline orientations) shall be added to increase habitat value and to “soften” the trapezoidal shape of the reclaimed lake and habitat. Peninsula(s) and island(s) are encouraged if feasible. In addition, additional consideration shall be given the north shore of the lake where the future connection to the Cache Creek Parkway will be made. Additional shoreline heterogeneity shall be included to maximize habitat, slopes in this area shall be as shallow as feasible in consideration of future public access, and breadth of shoreline shall be ensured, to accommodate future amenities such as picnic areas, shade trees, interpretive signage, and vantage points for visitors to see and appreciate wildlife and native habitat.
 - Sec. 10-4.440 of the Mining Ordinance and Sec. 10-5.523 of the Reclamation Ordinance specify that native-planted hedgerows are to be planted between riparian habitat and agricultural fields. The reclamation design shall include native-planted hedgerows between all agricultural fields and adjacent habitat (including the north border of the Phase A agricultural field).
- h) The reclamation plan and narrative for the Woodland plant site shall be modified and resubmitted for staff confirmation of compliance to the reflect the following:
- The diversity of all seed mixes and woody vegetation planting palettes shall be increased, in a manner similar to that described above for the Shifler mining site, to add value for wildlife and increase the chance of long-term establishment of riparian habitat. Understory species shall also be planted in all reclamation zones designed as riparian forest and oak woodland habitat.
- i) The Reclamation Narrative (Section 9.2, Table 8, page 30) shall be modified under Grassland Slopes, to add: Total absolute cover of herbaceous species shall be 10%; and b) under Lower Riparian Woodland, to increase total absolute cover of native woody species from at least 10% to at least 25%.

- j) The Reclamation Narrative (Section 8.3, page 22) shall be modified to add a requirement for revegetation test plots on the site.
- 17. Upon receipt of final Reclamation Plan from the applicant and acceptance of the plans by staff as satisfying the required Reclamation Plan modifications, the applicant shall assist the County in resubmittal of the final Mining and Reclamation Plans to the State Department of Conservation Division of Mine Reclamation pursuant to Public Resources Code (PRC) Sections 2772 and 2772.1.
- 18. Upon approval of the final Reclamation Plan the County shall record a “Notice of Reclamation Approval” with the County Recorder, pursuant to PRC Section 2772.7.
- 19. The applicant shall comply with the requirements of the County Off-Channel Surface Mining Ordinance including but not limited to: Section 10-4.402 related to access roads; Section 10-4.403 related to reporting of accidents and/or hazardous conditions at the site; Section 10-4.406 and 10-4.431 related to slopes and benches while mining; Section 10-4.410(b) related to human skeletal remains; Section 10-4.413 related to drainage; Section 10-4.414 related to dust control (including compliance with the requirements of the Yolo Solano Air Quality Management District); Section 10-4.415 related to equipment maintenance; Section 10-4.416 related to flood protection; Section 10-4.417 related to groundwater monitoring; Section 10-4.419 related to haul roads; Section 10-4.419.1 related to annual submittal/update of a Hazardous Materials Business Plan (HMBP) and Spill Prevention Countermeasure Contingency Plan (SPCCP); Section 10-4.420 related to lighting; Sections 10-4.421 and 10-4.422 related to noise, Section 10-4.424 related to other agency approvals, Section 10-4.425 related to parking; Section 10-4.427 related to protection of wells; Section 10-4.428 related to sanitary facilities; Section 10-4.429 related to setbacks; Section 10-4.430 related to site maintenance; Section 10-4.432 related to soil removal; Section 10-4.433 related to soil stockpiles; Section 10-4.436 related to vegetation protection; Section 10-4.437 related to wastewater discharge; Section 10-4.438 related to watercraft; Section 10-4.605 related to interim permit reviews; Article 7 related to annual reports; and Article 8 related to fees.
- 20. The applicant shall comply with the requirements of the County Surface Mining Reclamation Ordinance including but not limited to: Section 10-5.507 related to drainage (including the requirement to file various deed restrictions and inspections easements, and disclosure to property owners of the obligation to implement corrective action); Section 10-5.508 related to erosion control; Section 10-5.510 related to fencing; Section 10-5.518 prohibiting mining on reclaimed lands; Section 10-5.519 related to watercraft; Section 10-5.520 related to restoration of operational areas and haul road; Section 10-5.521 related to stockpiles following mining; Section 10-5.524 related to post-reclamation groundwater monitoring; Section 10-5.526 related to natural disasters; Section 10-5.528 prohibiting use of reclaimed pits for sewage or landfill purposes; Section 10-5.530 related to reclaimed slopes; Article 7 related to financial assurances; and Article 10 related to fees.

21. The applicant shall comply with the requirements of the County In-Channel Ordinance including but not limited to the performance standards in Article 4, Sections 10-3.401 through 10-3.419.
22. In order to proceed with the proposed in-channel bar skimming, the applicant shall:
 - a) prepare and submit the application materials identified in Article 5 of the County In-Channel Ordinance;
 - b) demonstrate compliance with the County In-Channel Ordinance;
 - c) prepare a hydraulic analysis to confirm public benefit through reduction of flood risk;
 - d) integrate/implement applicable mitigation measures from the CCAP Update EIR;
 - e) prepare necessary plans for excavation and creek restoration/reclamation subject to review and oversight by the Cache Creek Technical Advisory Committee (Cache Creek TAC), and approval by the County; and
 - f) secure a Flood Hazard Development Permit (FHDP).
23. The hours of operation for the mining site are 6:00 a.m. to 6:00 p.m. Monday through Saturday. Occasional 24-hour operations to fulfill contract requirements are allowed subject to compliance with Section 10-4.421 of the Mining Ordinance. The hours of operation for the Teichert-Woodland plant are 6:00 a.m. to 6:00 p.m. Monday through Friday. For the months of August, September, and October, hours may be extended to 10:00 p.m. (Monday through Friday), and 6:00 a.m. to 6:00 p.m. Saturday and/or Sunday subject to compliance with Section 10-4.421 of the Mining Ordinance. Occasional 24-hour operations to fulfill contract requirements are allowed within the regulations established in Section 10-4.421 of the mining ordinance. If nighttime mining is undertaken, mining equipment used on-site shall direct all lighting downwards toward the active work area. Any area lighting, including safety lighting for the conveyor, shall be minimized and directed downward to illuminate only specific work areas.
24. Prior to commencement of mining, the applicant shall provide documentation to the county that the following approvals have been secured or are not required:
 - Clean Water Act Section 404 Permit (U.S. Army Corps of Engineers);
 - Clean Water Act Section 401 Water Quality Certification (Central Valley RWQCB);
 - Waste Discharge Requirements (WDRs) for use of sediment fines from the Woodland plant site for reclamation of the project site (Central Valley RWQCB). These WDRs shall be obtained prior to use of such fines in reclamation;
 - SMARA Compliance Review (California Department of Conservation, Division of Mine Reclamation);

- Gas Well Abandonment Permit (California Department of Conservation, Division of Oil, Gas, and Geothermal Resources);
 - Water Well Abandonment Permit (County Environmental Health Division); and
 - Public Water System Permit (County Environmental Health Division).
25. The conveyor system, the proposed new water pipe for dewatering, and any other buildings or fixed equipment, shall be permitted by the building department and meet all applicable requirements of the Yolo County Flood Protection Ordinance. (County Building 12/10/2018)
26. Prior to building permit application, the applicant shall schedule a meeting with the building division to discuss use and occupancy classification, construction type, fire resistant construction, fire protection systems, egress, disabled access, and structural requirements for any proposed structures or fixed equipment. (County Building 12/10/2018)
27. Building and Fire permits in compliance with the California Building Code, California Fire Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, and California Green Building Code shall be required for all construction associated with this permit. (County Building 12/10/2018)
28. The applicant shall pay the appropriate fees prior to issuance of building permits, including but not limited to applicable school and fire district fees, county facility fees, and Environmental Health fees. (County Building 12/10/2018)
29. Site access for fire engines shall be coordinated with the local fire district chief. For more information please contact the Woodland/Springlelake Fire Department at (530) 661-5855 or fire-prevention@cityofwoodland.org. (County Building 12/10/2018)
- 29.2. Prior to commencement of mining activities on the project site, the applicant shall coordinate with Pacific Gas and Electric Company (PG&E) to determine whether the project is adjacent or within proximity to PG&E facilities or infrastructure, and undergo appropriate plan review and inspection.
- 29.4. A) Nighttime Notification Requirements. The plant operator shall notify, via email, the County of Yolo and residents located within 500 feet of the Woodland Plant site and/or the Shifler mining site of any night operations that will occur after 8:00 p.m., with estimated start and end dates, or other operational changes that may affect such residents. In addition, the operator shall add any property owners/residents beyond 500 feet of the Woodland Plant site and/or the Shifler mining site to the notification list upon request. The operator shall update the list every year to ensure that names, email addresses, and contact information are current. The notice shall state the dates and hours of nighttime activities, in addition to a contact name and phone number at the Woodland Plant. The notices shall be sent out to the property owners no less than one

week in advance of the nighttime activity if the date is known that far in advance. Because many jobs are scheduled only a day or so in advance, notice shall immediately be sent to the contact list as soon as evening work is scheduled.

B) Complaint Log Requirements. The operator shall provide the County of Yolo and residents located within 500 feet of the Woodland Plant site and/or the Shifler mining site with a 24-hour contact name, email address, and phone number in order to allow citizens a mechanism to voice concern or lodge a complaint over any aspect of the mining operation. In addition, Teichert shall provide this information to residents who live more than 500 feet from the Woodland Plant site and/or the Shifler mining site upon request. A complaint log shall be maintained with all pertinent information and such log shall be submitted to the County Natural Resources Division at the end of every work week.

AGRICULTURAL RESOURCES

30. The Reclamation Plans shall reflect the requirements of Section 10-5.511 and 10-5.512 of the Reclamation Ordinance related to field drainage and field releveling of reclaimed agricultural fields.
31. The final distance between lowered surfaces reclaimed to agriculture and the average high groundwater shall not be less than five (5) feet, pursuant to the requirements of Section 10-5.516.
32. Deleted.
33. Deleted.
34. Upon completion of reclamation within each phase of the project, for land that will not be dedicated or deeded to the County, the operator shall enroll each parcel reclaimed to agriculture in a Williamson Act contract, and enter into a long-term easement or deed restriction satisfactory to the County, for the purpose of protecting the agricultural use of the reclaimed land in perpetuity.
35. The applicant shall complete the following, subject to approval by the County:
 - a) In accordance with the approved reclamation plan and conditions of approval, reclaim a minimum of 113.2 acres mined lands to agriculture, with enhancements to reclaimed soil quality and agricultural capacity as described in the proposed Reclamation Plan. This acreage and the calculations below will ultimately be based on the final Reclamation Plan.
 - b) Prior to the commencement of mining activity on any Prime Farmlands, Unique Farmlands, or Farmland of Statewide Importance, establish a permanent agricultural conservation easement on 408.9 acres (249.5 disturbed acres minus 113.2 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-g). The total acreage placed in permanent easement may be reduced to a minimum of 136.3 acres (249.5 disturbed acres minus 113.2 reclaimed 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 Prime Farmland.

c) Prior to the commencement of mining activity on any Prime Farmlands, Unique Farmlands, or Farmland of Statewide Importance, establish a permanent agricultural conservation easement on 17.5 acres (0.5 disturbed acres plus 8.25 disturbed acres, at a 2:1 ratio) of equivalent or better (in quality and capability). Farmland of Statewide Importance and Unique Farmland compliant with the requirements in County Code Sections 8-2.404(d) and 8-2.404(e-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. (2021 EIR MM 4.2-1)

AIR QUALITY

36. The Applicant shall comply with all applicable rules, regulations, and permit requirements of the Yolo Solano Air Quality Management District (YSAQMD) as may amended during the life of the permit, including the following standard measures during construction and operation to reduce emissions of equipment and vehicle exhaust:
- The project specifications shall include 13 CCR Sections 2480 and 2485, which limit the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds, both California- or non-California-based trucks) to five minutes at any location;
 - Grid power shall be used instead of diesel generators when the following conditions are feasible:
 - Grid power is available,
 - Construction is within 100 feet of the grid power source,
 - Portable electrical cabling is feasible, and
 - The grid power source is the proper voltage, amperage and can be connected without effect to the entity being supplied by the grid power.

- A schedule of low-emissions tune-ups shall be developed and such tune-ups shall be performed on all equipment, particularly for haul and delivery trucks under company ownership.
- The fleet of off road mobile equipment at the project site shall meet the requirements of the ARB In-Use Off Road Diesel Vehicle Regulation, as it applies to large fleets.
- Alternative-fuel-powered equipment (i.e. natural gas, biodiesel, and electric) shall be used when feasible.

ENERGY AND GREENHOUSE GAS EMISSIONS

37. Pursuant to Section 10-4.414.1 (Energy) of the Mining Ordinance, wherever practical and feasible, aggregate facilities shall use clean electric energy from the grid or install alternative on-site electricity generation systems to replace diesel equipment and reduce criteria pollutant emissions.
- 37.2. The Teichert Woodland plant and offices shall be powered by Valley Clean Energy (VCE) UltraGreen energy or equivalent 100 percent renewable/ 100 percent carbon-free electricity by December 31, 2025.
38. The operator shall install and maintain electric conveyors to transport aggregate from the mining area to the processing plant site.
39. 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:
 - Replacement of existing fossil fueled equipment with hybrid or electrically powered equipment;
 - Installation of additional renewable energy systems on-site;
 - Purchase of an increased proportion of electricity from renewable sources;
 - 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.

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-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. (2021 EIR MM 4.3-7)

40. 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. (2021 EIR MM 4.3-8).

The applicant shall install appropriate infrastructure to provide charging capacity for at least one employee, and infrastructure to provide for charging of electric haul trucks or machinery.

BIOLOGICAL RESOURCES

41. Approximately 1.67 acres of Valley Oak Woodland habitat in the northeast corner of the project site, north of the Moore Canal, near the Magnolia Canal, including 45 of 52 existing trees (larger than six inches diameter at breast height (DBH)) shall be avoided and protected. Pursuant to Section 10-4.436 of the Mining Ordinance, this habitat area shall be protected against damage and dust, including protective fencing a minimum of four (4) feet high. Roads and trail shall be routed out of the area and tree dripline to the greatest feasible extent.
42. Pursuant to Sections 10-4.433 (Soil Stockpiles), 10-5.508 (Erosion Control), 10-5.533 (Wetland Habitat), and 10-5.601(c)(1) of the Reclamation Ordinance, reclamation, restoration, vegetative erosion control, and similar activities shall utilize plant material and/seed mixes collected in the vicinity of the project site in order to control the origin of the genetic stock and provide the most site-adapted ecotypes. Native seeds, plants, and cuttings used for such activities shall be ecotypes of Cache Creek Watershed genetic origin including areas outside of Yolo County and of Yolo County genetic origin when materials are used that originate from outside of the Cache Creek Watershed.

43. Pursuant to Action 6.4-8 of the Off-Channel Mining Plan, Section 10-4.440 of the Mining Ordinance, and Section 10-5.523 of the Reclamation Ordinance, hedgerows or other vegetated buffers are required between restored habitat areas and adjoining farmland, and shall be designed using entirely native species. These hedgerows and buffers are intended to minimize the potential for riparian areas to serve as harbors for predators and insect pests. These buffers are intended to also reduce noise, dust, and spraying generated by agricultural operations. The Reclamation Plans shall be modified within six months of approval to include hedgerows separating the future lake and habitats areas from adjoining agriculture.
44. General – 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). The project applicant’s payment of Yolo HCP/NCCP fees shall fund acquisition of suitable habitat easements through the Yolo HCP/NCCP. Proof of payment of HCP/NCCP coverage and proof of fee payment shall be submitted to the Yolo Habitat Conservancy (YHC) and Natural Resources Division prior to the County issuing an HCP/NCCP Certificate of Approval and prior to the commencement of mining in any HCP/NCCP phase of disturbance. This requirement may be satisfied by phased payment of fees consistent with phased project approvals at the discretion of the YHC, in compliance with the following parameters:
- For purposes of Yolo HCP/NCCP compliance, each HCP/NCCP phase of disturbance shall generally be a minimum of fifty (50) acres in size. The project applicant may include one (1) smaller HCP/NCCP phase, approximately six (6) acres in size, located in the northeastern portion of the Project site. This smaller HCP/NCCP phase will encompass an area that will not be mined but will instead be used for the storage of material stockpiles and the parking of mining equipment and other construction vehicles.
 - At least 30 days prior to ground disturbance within any HCP/NCCP phase of disturbance, the project applicant will submit a written request and Yolo HCP/NCCP application for private projects to the County and the Yolo Habitat Conservancy (YHC), including a narrative description and illustration of the HCP/NCCP phase of disturbance and a summary of the land cover impacts and required mitigation associated with that HCP/NCCP phase.
 - Ground disturbance within an HCP/NCCP phase may not commence until the project applicant (i) remits payment of any applicable Yolo HCP/NCCP fees associated with the HCP/NCCP phase, (ii) implements any/all required AMMs associated with that HCP/NCCP phase, and (iii) the County issues an HCP/NCCP Certificate of Approval.

A delineation of the accepted HCP/NCCP phases of disturbance shall be on file with the YHC and the Natural Resources Division. (2021 EIR MM 4.4-1(a))

45. Valley Elderberry Longhorn Beetle – Prior to initiation of any ground-disturbing activities associated with the project, 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 AMMs, as set forth in Condition 44, above. (2021 EIR MM 4.4-1(a)) 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. (2021 EIR MM 4.4-1(b))
46. Western Pond Turtle – 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. (2021 EIR MM 4.4-1(c)) In addition, the project applicant will 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. (2021 EIR MM 4.4-1(d))
47. Northern Harrier and Short-Eared Owl – 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. 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 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. (2021 EIR MM 4.4-1(e))

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. 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. (2021 EIR MM 4.4-1(f))

48. Swainson’s Hawk and White-Tailed Kite – 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. (2021 EIR MM 4.4-1(g))

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. (2021 EIR MM 4.4-1(h))

49. Loggerhead Shrike – 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 shall occur between September 1 and February 14 to the maximum extent feasible. Alternatively, if project-related vegetation removal or earthmoving is required within 200 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 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. (2021 EIR 4.4-1(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. 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 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. (2021 EIR 4.4-1(j))

50. Other Nesting Raptors Protected Under the MBTA – 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. 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 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. (2021 EIR MM 4.4-1(k))

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. 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 mining has begun. The biologist shall submit a written summary of the monitoring results to the County. (2021 EIR MM 4.4-1(l))

51. Other Nesting Birds Protected Under the MBTA – Implement Mitigation Measures 4.4-1(i) and (j). (2021 EIR MM 4.4-1(m))

52. Foraging Habitat for Tricolored Blackbirds, Swainson’s Hawk, and White-Tailed Kite and Winter Foraging Habitat for Ferruginous Hawk and Merlin – 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. (2021 EIR MM 4.4-1(n))
53. Silver-Haired Bat, Western Red Bat, and Hoary Bat – Removal of the four trees identified as potential special-status bat species habitat in Figure 4.4-6 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).

Tree removal activities shall take place over a minimum of two days, with the first day consisting of trimming the canopy area to open the roosting area up to airflow. Final tree removal shall only occur after at least one night has passed since tree canopy trimming has been completed, to allow bats to wake from torpor and leave during darkness before the trunk of any tree is cut. Subject to the field determination of the biologist, tree trimming and removal shall occur only on days with temperatures above 50° F (to ensure bats are able to quickly become active and fly away during tree removal). 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. (2021 EIR MM 4.4-1(o))

CULTURAL AND TRIBAL CULTURAL RESOURCES

54. The applicant shall comply with Section 10-4-410(a) and (b) of the Mining Ordinance related to unknown non-Tribal cultural resources. Tribal Cultural Resources are addressed through Condition 56.
55. The operator shall implement annual worker awareness training that alerts project employees to the nature of paleontological and other non-Tribal archaeological and historic resources in the region, the laws that protect the resources, and responsibilities for reporting potential findings to appropriate authorities. This program shall be developed by a qualified cultural resource professional. Awareness training for Tribal Cultural Resources is addressed in Condition 56.
56. Develop and Implement a Tribal Cultural Resources Monitoring Plan – 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.

- **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. At a minimum, training shall be conducted annually.
- **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.
- **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.
- **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.
- **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 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.

- Other Procedures and Requirements – Timing and procedures for other relevant actions necessary to implement the Monitoring Plan.

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. (2021 EIR MM 4.5-3 and 4.5-4)

GEOLOGY AND SOILS, MINERAL RESOURCES, AND PALEONTOLOGICAL RESOURCES

57. Pursuant to Section 10-4.432 of the Mining Ordinance, soil shall be cut in maximum depths in order to minimize traffic and limit compaction. The handling and transportation of soil shall be minimized. To the extent feasible, all handling of topsoil shall be accomplished when the soil is dry in order to avoid undue compaction. Pursuant to Section 10-5.531 of the Reclamation Ordinance, where areas are to be reclaimed to agricultural usage, all A and B horizon soil shall be ripped to a depth of three (3) feet after every two (2) foot layer of soil is laid down, in order to minimize compaction.
58. The applicant shall satisfy the requirements of Section 10-5.532 of the Reclamation Ordinance related to use of overburden and fine sediments in reclamation.
59. Reclamation slopes shall be constructed using stockpiled overburden materials. Reclamation fill shall be compacted in horizontal lifts not exceeding 8 inches (loose thickness). Each lift shall be moisture-conditioned to at least 2% above optimum and compacted to at least 90% relative compaction as determined by the latest American Society for Testing and materials (ASTM) D1557 Test Procedure. (Geocon 5/25/2016) For reclaimed agricultural fields, the applicant shall use feasible resoiling methods that minimize compaction.
60. Reclamation shall occur concurrently with mining, and final reclamation shall occur within two years of completion of mining. Mining slopes shall not be left exposed throughout the winter months without a program of active monitoring and ongoing slope maintenance. (Geocon 5/25/2016)
61. Mining shall not be conducted within 50 feet of the Moore or Magnolia Canal. Mining and reclamation activities adjacent to the Moore and Magnolia Canals shall be coordinated with the Yolo County Flood Control and Water Conservation District. (Geocon 5/25/2016)
62. Slopes exposed to rain and surface runoff are susceptible to erosion and surficial degradation. Appropriate erosion control measures and best management practice (BMP) devices shall be installed to reduce long-term slope degradation. (Geocon 5/25/2016)

63. The applicant shall train onsite workers annually regarding seismic safety issues, including appropriate actions to be taken during a seismic event. (Geocon 5/25/2016)
64. During mining operations, the applicant shall have sufficient materials and equipment available to repair slopes due to surficial sloughing and/or erosion. (Geocon 5/25/2016)
65. Exposed slopes shall be inspected by a geotechnical engineer or certified engineering geologist every 10 to 15 feet of excavation depth or at least once per year for subsurface conditions that could affect slope stability.
66. 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 in the Mining Ordinance 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 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. (2021 EIR MM 4.6-5)

HAZARDS AND HAZARDOUS MATERIAL

67. The Teichert Woodland Plant is already registered in the CUPA program for hazardous materials, hazardous waste, aboveground storage tanks, and waste tires. The proposed project site may be incorporated under the Teichert Woodland plant for the CUPA program or it may need to be registered separately. To determine CUPA program requirements for the proposed project site, call the YCEH office at 530-666-8646 and ask to speak with a Hazardous Materials Specialist. (County Environmental Health 12/18/2018 and 6/18/2020)
68. Comply with Section 10-4.420.1 of the County Mining Ordinance and 10-5.517 of the County Reclamation Ordinance related to Mercury Bioaccumulation in Wildlife.
69. The applicant shall coordinate with the Sacramento-Yolo Mosquito and Vector Control District to identify and implement project-specific best management practices for mosquito reduction and control at the ponds and elsewhere on the site, as appropriate.

70. Use of the Woodland processing plant shall cease upon cessation of mining on the site by Teichert. The Woodland plant shall be decommissioned (included but not limited to removal of all equipment above and below ground and any necessary remediation, particularly soil clean up from oil and fluid spills) prior to reclamation.
71. 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. (2021 EIR MM 4.7-2(a))
72. 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 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. (2021 EIR MM 4.7-2(b))
73. 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:
 - 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.
 - Hazardous materials shall be disposed of at an approved disposal site and shall only be hauled by a current California registered 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.

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. (2021 EIR MM 4.7-2(c))

HYDROLOGY AND WATER QUALITY

74. Construction Storm Water General Permit – Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. If required, the Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). (CVRWQCB 11/28/2018)
75. Industrial Storm Water General Permit – Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. (CVRWQCB 11/28/2018)
76. Clean Water Act Section 404 Permit – If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Wildlife for information on Streambed Alteration Permit requirements. (CVRWQCB 11/28/2018)
77. Measures shall be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediments controls shall be implemented on site to achieve this end. (USACOE 6/3/2020)
78. Clean Water Act Section 401 Permit – Water Quality Certification. If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. (CVRWQCB 11/28/2018)

79. Waste Discharge Requirements – Discharges to Waters of the State. If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. (CVRWQCB 11/28/2018)
- 79.2 Waste Discharge Requirements – Discharges to Land. Prior to discharge of processing fines to the mining site for use in reclamation or other waste discharge to the mining site, the property owner and operator (together) are required to have WDRs or other documents from the Regional Water Quality Control Board allowing discharge to land of mining waste. A report of waste discharge must be submitted with the proper filling fees. (CVRWQCB 11/1/2021)
80. Dewatering Permit – If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge. (CVRWQCB 11/28/2018)
81. Regulatory Compliance for Commercially Irrigated Agriculture – If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:
- **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website.
 - **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order RS-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are

currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov. (CVRWQCB 11/28/2018)

82. Limited Threat General NPDES Permit – If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. (CVRWQCB 11/28/2018)
83. NPDES Permit – If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. (CVRWQCB 11/28/2018)
84. Unused Well – There are two unused wells within the project area. One of these wells may be converted to a monitoring well. Unused wells, with no plan to reestablish use within a year, shall be abandoned under an approved YCEH Well Abandonment Permit. All wells shall be maintained to prevent surface contamination of aquifers and to promote public safety at all times. If an unused well will be converted to a monitoring well and the conversion requires the well to be opened, a well reconstruction permit from YCEH is required. Otherwise, the well may be utilized as a monitoring well without a YCEH permit. Monitoring wells must be installed and destroyed under an approved YCEH permit. (County Environmental Health 12/18/2018 and 6/18/2020)
85. Public Water System – A public water system is defined as a water system that provides water for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year. If the mining and/or plant site qualifies as a public water system, permits shall be secured through the YCEH office. (County Environmental Health 12/18/2018 and 6/18/2020)
86. Onsite Wastewater treatment system (Septic System) – Flushable toilets must be provided by a place of business where persons are employed, unless the Environmental Health Director has deemed that special circumstances warrant a non-discharging wastewater disposal unit (such as a portable toilet). Portable toilets must still meet the same setback requirements as a septic tank, including a 100 foot setback from any wells. (County Environmental Health 12/18/2018 and 6/18/2020)

87. In order to protect surface water and groundwater quality, the applicant shall comply with National Pollution Discharge Elimination System (NPDES) requirements by implementing a project Stormwater Pollution Prevention Plan (SWPPP), if required by the RWQCB. If the RWQCB does not require a SWPPP, the applicant shall implement an equivalent plan regulated by the County Division of Public Works.
88. Mining is authorized to be conducted within the 700-foot Streamway Influence Zone setback, but no closer than 250 feet to the active channel. Section 10-5.506 of the Reclamation Ordinance requires that the financial assurances shall include adequate funding for maintenance during the mining and reclamation period of bank stabilization features identified in the Streambank Stabilization Plan (SSP). Additional requirements of Section 10-5.506 shall apply including a mechanism to disclose ongoing maintenance and repair responsibility for bank stabilization features constructed pursuant to the SSP.
89. The applicant may conduct dewatering activities at the project site in-lieu of pumping groundwater solely from a well as part of the proposed surface mining operations on the project site subject to the following conditions (see also conditions 80 and 82):
 - Groundwater pumping rate from the Shifler mining area may not exceed 3,500 gallons per minute (gpm), consistent with the maximum pumping rate for dewatering at the Esparto site.
 - Annual water use may not exceed 1,910 acre-feet/year (average steady state flow rate of 1,184 gpm or 227,920 cubic feet per day based on 24 hours/day, 365 days/year operations).
 - Off-site use or discharge of pumped groundwater shall not occur. Groundwater from the Shifler mining area would be pumped through a new water pipe to the adjacent Woodland plant for use in aggregate processing. Aggregate wash water from the Woodland plant would be discharged to the Shifler mining area in accordance with WDRs to be specified by the RWQCB.
 - Pursuant to Section 10-4.412 of the Mining Ordinance, groundwater levels shall be monitored quarterly and groundwater pumping volumes shall be recorded. Prior to and for the duration of dewatering activities, the applicant shall: 1) monitor water levels in the wet pit(s), and nearby monitoring wells on a quarterly basis; and 2) quantify the amount of water pumped from and returned to the wet pit(s). This monitoring data shall be reviewed by the applicant's Professional Engineer or Professional Geologist to determine whether any adverse impacts are occurring. Documentation of the monitoring and data evaluation shall be submitted the County annually. If adverse impacts are found to be occurring, dewatering activities will be modified to eliminate adverse impacts, or the applicant shall otherwise mitigate impacts to the satisfaction of the County, and in compliance with the requirements of Section 104.412 of the Mining Ordinance.

- Pursuant to Section 10-4.412 of the Mining Ordinance, pump systems used to dewater the wet pits shall be powered by electricity (i.e., through connection to power lines) or solar power.
90. 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 conceptually in red 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, or another similar improvement which achieves the same objectives. The design, location, and placement of this improvement shall be described in a Streambank Stabilization Plan (SSP) subject to review by the Cache Creek TAC and approval by the County in conjunction with issuance of a Flood Hazard Development Permit (FHDP) to allow for construction of the improvement. (2021 EIR MM 4.8-4(a))
91. 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 green 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. Where allowable 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. The design, parameters, and placement of this improvement shall be described in a Streambank Stabilization Plan (SSP) subject to review by the Cache Creek TAC and approval by the County in conjunction with issuance of a Flood Hazard Development Permit (FHDP) to allow for construction of the improvement. (2021 EIR MM 4.8-4(b))

NOISE

92. Comply with the performance standards included in Section 10-4.422 (Noise: Sonic Safety Devices) of the Mining Ordinance as related to night-time mining within 1,500 feet of a residence.

93. The applicant shall implement the following, to the satisfaction of the Yolo County Department of Community Services:

- 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 the Draft EIR) shall be limited to 15 minutes per hour; **OR**
- 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.

In addition, the applicant shall implement the following, to the satisfaction of the Yolo County Department of Community Services, to further reduce the potential for annoyance associated with proposed excavation activities:

- Excavation activities occurring within 560 feet of an existing residence shall be limited to the hours of 6:00 a.m. to 6:00 a.m. until such time as the excavation equipment has recessed in the pit a sufficient depth to no longer be visible from the nearest residences.
- 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. (2021 EIR MM 4.10-1(a))
- A noise assessment shall be conducted by a qualified noise professional acceptable to the County to verify compliance with the conditions above and the mining noise regulations.

94. A noise survey shall be conducted following the installation and operation of proposed new equipment (including equipment in use currently at the Esparto plant and proposed to be transferred to the Woodland plant) 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. If the survey results indicate the additional equipment has resulted in a substantial increase in processing plant noise emissions (in excess of 5 decibels (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:

- Construct localized noise barriers adjacent to ground level equipment determined to be responsible for substantial increases in ambient noise levels.
- 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. (2021 EIR MM 4.10-1(b))

- 94.2. Teichert shall repave County Road 20 from County Road 98/State Route 16 to its terminus at the Teichert Woodland Plant, and repave County Road 96 from County Road 20 to State Route 16 with rubberized asphalt no later than June 30, 2025.

TRANSPORTATION AND CIRCULATION

95. Within three years of project approval, the applicant shall install a paved shoulder, and 5 percent sloped aggregate base shoulders with a 2:1 back slope, along both sides of County Road 96 similar to County of Yolo Improvement Standards Drawing No. 4-8, for the approximate one-mile segment between County Road 20 and State Route 16. Engineered improvement plans shall be reviewed and approved by the County Engineer, and an encroachment permit shall be issued prior to beginning this work within the County right-of-way.
96. Except for local deliveries, the operator is restricted to use of the following approved haul route for all transport: County Road 20 from the Woodland plant entrance to County Road 98 and from that point north on State Route 16 (County Road 98) to Interstate 5; and County Road 20 from the Woodland plant entrance to County Road 96 and from that point south on County Road 96 to State Route 16, and west to Interstate 505. The operator shall abide by this condition and the specific requirements of Section 10-4.419. County Road 94B is not an approved haul route. Haul trucks are prohibited from using this road unless making a local delivery.
97. Pursuant to Section 10-4.408 (County Road Improvements) the applicant shall pay for any road improvements determined to be necessary to support their operation consistent with County and CCAP standards, and for ongoing operations and maintenance. Based on current

pavement conditions, significant road rehabilitation is anticipated to be required on the approved haul routes over the life of the permit.

98. Pursuant to Section 10-4.409 (County Road Maintenance), the applicant shall assume joint pavement maintenance responsibility with Yolo County on County Road 20 from the project entrance to County Road 98, and on County Road 96 from County Road 20 to State Route 16.
99. The applicant shall contribute their fair share of the costs of design and construction of a traffic signal, left turn or merge lane, or other traffic control mechanism at State Route 16 and Wildwing Drive, if such an improvement is undertaken.
100. 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 Program shall be designed to reduce employee commute VMT to the maximum extent feasible. Feasible trip reduction strategies may include, but are not limited to, development of an employer-led program that considers: carpooling encouragement; ride-matching assistance; and vanpool assistance. (2021 EIR MM 4.12-2)