ATTACHMENT M

COMMENTS RECEIVED PRIOR
TO THE BOARD OF
SUPERVISORS MEETING ON
DECEMBER 9, 2025,
AGENDA ITEM NO. 43

Julie Dachtler

From: Aaron Gomperts <aarongomperts@gmail.com>
Sent: Monday, December 8, 2025 9:10 AM
To: Clerkoftheboard
Subject: I Oppose CEMEX Mining Permit

To the Yolo County Board of Supervisors,

I am writing to express that I strongly oppose the proposed permit to allow CEMEX to continue their destructive gravel mining in Cache Creek.

A healthier Cache Creek is not only possible, but hugely important - its springs are sacred to the Patwin people, and restored marshes are vital for biofiltration, carbon sequestration, and climate resilience.

CEMEX's plan to dig deep pits threatens the sustainability of our groundwater, creates methyl mercury contamination, and would increase the threat of mosquitoes. All the while CEMEX has provided zero mitigation measures in their environmental report.

As a resident of YOLO county, I urge you to block CEMEX's mining permit.

Sincerely,

Aaron Gomperts

Julie Dachtler

From: AJ <amenoartemis@gmail.com>
Sent: Thursday, December 4, 2025 8:44 PM
To: Clerkoftheboard
Subject: RE: Opposition to CEMEX mining near Madison, CA

Dear Yolo County Board of Supervisors:

I want to register my opposition to the mining expansion application submitted by CEMEX near Madison for the following reasons:

- The emissions are being underestimated and should be recalculated based on state and county emissions targets
- There's no specific GHG emissions reduction plan. They say they will develop a plan to mitigate their significant emissions AFTER the application is approved
- Cemex will likely use dubious out-of-state offsets to mitigate their emissions
- The reclamation plan that determines how the lands will be restored and reclaimed by 2052 prioritizes restoring agriculture and two large "lake features" rather than a climate resilient floodplain.
- These lands were once rich riparian forests that extended out a mile on either side of Cache Creek and sustained Puhtwin-WIntun indigenous communities for millennia. They should be restored as quickly as possible under the direction of the Native Californian cultural practitioners that have decades of expertise in restoring the gravel pit at the Cache Creek Nature Preserve
- Rural Yolo County will be left with an impoverished, blighted creek corridor. The county's plans for a recreational parkway are out of touch with climate reality.

I urge the Board to deny the application and protect our communities from the pollution produced by the cement industry.

Regards,

AJ cho

Julie Dachtler

From: Alan Pryor <alanpryor21@gmail.com>
Sent: Monday, December 8, 2025 9:08 AM
To: Clerkoftheboard
Subject: Comments pertaining to the CEMEX Mine Permit Application
Attachments: Comments to BOS re Policy Considerations and Questions to Ask Before Certification_12-9-25.pdf; Potential Restoration Costs for the CEMEX Cache Creek Mining Sites_12-7-25.pdf

Dear Supervisors -

Attached are our comments pertaining to the CEMEX Mine Permit Application (as *Comments to BOS re Policy Considerations and Questions to Ask Before Certification_12-9-25.pdf*). This document extensively discloses the failures by CEMEX to reclaim a single acre of farmland despite 30 years of attempting to do so. It also discloses the ongoing violations by CEMEX of the County's Surface Mining Reclamation Ordinance by failing to implement Lake Management Plans despite the note by Dr. Slotten in 2020 that it was appropriate to do so based on the past 10 years of excessively high methyl mercury concentrations in their impoundment pits. *We do not believe the FEIR adequately discloses, analyses, and evaluates these project shortcomings and is thus not eligible for certification under CEQA guidelines.*

Additionally, we have looked at the alternative costs to reclaim and restore ag lands and habitat and to fill in the impoundment pits if subsequent efforts by CEMEX to remediate the excessively high methyl mercury concentrations fail. As shown in the additional attached document (as *Potential Restoration Costs for the CEMEX Cache Creek Mining Sites_12-7-25.pdf*), *we believe a failure by CEMEX to meet their reclamation and restoration obligations could alternatively cost over $144 million in agricultural land easement costs, habitat restoration costs, and cost to fill in CEMEX's impoundment pits should methyl mercury remediation efforts fail. Yet the Surety Bond posted by CEMEX to meet their obligations is only $5,519,240 which represents only 3.8% of the total potential alternative reclamation and restoration costs*. This substantial shortcoming and potential liability can only be remedied by *increasing the amount of the Surety Bond posted by CEMEX by at least an order of magnitude* to avoid a financial obligation that could functionally bankrupt the County.

Thank you for your consideration of this information.

Respectfully submitted,

Alan Pryor

Memorandum

To: Yolo Co. Board of Supervisors
From: Alan Pryor
Date: December 8, 2025
Re: The Proposed CEMEX Mining Project's EIR is Seriously Deficient in Disclosure and Analysis of their Agricultural Reclamation and Methyl Mercury Remediation Program Failures

EXECUTIVE SUMMARY

Since the release of the CEMEX DEIR in March 2024, substantial additional information has come to light that was not properly disclosed, analyzed, or discussed in the FEIR nor has it been publicly presented to the Board of Supervisors in a sufficient manner. These deficiencies have rendered the FEIR incomplete and not legally suitable for certification.

Much of this information has only become available since February of this year beginning when the Sierra Club began copying you on information that was sent to the Planning Commission which extensively documented the shortcomings in the performance of CEMEX surface mining program, as follows:

1) CEMEX has been and is in current violation of the County's Surface Mining Reclamation Ordinance

As we have previously extensively disclosed, CEMEX was year's late in reporting excessive methyl mercury monitoring data and is still long-overdue in the implementation of statutorily-required Lake Management Plans. This is in direct violation of the County's *Surface Mining Reclamation Ordinance* and the California *Surface Mining and Reclamation Act (SMARA).* These deficiencies were not disclosed in the DEIR or FEIR resulting in deficiencies rendering the FEIR unfit for certification

2) There are substantial shortcomings in the currently proposed CEMEX mining project in terms of the likelihood of achieving their agricultural reclamation plans and methyl mercury remediation plans in their wet impoundment pit

In fact, CEMEX has completely failed thus far in all of their environmental restoration and reclamation obligations. This is especially true given their abysmal agricultural reclamation track record over the past 30 years and their complete failure to solve their methyl mercury contamination problems in any of their pits.

Even after 30 years of operation, CEMEX has **i)** not reclaimed 1 single acre of agricultural land to its former prime condition , **ii)** not restored one single acre of habitat, and **iii)** not resolved their excessive methyl mercury problems in any of their current 3 wet impoundment pits. Indeed, CEMEX is now proposing to fill in these current impoundment pits and construct 2 even larger pits in a different location on their mining site. These shortcomings are documented and discussed in

much greater detail in the following section of this communication (see "*LACK OF DISCLOSURE AND MISREPRESENTATIONS REGARDING AGRICULTURAL RECLAMATION AND METHYL MERCURY CONTAMINATION IN WET IMPOUNDMENT PITS*" below**)**

3) The CEMEX Surety Bonds are grossly insufficient and may satisfy only about 4% of potential total reclamation and restoration costs

As shown in the attached analysis (see "*Potential Yolo County Liability for Restoration and Reclamation Costs for the CEMEX Off-Channel Mining Site on Cache Creek* "), the estimated total potential alternative reclamation/restoration costs for the CEMEX mining properties that might be incurred if current efforts by CEMEX fail and they are unwilling or unable to provide additional efforts and financing are summarized as follows:

i) Agricultural Easements for 174 acres of unreclaimed farmland = $ 10,548,720
ii) Cost to fill in 204 acres of impoundment pits with external fill = $130,331,520
iii) Cost to reclaim 174 acres of habitat = $ 3,927,180
Total Potential Reclamation and Restoration Costs = $144,807,420

However, ***the current Surety Bond posted by CEMEX for their entire mining site is only $5,519,240. This represents only 3.8% of the total potential alternative reclamation and restoration costs****.*

Thus, if CEMEX **i)** fails in their efforts to reclaim the designated agricultural lands to their former prime condition forcing easement placements on other prime farmlands, **ii)** fails in their efforts to remediate excessive concentrations of methyl mercury in the impoundment pits forcing the filling of the pits, or **iii)** fails in their efforts to restore the designated habitat to agreed upon standards requiring extensive additional outlays, the County can collect the surety bond posted by CEMEX.

But if CEMEX otherwise refuses or is financially unable to provide additional funds over and above the posted surety bond amount, the County must bear the difference in the costs of reclamation, restoration, or filling in the wet impoundment pits. T**his difference is equal to $139,288,180 ($144,807,420 potential restoration/reclamation costs less $5,519,240 Surety Bond posted)**. Thus, failure of this single mine to fulfill their obligations to the County could functionally bankrupt the County if it is otherwise forced to become the payer of last resort . And the CEMEX mine is only one of numerous other mines that are facing similar restoration/reclamation problems.

4. The Planning Commission merely accepted the Staff Report without questioning critical, but erroneous, assumptions in the Staff Report and the DEIR/FEIR

Additionally, we do not believe that a comprehensive review of the project has been made by the Planning Commission. In particular, we posed a series of questions we believed needed to be objectively answered by the Planning Commission to verify the accuracy of information presented in the DEIR and Staff Report to be sufficiently informed to evaluate the merits of the CEMEX application and the sufficiency of the CEMEX FEIR.

However, one Planning Commissioner opined during their recent deliberations that they did not believe that it was the responsibility of the Planning Commission to question statements in the Staff Report. Instead it was stated that this is the responsibility of the Supervisors in their later deliberations.

Yet in recent conversations we have had with Supervisors and/or their Staff, it was stated several times that the Supervisors have to rely on the informed decision of the Planning Commission in coming to their conclusions because they do not otherwise have the time to wade into the minutia of such complicated proposals.

I'm sure you see the irony and/or disconnect in these conflicting statements. *Either the Planning Commission or the BOS must ask the tough questions of Staff and CEMEX to get straight, objective answers before a reasonably informed decision on this project can be made and the FEIR certified*.

5. The statutorily required 10-year triennial review of the CCAP is wrongfully deferred until after CEMEX's new entitlements are granted

Staff has recently claimed that all of these questions we raised can be addressed in the triennial review of the Cache Creek Area Plan (CCAP) they claim is now due in 2029. However, the triennial review is actually due in 2026 and NOT in 2029 as reported by Staff. The initial CCAP was approved in 1996 with the stipulation that it be reviewed and updated every 10 years. That would be in 2006, 2016, and 2026. The first review was done on time in 2006. Then, for unexplained reasons, the next review was not done until 2019 (13 years after the first review.) Staff is now wrongfully claiming that the next review is not due until ten years after the last late review instead of 30 years after the initial promulgation of the CCAP *as explicitly required by the CCAP itself*.

However, the failure of Staff to perform the mandatory update on time in 2016 does not relieve the County of the obligation specified in the CCAP to perform the 3rd review on the 30th anniversary of the CCAP...or in 2026. It is otherwise irresponsible to rush push forward CEMEX's permit application, otherwise not expiring until 2027, prior to the mandatory review of the CCAP.

6. The water in the numerous wet impoundment pits undergoes substantial evaporation. The water in the impoundment pits is replenished almost solely by groundwater. Previously, the DEIR said there was NO IMPACT ON GROUNDWATER by mining operations because all of the wash water from processing is returned to the wet impoundment pits.

The DEIR was otherwise completely silent on the adverse impacts of these evaporative losses on groundwater. Several months ago, I sent a memo to the County indicating my calculations showed as much as 4-8 acre-ft of water losses per year from evaporation which would undeniably impact the levels of groundwater near the gravel and sand mines.

In response to this disclosure, the FEIR did include a brief memo that indicated for the first time, *contrary to the assertions of the DEIR* that there was no material water losses resulting from the

project. *Yet the FEIR is completely silent on the adverse impacts of these evaporative losses on groundwater* itself.

In fact, in a report to the County BOS by Kristin Sicke on February 23, 2022, she presented a graph showing the location of all of the monitoring wells in the County with an adjoining table of the depth to water drops in all of these wells. The table unmistakably showed that *the 2 monitoring wells (Nos. 1 and 15) immediately downgradient from CEMEX and the other mines (and located in the already stressed Hungry Hollow sub-basin) showed the highest depth to water drops of any monitoring wells in the County!* The fact that none of this information is disclosed, evaluated, and discussed in the DEIR/FEIR is a critical shortcoming and the FEIR cannot be rightfully certified until this serious oversight is remedied.

Conclusions - As a result of these serious process and demonstrable disclosure shortcomings in the FEIR, *we strongly urge you to NOT certify the FEIR and pause this application for expansion of CEMEX mining allotments and their proposed reconfiguration of their reclamation and restoration obligations* ***until*** *you have an independent technical advisory body or registered engineers specializing in the agriculture, geomorphology, and groundwater hydrology analyze the representations made by CEMEX and in the EIR*.

We also note that the County has lost all 3 of it's key people responsible for administration, monitoring, and enforcement of the CCAP and the CEMEX mining operation and evaluation of CEMEX's current request for expansion of their mining operations. The question that is begging to be asked is, "*Who was responsible on Staff for the preparation of the Staff Report now before you to ensure it is accurate and all assumptions are confirmed?*" You simply cannot rely on the verbal representations of a CEMEX consultant and we believe that the County should demand that an official of CEMEX itself sign and attest to the accuracy and validity of the claims otherwise made on behalf of CEMEX.

Additionally, given the shortcomings of the current CEMEX mining project in terms of agricultural reclamation and ongoing methyl mercury contamination problems, it is incumbent on the County to complete the triennial review of the CCAP on time in 2016 before granting CEMEX a 20 year extension of the mining entitlements. These expansive entitlements grant them an additional 20 million tons of sand and gravel extraction over the next 20 years. This is even more true since their current mining permit is not up until 2027 – *after the required completion of the CCAP update*.

Especially in light of these demonstrable shortcomings in CEMEX's performance of their mining program obligations, there is simply no need to fast track CEMEX's current application and we believe it is irresponsible to do so until a review of the impact of CEMEX's proposed changes in their mining site footprint are evaluated by independent outside engineers.

_____

LACK OF DISCLOSURE AND MISREPRESENTATIONS REGARDING AGRICULTURAL RECLAMATION AND METHYL MERCURY CONTAMINATION IN WET IMPOUNDMENT PITS

Introduction

Even after 30 years of operation under Yolo County's Cache Creek Area Plan, the following facts are not in dispute

- Not a single acre of farmland has been successfully reclaimed by CEMEX and is in ongoing commercial crop production even after attempting such reclamation starting as long as 30 years ago. In fact, this actually includes the failed conversion of a former impoundment pit into productive farmland.
- All of the wet impoundment pits at CEMEX have been continuously contaminated with methyl mercury to some degree for at least the last 10 years and absolutely no remediation has yet been performed.

But now CEMEX wants to dramatically increase total production at their mining site by 20 million tons and inexplicably asks for permission to fill in their two largest contaminated wet impoundment pits (partially with mining waste) and convert it back to good agriculture land - exactly what they have failed to do for the last 30 years.

And they want to construct 2 more even larger impoundment pits. But CEMEX has never successfully constructed any large wet impoundment pits in the past that have not been contaminated with methyl mercury to some degree.

Basically, CEMEX wants to kick all of their reclamation responsibilities 20-years down the road and is saying, "*Trust us...we'll do better next time.*" Well, we are mindful of the old saying, "*Fool us once, shame on you. Fool us twice, shame on us*."

The remainder of this section goes through this long history of CEMEX's farmland reclamation failures and additional failures to construct wet impoundment pits without methyl mercury contamination.

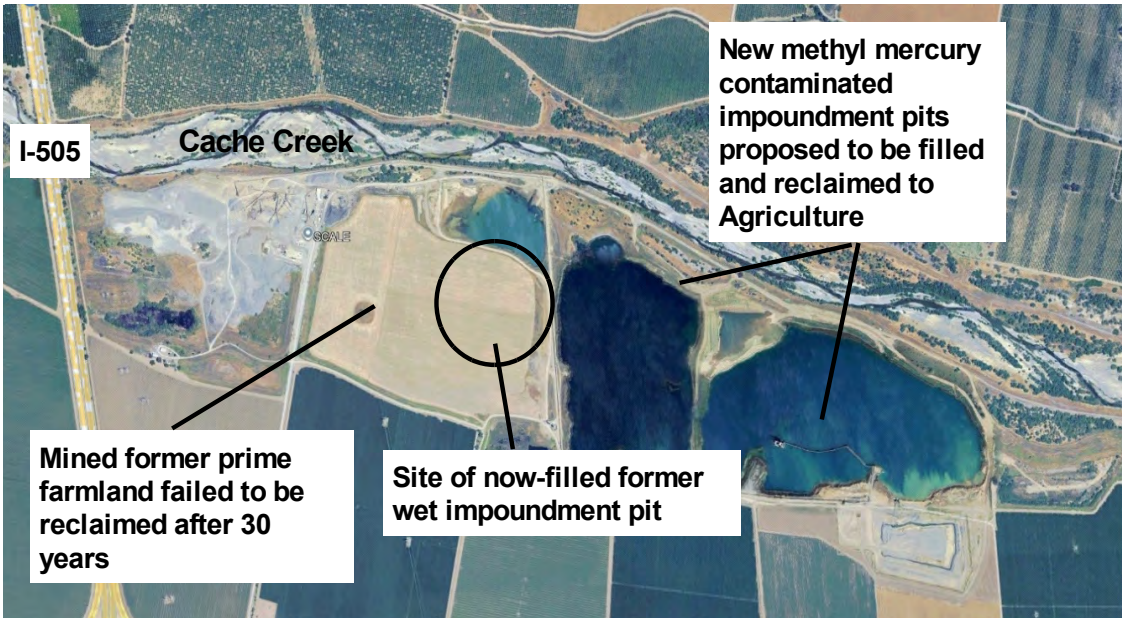
Summary of CEMEX's Agricultural Reclamation Failures

CEMEX has repeatedly failed to reclaim a single acre of farmland even after trying for 30 Years. In particular, CEMEX has been trying to reclaim about 68 acres of former mined lands into productive farmland starting with a small plot in 1997 as disclosed in the House Agricultural Consultants report ("the House Report"). Indeed, part of those lands for which CEMEX unsuccessfully tried to reclaim was actually a former wet impoundment pit itself as shown on the following photos from 2002 and 2024 downloaded from Google Earth. These photos show that the wet impoundment pit present in the 2002 photo was subsequently filled in and attempted to be farmed in the 2024 photo.

September 2002 Photo of CEMEX mining site

By 2002, agricultural reclamation efforts had already started five years earlier in the formerly mined adjacent field to the west of the impoundment pit. However, those earlier were unsuccessful in meeting either the state-mandated productivity standards or achieve soil quality similar to that existing prior to mining.. Subsequently, the impoundment pit shown above was filled in and agricultural reclamation activities were also attempted on that location.

Two new wet impoundment pits were then constructed to the east of the former pit as shown in the following photo. But filling in the former wet impoundment pit and attempted reclamation has also not resulted in any successfully reclaimed agricultural acreage.



June 2024 Photo of CEMEX mining site

Now almost 30 years later, CEMEX is again actually asking for approval to now fill in these newer, contaminated wet impoundment pits to again try to convert them to agriculture. But, based on past performance, successful reclamation is very unlikely because CEMEX has already objectively failed to successfully convert even a single acre of formerly mined lands to viable agriculture - *even after trying for almost 30 years*! Indeed, within the House Report itself there is substantial evidence that post-mined reclaimed farmland cannot ever be reclaimed back to its original agricultural "Prime" quality.

This is because in addition to the state-mandated requirement that agriculturally reclaimed former mining sites produce two successive years of crops meeting local productivity standards, the Yolo County *Surface Mining Reclamation Ordinance* also explicitly requires that farmland will be reclaimed to its original quality and "*of good health, supporting earthworm populations and microbial health, such that the soils can support equivalent agriculture production*".

In 2021, the County commissioned a report from an agricultural consultant, *House Agricultural Consultants*, to determine compliance of mining companies in restoring former off channel mine to agricultural use per the requirements of the Reclamation Ordinance (see Assessment of Reclamation of Mined Lands to Agriculture under the Yolo County CCAP - the "House Report").

In their report the County's consultant acknowledges that "*the literature reflects that reclaimed soils are not the same quality as original soils due to loss of soil structure and organic matter during the period of mining when the top soils are stockpiled for later use. The literature also reflects challenges in managing production on reclaimed fields.*"

This is because the very process of removing and stockpiling the original topsoil for later placement back onto land to be reclaimed reduces the organic carbon content and degrades the stockpiled soil. In the stockpiling process, soil organisms are starved and they will eventually die and the soil will no longer contain sufficient living organisms to carry on the biological and chemical processes needed for healthy plant growth.

Consistent with this observation, the House Report indicated *none of the soils on the site have been reclaimed* and the site has not been farmed since the deposition of added soil in 2017. We understand, however, that an additional effort to farm the designated agricultural lands at CEMEX since the release of the House Report but that this has also resulted in low productivity not meeting the state-mandated minimum standards for reclamation.

The Report also recognizes the unrealistic agronomic expectations for reclamation of agricultural lands concluding that "*while crops grown on reclaimed agricultural land can reach desired productivity standards . . . the soils themselves will not match the pre-mining quality or productivity.*" The Report further recognized the unrealistic objective "*to maintain soil productivity at a level equal to or greater than that prior to mining*". But this is exactly what is required in the *Surface Mining Reclamation Ordinance*.

Thus, due to the time and costs to restore productivity after reclamation and the many limitations of the reclaimed land and the time and expense involved in reclaiming the land, the House Report

concludes that given the economic realities of farming, "*some farmers may not be interested in the economic limitations presented by the more limited range of crops that the reclaimed lands can successfully support*." This is confirmed by the fact that the Muller site (as discussed below) has not been farmed at all since it was declared "reclaimed" by the County 17 years ago.

Nevertheless, CEMEX is arguing that based upon the House Report, reclamation to agriculture is a viable end use and that the House Report's result supports the conclusion that the required standards for agricultural reclamation can be achieved – despite the fact that CEMEX has been unable to do so for 30 years. But this conclusion seemingly ignores the House Report's conclusion that "*the productivity may be lower compared to native agricultural soils*" which conflicts with the requirement that Prime Farmland be reclaimed to the equivalent quality and capacity to existing Prime Farmland permanently converted as a result of the project. The record demonstrates that this likely cannot be achieved.

Thus, not only can the Prime Farmlands not be restored to the equivalent quality and capacity, the House Report concludes that even in instances where it might be technically feasible, it is not economically feasible given the amount of time and expense incurred. Neither CEMEX nor the County has presented any substantial evidence to the contrary.

In the recent Planning Commission meeting in which this matter was approved to forward to you, the CEMEX consultant otherwise claimed that "substantial" progress was being made in their agricultural reclamation program efforts and there was a pathway to full reclamation and future economic viability. But the CEMEX consultant did not note the obvious fact that over the past 30 years no CEMEX lands have yet met the 2-year productivity standards for reclamation much less actually returning the land to "prime condition" as required by the *Surface Mining Reclamation Ordinance.*

Although the Report indicated that "*The annual crop yields reported by Steve Sagara indicate that successive small portions of the site which were farmed after resoiling actually produced yields in excess of the established benchmark yields*", this was only accomplished on "*small portions of the site*" and not sufficiently replicable to meet the state mandated production standards in successive years

The House Report otherwise specifically noted the following poor soil conditions on inspection of the CEMEX soils, "*We visited the CEMEX Cache Creek Mine site on July 12, 2021. The site has not been farmed since approximately 2017, after a new layer of soil, approximately one to two feet overall, was deposited on the 69 acres which had previously been in production under the farming of Steve Sagara. At present the site is vegetated by weeds growing in an unlevel, crusted soil, an indication of lack of topsoil structure. The soil profile is hard and difficult to probe below about four inches, in part due to very dry conditions. We also observed a substantial quantity of gravel and rocks—pebbles and some cobbles—visible on the soil surface (Figure 3.14). This condition of soil mixed with rocks does not agree with the descriptions given in the soil survey of class-I Yolo silt loam, 0 to 2 percent slopes or class-II Sycamore silt loam, 0 to 1 percent slopes. These soils are not described as having rock and gravel in the A horizon"*

This failure of the site to meet the state-mandated production standards and the more rigid "soil quality" standards demanded by the *Surface Mining Reclamation Ordinance* can hardly be considered "substantial" and "encouraging" progress" as was otherwise claimed d by the CEMEX consultant during the Planning Commission presentation. No matter how much dancing on the head of the pin is attempted, the on-the-ground facts at CEMEX speak for themselves that no reclamation or improvements in soil quality have been achieved thus far. And according to the House Report, mandatory equivalent soil quality is likely NOT achievable in the future.

These observations of the CEMEX site were confirmed by their conclusions of other mining sites for which reclamation efforts were attempted. For instance, The House report also evaluated the Teichert Muller-30 site which is considered "fully reclaimed" by the County because it showed two successive years of winter wheat crop in 2007-2008 that approached previous productivity. The House Report, however, found that some of the class I soil should be classified as Class II soil after restoration and that "*seven of the ten pit sites dug on the reclaimed Teichert Muller-30 field had shallow soil or firm subsoils, which would severely limit root growth and water-holding capacity of the upper soil profile*". This property has reportedly not been farmed since the "successful" reclamation which suggests economic viability of farming post-reclamation may not be possible exactly as reported in the House Report.

Another site evaluated was the Teichert Coors site. The House Report indicates that the Teichert Coors site may in the future complete the reclamation process, but that the site is still not deemed reclaimed because even though it has been farmed intermittently since fall 2012, the site has failed to produce two consecutive years of crops equivalent to previous standards for crop productivity.

This information as to the ongoing failures of agricultural reclamation efforts has NOT been fully disclosed, discussed, and analyzed in the EIR nor presented separately to the BOS which renders this FEIR unsuitable for certification.

Summary of CEMEX's Excessive Methyl Mercury Contamination in their Wet Pits and their Ongoing Failure to Remediate this Problem

Firstly, we want to clear up a common excuse used to justify the excessive levels of methyl mercury in the wet impoundment pits along the entire length of Cache Creek off-channel mining. In the Staff Report it is claimed that, "*Mercury levels in lower Cache Creek are a reflection of the legacy effects of historic mercury mining in the upper watershed that occurred well over 150 years ago.*" While it is true that substantial amounts of mercury were deposited in Cache Creek after mining began in the 1850s, all of that mercury was deposited *in the the current Creek Channel itself* which has remained relatively constant in the last 150 years. And much of this mercury so deposited in the Creek was functionally mined out by decades of in-channel mining which dropped the creek bed by up to 30 feet in many cases.

That is not the case in off-channel mining however. All of the mercury found on the existing off-channel shelves currently being mined adjacent to the Creek was deposited over many millennia as the Creek was inexorably wandering back and forth with a broad floodplain annually inundated by

high water events. The mercury in the existing off-channel mining sites thus cannot be blamed on mercury mining, Further, were it not for the simple fact that the mining companies were excavating the sand and gravel from these ancient alluvial soils and processing the extracted material in the way that they do and then depositing waste mining materials from these processes back into bottoms of the ponds, there would be no methyl mercury accumulation problem at all. Thus the excuse by the mining companies that "*It's not our fault ..it's all due to the mining back in the 1850s*" rings hollow and is simply not true.

That said, following is the table from the 2024 methyl mercury mining report showing that status of methyl mercury monitoring of each of the mining site impoundment pits including CEMEX' 3 ponds

Fish Mercury Monitoring Summary – All Sites, 2015-2024

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cemex-Phase 1 *(control)*	≤	≤	≤	≤	≤	≤	≤	≤	≤	INC
Cemex-Phase 3	>	>	>	>	>	≤	>	>	>	INC
Cemex-Phase 4							INC	≤	INC	INC
Syar-B1	>	>	>	>	>	>	>	>	>	>
Syar-West			>	≤	>	>	>	INC	INC	>
Teichert-Esparto	INC	>	>	>	>	>	>	>	>	>
Teichert-Woodland-Storz			INC	≤	≤	≤	≤		≤	
Cache Nature Preserve										≤

≤ = At or Below Ambient INC = Inconclusive > = Elevated Over Ambient

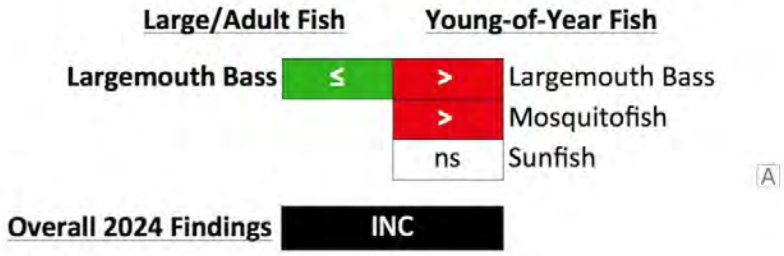
Regarding CEMEX Pit 1 - We note that the Staff Report stated that "*fish in the CEMEX Phase 1 Pond have shown acceptable mercury levels and the Phase 1 pond has been used as a "control" pond for analytical purposes for almost a decade*". In fact, the result of methyl mercury monitoring in 2024 were far from "acceptable" and showed unacceptably high methyl mercury levels.

In fact, Dr. Slotten in his 2024 methyl Mercury Monitoring Report that, "*The Cemex-Phase 1 Pond has historically been one of the lowest in fish mercury of the off-channel ponds being monitored. However, beginning in 2023, all sample types have shown significant increases, with 2024 levels being the highest on record for this site. The increases were particularly significant for the small, young fish samples, indicating a recent increase in methyl mercury exposure in the pond, possibly linked to a shift in slurry source material. The adult bass average, though, was at the top end but within the range of "At or Below Ambient," leading to an overall 2024 designation of "Inconclusive*."

These results are shown graphically below

Summary 2024 Cemex-Phase 1 Pond Results, in relation to baseline comparisons

≤ = at or below ambient INC = inconclusive > = elevated over ambient



Thus, the CEMEX Pit 1results are demonstrably not "acceptable" contrary to Staff's statement in their Staff Report because I) "*all sample types have shown significant increases, with 2024 levels being the highest on record for this site*', and ii) both Young-of-Year Largemouth and Smallmouth Bass showed unacceptable levels far in excess of the background standard.

Regarding CEMEX Pits 2 & 3 - The newer wet impoundment pits (Nos. 3 and 4) have been registering excessive levels of methyl mercury almost every year since 2015. It was even explicitly recommended by Dr. Slotten in his 2020 monitoring report that Lake Management Plans should be prepared and implemented for these impoundment pits yet no such plans have even been prepared to date much less implemented.

Dr. Slotten said of these pits in his most recent report, "*The former the Cemex-Phase 3-4 Pond was divided into two separate parts in late 2020, with active mining continuing in the eastern Cemex-Phase 4 Pond and the western Cemex-Phase 3 basin becoming an isolated, relatively undisturbed pond*. He also stated, "*Since the separation of the ponds, the Cemex-Phase 3 Pond has increasingly become higher in fish mercury than the Cemex-Phase 4 Pond. But the 2024 results were mixed: the adult bass sample increased to the highest levels yet, and remained "Elevated Over Ambient", but all of the small/young fish samples showed significant recent drops, to levels "At or Below Ambient". The 2024 mercury assessment for this site is therefore "Inconclusive" at this time.*"

Dr Slotten stated of CEMEX pit 4, "*Overall mercury results from Cemex-Phase 4 Pond fish in 2024 were again "Inconclusive": the adult bass increased into the range of "Elevated Over Ambient", but all of the small/young fish samples remained "At or Below Ambient*".

I find it incongruous that these results are explicitly described as "encouraging" by the CEMEX consultant at the recent Planning Commission meeting.

Thus we strongly disagree with the conclusions reached in the DEIR/FEIR including

p. 4.6-27 - Impact 4.6-1: The proposed project could violate a water quality standard or waste

discharge requirement or otherwise substantially degrade surface or ground water quality. The impact would be less than significant.

We are dumbfounded by this finding in light of the incontrovertible evidence to the contrary as discussed above.

We also strongly disagree with the additional statements made on p. 4.6-32 in the DEIR that states,

"*Conclusion*
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."

The extensively documented history of CEMEX's failure to otherwise successfully remediate excessive levels of methyl mercury in the their impoundment pits has not been adequately disclosed in the FEIR nor fully presented to Council in a manner sufficiently detailed to allow your certification of the FEIR in the form indicated above.

We further strongly disagree with the statement in the FEIR that there are no significant impacts and thus strongly advise against allowing the construction of new wet impoundment pits until at least one Lake Mining Plan has been shown to be successful at remediating the problem.

Thanks you for your thoughtful deliberation and consideration of the very important matter.

Respectfully submitted

Alan Pryor

Potential Yolo County Liability for Restoration and Reclamation Costs for the CEMEX Off-Channel Mining Site on Cache Creek

by Alan Pryor

A. Executive Summary

Estimated Alternative Restoration/Reclamation Costs in Excess of a Posted Surety Bond if Current CEMEX Efforts Continue to Fail

This document analyses potential alternative costs for required restoration and/or reclamation efforts that may be incurred by the County at the CEMEX mining site if CEMEX's currently planned restoration efforts continue to be unsuccessful and not meet their requirements imposed by SMARA and/or the Yolo County Surface Mining Reclamation Ordinance.

This study also looks at the difference between the total amount of surety bonds currently posted by CEMEX compared to the estimated total potential agricultural reclamation or habitat restoration costs facing the County if CEMEX fails to properly reclaim agricultural lands or restore habitat as required in their mining site in the future and the wet impoundment pits that might need to be filled in because efforts to reduce methyl mercury contamination are not successful as in the past.

If the total costs for all of CEMEX's mandated restorations and reclamations and pit filling exceed the amount of money posted as surety bonds by CEMEX and CEMEX is either unwilling or unable to provide additional funding to complete their restoration and reclamation obligations, Yolo County could be left to pick up the potentially enormous costs of such unfunded restoration and reclamation obligations.

Following are the acreages of CEMEX existing proposed new off-channel mining operations in their current application that are subject to restoration and reclamation obligations that were included in the DEIR prepared for the application.

Total Newly Proposed CEMEX Permitted Mining Acreage - 815.8 Acres
Newly Proposed Reclaimed Agricultural Acreage – 418.6 Acres
Newly Proposed Restored Habitat Acreage – 174.0 Acres
Newly Proposed Impoundment Pit Acreage – 204 Acres
Newly Proposed Slopes/Roads/Buffers – 19.2 Acres

The alternative costs that might be incurred by Yolo County if the reclamation and restoration standards in the Surface Mining Reclamation Ordinance are not met by CEMEX and responsibility reverts to Yolo County include the following:

1) Agricultural Easements – To date, CEMEX has not successfully completed the reclamation of any land after mining to prime farmland conditions. If farmland is not reclaimed by CEMEX according to the required prime farmland reclamation standards in the Surface Mining Reclamation Ordinance (NOT just 2 successive years of production meeting industry standards as CEMEX alleges) , agricultural easements must be placed on equivalent prime farmland in Yolo County – generally at a 3:1 ratio. At an average cost of $8,400/acre (see documentation

below), ***the total costs of securing such agricultural easements at 3:1 mitigation would be in excess of $10 million*** (418.6 acres x 3 x $8,400/acre = $10,548,720).

2) Filling in of Wet Impoundment Pits - If future efforts to remediate excessive concentrations of methyl mercury in the wet impoundment pits are not successful, these two new impoundment pits in Phases 5 & 6 must eventually be completely filled in. However, all of the topsoil and subsurface soil in Phases 5 & 6 are currently planned to be moved to partially fill in the impoundment pits in Phases 3 & 4 leaving no soils available in Phases 5 & 6 to fill in the contaminated pits. If these wet impoundment pits need to be filled in with clean fill from external sources at the lowest estimated delivered cost of only $10/yd3, ***the total cost to fill in all proposed new impoundment pits could be in excess of $130 million*** (204 acres x 4,840 yd2/acre x 40 ft (average pit depth of new CEMEX Ponds 5 & 6) x .33 yd/ft x $10/yd3 (for fill and delivery- see justification of fill costs below) = $130,331,520.

3) Habitat Restoration – Other than the Capay Regional Open Space Preserve, there have been no habitat restoration projects completed consistent with current habitat restoration standards. Estimated costs to restore the 41 acres of former mining lands at the Capay Regional Open Space Preserve are estimated to be in excess of $1 million - or minimally at $24,390/acre ($1,000,000 / 41 acres) . Additionally, initial annual maintenance costs were estimated at $166,000 annually for 5 years - or $20,750 per acre ($166,000 x 5 years / 41 acres) for a combined initial restoration and maintenance costs of $45,140/acre ($24,390/acre initial costs plus $20,750/acre for maintenance costs). For purposes of this discussion, though, *the total restoration and maintenance costs for future habitat restoration are assumed to be only half of the costs incurred for Capay Open Space Preserve – or $22,570/acre ($45,140/acre / 2) when the cost of trees and shrubs and post-planting irrigation for 5 years is included.* **The total costs to restore 174 acres of former mined land designated for habitat restoration are thus estimated to minimally be almost $4 million** (174 acres x $22,570/acre = $3,927,180).

The estimated total potential alternative reclamation/restoration costs for the CEMEX mining properties that might be incurred if current efforts by CEMEX fail and they are unwilling or unable to provide additional efforts are summarized as follows:

1) Agricultural Easements for 174 acres of unreclaimed farmland	= $10,548,720
2) Cost to fill in 204 acres of impoundment pits with external fill	= $130,331,520
3) Cost to reclaim 174 acres of habitat	= $3,927,180
Total Potential Costs	**$144,807,420**

However, **the current Surety Bond posted by CEMEX for their entire mining site is only $5,519,240 which represents only 3.8% of the total potential alternative reclamation and restoration costs** .

Thus, if CEMEX fails in their efforts to i) reclaim the designated agricultural lands to their former prime condition forcing easement placements on other prime farmlands, ii) remediate excessive concentrations of methyl mercury in the impoundment pits forcing the filling of the pits, or iii) restore the designated habitat to agreed upon standards requiring extensive additional outlays, the County can collect the surety bond posted by CEMEX.

But if CEMEX otherwise refuses or is financially unable to provide additional funds over and above the posted surety bond amount, the County must bear the difference in the costs of reclamation,

restoration, or filling in the wet impoundment pits. This difference is equal to $139,288,180 ($144,807,420 potential restoration/reclamation costs less $5,519,240 Surety Bond posted). Thus, failure of this single mine to fulfill their obligations to the County could bankrupt the County if it is otherwise forced to become the payer of last resort . And this is only one of numerous other mines that are facing similar restoration/reclamation problems.

Given the fact that after 30 years of operation, CEMEX has not reclaimed 1 acre of agricultural land to its former prime condition nor restored a single acre of habitat nor resolved their impoundment pit excessive methyl mercury problems (and indeed are proposing to fill in their current impoundment pits and construct 2 even larger pits), we believe it is incumbent on the County to substantially increase the amount of bond posted by CEMEX by an order of magnitude (10X) or greater.

B. The Legal Basis for Surety Bond Requirements Guaranteeing Funds for Restoration and Reclamation Obligations if Otherwise Unfulfilled by CEMEX.

Current California State law (*Surface Mining and Reclamation Act of 1975, as amended*) requires all surface mines to "reclaim" or "restore" all formerly mined lands. Yolo County's own *Surface Mining Reclamation Ordinance* further mandates that the former mining sites be i) reclaimed as viable farmland equivalent to that which existed before mining, ii) restored as wildlife habitat, or iii) converted into ponds to provide recreational opportunities for humans and associated habitat.

The mining companies are further required to post surety bonds to ensure monies are available to complete their restoration and reclamation obligations for the lands they have mined if they otherwise fail in their reclamation or restoration obligations.

Public Resources Code section 2773.1(a) states, **"***Lead agencies shall require financial assurances of each surface mining operation to ensure reclamation is performed in accordance with the surface mining operation's approved reclamation plan"*

In the case of Cache Creek off-channel mining companies, the County is obligated under State law to perform an initial risk analysis and a subsequent risk analysis annually and require the mining companies to determine the amount of post surety bonds or acceptable equivalents to be posted to otherwise guarantee their reclamation or restoration responsibilities are fulfilled. It is not known when the current Surety Bond posted by CEMEX was initially calculated or how the surety amount was determined. It is also not known how the amount of surety bond posted was changed subject to the annual review by the County required by SMARA

C. Justification of Estimated Costs for Restoration/Reclamation

All estimated costs of alternative restoration were estimated by using Google's AI Search capability as further discussed below.

1) Agricultural Easement Assumptions

Justification for Assumption of Easement Costs

Google AI – *What is the average cost of an agricultural easement in Yolo County CA?*

*"The average cost of an agricultural easement in Yolo County, CA is typically **between 30% and 60% of the property's total fair market value**, and specific transactions and in-lieu fees suggest a value range for the easement itself often falls around or exceeds **$8,400 per acre** for acquisition.*

The exact value is determined by a professional, independent appraisal and depends heavily on factors like development pressure, soil quality, water availability, and location.

Key Data Points and Examples

- ***Percentage of Value**: Easements generally sell for 30%-60% of the fair market value of the unencumbered land.*
- ***In-Lieu Fees**: The Yolo County Code establishes an in-lieu agricultural mitigation fee for developers that includes an easement acquisition cost component of approximately **$8,400 per acre** (plus transaction and monitoring costs). This fee is used to acquire easements elsewhere in the county.*

***Recent Acquisitions**:*

- A 124-acre easement acquired by the City of Davis and the Yolo Land Trust in 2022 cost $925,000, which averages to approximately $7,460 per acre.
- Another acquisition, including associated costs like monitoring endowments, was estimated at $510,000 for a specific property, though the acreage was not specified in that snippet.

Factors Influencing the Cost

The cost is not a fixed number but is determined by an appraisal process that considers several key factors:

- ***Development Potential**: Properties under high development pressure (e.g., near urban limit lines) typically have higher easement values because the right to develop is more valuable.*
- ***Location**: Proximity to cities and other protected lands influences the price.*
- ***Soil Quality**: The quality of the soil and its LESA (Land Evaluation and Site Assessment) rating must be comparable to the land being mitigated.*
- ***Water Availability**: An adequate and reliable water supply for irrigation can significantly impact the value of the land and thus the easement.*
- ***Easement Restrictions**: The specific terms and restrictions outlined in the easement document affect the post-easement value of the land.*
- ***Appraisal**: An independent, qualified appraiser determines the final fair market value of the property before and after the easement is in place; the difference is the easement value.*

Landowners interested in an agricultural easement can contact organizations like the Yolo Land Trust or the Yolo Habitat Conservancy to learn more about the process and available programs."

Justification for the Mitigation Ratio of 3:1

Sec. 8-2.404. Agricultural Conservation and Mitigation Program of the Yolo County Code

...

"*(c) Mitigation requirements.*

(1) Agricultural mitigation shall be required for conversion or change from agricultural use to a predominantly non-agricultural use prior to, or concurrent with, approval of a zone change from agricultural to urban zoning, permit, or other discretionary or ministerial approval by the County. Except as provided in subsection (d) (2) below, relating to adjustment factors, for projects that convert prime farmland, a minimum of three (3) acres of agricultural land shall be preserved in the locations specified in subsection (d)(1) for each acre of agricultural land changed to a predominantly non-agricultural use or zoning classification (3:1 ratio). For projects that convert non-prime farmland, a minimum of two (2) acres of agricultural land shall be preserved in the locations specified in subsection (d)(1) for each acre of land changed to a predominantly non-agricultural use or zoning classification (2:1) ratio. Projects that convert a mix of prime and non-prime lands shall mitigate at a blended ratio that reflects for the percentage mix of converted prime and non-prime lands within project site boundaries."

Note: All of the soils in the CEMEX mining area have previously been identified as prime farmland to which standard agricultural lands must be reclaimed.

2) Assumptions of Cost to Fill in Pits

If all CEMEX proposed wet impoundment pits need to be filled in with clean fill in the future (as are the existing wet impoundment pits) at the mid-range of estimated delivered cost (at $10/yd3), the total cost ***could be in excess of $130 million*** (894 acres x 4,840 yd2/acre x 50 ft depth x .33 yd/ft = 71,394,840 yd3 x $15/yd3 for fill and delivery = $1,070,922,600). Note that this does not include additional costs to spread, contour, and compact the fill once deposited onsite.

Justification for Assumption

Google AI – "*What is the average cost of fill material for raising land in construction projects in Yolo County CA?*"

"*The average cost for **clean fill material** in Yolo County, CA typically ranges from **$8 to $25 per cubic yard**, not including delivery. For structural or engineered fill, prices can reach up to **$30 per cubic yard**. The total cost can rise significantly once delivery fees are factored in, often doubling the material cost.*

Detailed Cost Breakdown

Prices vary based on the type of material and whether delivery is included.

Material Type	***Cost Per Cubic Yard (Material Only)***	***Average Cost Per Truckload (Delivered)***
Unscreened Fill Dirt	*$5 – $15*	*$150 – $250*

Clean Fill Dirt	*$8 – $25*	*$200 – $300*
Structural/Engineered Fill	*$10 – $30*	*$250 – $400*
Septic Fill Dirt (high sand)	*$25 – $60*	*Varies widely*

Note: Truckloads typically hold 10 to 14 cubic yards.

Factors Influencing Price

- ***Material Quality****: "Clean fill" or "structural fill" is certified to be free of contaminants and suitable for building foundations, making it more expensive than basic, unscreened dirt.*
- ***Delivery Distance****: Hauling is a major cost factor. Delivery fees can range from $50 to $150 per trip, with extra charges per mile for longer distances.*
- ***Quantity****: Ordering in bulk (large dump truck loads) is more cost-effective per cubic yard than purchasing smaller quantities or bagged material.*
- ***Availability****: Sometimes, excess clean fill from local construction or excavation sites might be available for free or at a very low cost if you arrange for hauling.*
- ***Installation****: Spreading and compacting the fill material typically adds $200 to $400 to the overall project cost.*

Actionable Advice

- ***Determine Needs****: Consult with a soil engineer to determine the specific type and quantity of fill material required for your project, as construction projects often have specific requirements for compaction and stability.*
- ***Get Multiple Quotes****: Obtain quotes from several local landscape material suppliers or construction companies in Yolo County, such as those found on sites like Gravelshop or Aggregate Markets.*
- ***Clarify Fees****: Ensure quotes include all costs, including material, delivery, and any potential labor or installation fees, to avoid surprises.*
- ***Check for Free Options****: For large projects, check online marketplaces or local construction forums; contractors often look for places to offload excess clean fill dirt to avoid disposal fees."*

Other Estimates of Fill Costs

https://www.gravelshop.com/california-44/yolo-county-3085/95695-woodland/index.asp

"*Prices for Construction material and Landscape supply delivered to Woodland, CA*

Unscreened Topsoil - from $ 54.88 per yd"

https://california.aggregatemarkets.com/

"Prices for Woodland CA

Fill Dirt – from $45/ton

Compared to regular screened soil, the unscreened soil will contain more rocks, branches, and other natural debris that have come from the ground with the soil. It is denser than regular screened soil,

making it ideal for filling holes or raising the soil before sowing grass with landscaping soil. Unscreened dirt may contain plastic or glass residues. "

Note: The mid-point of the lowest estimated range of delivered fill costs ($5 - !5/yd 3 = $10/yd3) are used for the analysis of the costs that might be incurred in the future to fill in the proposed 204 acres of CEMEX impoundment pits in the future).

3) Assumptions of Cost to Restore Habitat

Google Ai - "*What were the total costs to restore the Capay Regional Open Space Park?"*

"*The total costs to restore the Capay Regional Open Space Park are not available as a single, consolidated figure in the provided sources. The restoration has been an ongoing effort involving multiple projects and funding sources over many years, with costs integrated into broader park budgets and specific grants.*

Key funding information for specific restoration efforts includes:

- *A **half-million dollar grant** from Proposition 13 (the River Parkways Act of 2004) was received by the Yolo County Resource Conservation District and partners around 2017 to enhance habitat features in the forty-acre parcel of the park.*
- *Funding for the overall construction and restoration also came from monies designated by voters through **Propositions 40 and 50**, which fund river parkway, recreation, and habitat restoration projects.*
- ***Fees paid by local gravel producers** as part of the Cache Creek Resource Management Plan also contributed to the funding of the park's development and restoration.*
- *A project to restore the creek's health had an estimated annual operating cost of $166,439.60.*

The land itself was donated to Yolo County in 2004 by Granite Construction, which operates a nearby quarry. The varied and phased nature of the work, and the integration of costs into general funds and specific grants, make a single "total cost" figure difficult to ascertain from public reports."

Note: Because the total costs of the Capay Regional Open Space Park are difficult to ascertain, an estimated per acre cost of the total restoration and maintenance costs for future habitat restoration are assumed to be only half of the $45,140/acre costs incurred for Capay Open Space Preserve – or $22,570/acre when the cost of trees and shrubs and post-planting irrigation for 5 years is included.

Julie Dachtler

From: Alessandra Cabanillas-Ledesma <acabledesma@gmail.com>
Sent: Monday, December 8, 2025 9:40 PM
To: Clerkoftheboard
Subject: Please Protect Cache Creek - No More Gravel Mining.

Dear Yolo County Board of Supervisor,

My name is Alessandra Cabanillas-Ledesma, and I am urging you to reject the CEMEX gravel mining permit extension along Cache Creek. Continued deep pit mining threatens our groundwater supply, damages the aquifer, and increases risks such as methylmercury contamination.

Yolo County declared a Climate Emergency in 2022, and now is the time to act on that commitment. Cache Creek has some of the greatest potential for wetland restoration, which supports clean water, carbon sequestration, and climate resilience—benefits far more valuable than another 20 years of excavation. Restoring wetlands would also prevent the formation of stagnant, artificial pools created by mining operations, which are known to exacerbate mosquito breeding.

We strongly oppose the continuation of gravel mining in this region. It is imperative that we prioritize the protection of our land and water resources by converting former mining sites into restored, ecologically functional wetland habitat. Such restoration is essential for supporting long-term environmental health, climate resilience, and the well-being of our community.

Please say NO to the CEMEX permit and YES to restoring Cache Creek.

Thank you for your consideration.

--
Sincerely,
Alessandra C-L

Julie Dachtler

From: Alexandra Lee-Jobe <alexleejobe@gmail.com>
Sent: Monday, December 8, 2025 11:40 AM
To: Clerkoftheboard
Subject: Cemex @ Cache Creek

Good Morning,
I do not want Cemex taking more gravel from Cache Creek. Doing so damages the essential ecosystem there. This "for profit" company shouldn't be allowed to destroy the dwindling natural resource, wetlands, from our county. As a constituent, I urge a "NO" vote. Thank you, Alexandra Lee-Jobe

Julie Dachtler

From: Alondra Osuna <aloosuna@ucdavis.edu>
Sent: Monday, December 8, 2025 2:22 PM
To: Clerkoftheboard
Subject: Protect Cache Creek

Dear Yolo County Board of Supervisors,

My name is Alondra Osuna and I live in District 2.I am emailing in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

I believe it's important to acknowledge that Cache Creek and the land it runs through belongs to members of the Wintun Nation, who stewarded it for centuries before colonization. The first missionaries and settlers in California discovered an area of nearly unmatched biodiversity and natural abundance when they arrived, and the creek remains a habitat for countless species and microorganisms, including beavers, dragonflies, turtles, and so many more, all relying on a careful balance to keep the environment healthy.

Professors, scientists, students, community members, and people for whom the creek holds cultural and spiritual significance all care deeply about the health of the creek and oppose continued gravel mining by CEMEX. The main threat to the health of Cache Creek is the continued mining by CEMEX, which would completely exhaust the creek's natural ability to facilitate biodiversity and maintain balance. Continued mining would have negative impacts on groundwater sustainability and increase the threat of mosquitos, along with creating methyl mercury contamination in our wildlife and food.Scientists have made it clear that the creek will not be able to sustain further mining and that the extension of gravel mining would put the creek, its wildlife, and all of us in danger.

In the last two centuries, Yolo County has seen 95% of its wetlands destroyed. But there is still hope. Restoring the creek and preventing further mining is vital for our health and the health of the planet; wetlands sequester carbon and are very important for biofiltration, along with sustaining the wildlife in the area. There is still potential to protect Cache Creek and allow the ecosystem to heal. Lower Cache Creek has some of the greatest potential for habitat restoration in Yolo County, and members of the Wintun Nation have knowledge and practices that would allow for restoration of the wetlands.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday.

Thank you,
Alondra Osuna, District 2

Julie Dachtler

From: Amy Boyer <ajboyer@gmail.com>
Sent: Monday, December 8, 2025 4:15 PM
To: Clerkoftheboard
Subject: Attn Mary Vix Sandy: CEMEX permit should not be approved

I write to request that the Yolo Board of Supervisors refrain from voting on the CEMEX permit until it has been carefully reviewed and there has been reasonable public comment. There are a number of reasons for opposing the permit:

It is a 30-year permit, so this is a long term decision that affects our environment.
Work is underway to update the Cache Creek stewardship plan, and this permit decision should be delayed until the plan is completed.
It increases the disturbed area and reclamation area, that is, the area that will sustain damage in need of remediation.
It slows the remediation time table, implying that CEMEX is already behind on its remediation and will not comply with this permit.
The deep-pit mining they are doing produces higher levels of methyl mercury than other methods, increasing the mercury burden of our wildlife.

I was just at Putah Creek last week and saw the salmon swimming upstream. They're there because people understood what the creek could be. I want the same for Cache Creek.

best wishes
Amy Boyer, Yolo District 3

Paula Hugi

From: anita deming <asdeming@hotmail.com>
Sent: Friday, December 5, 2025 7:41 AM
To: Clerkoftheboard
Subject: Cemex expansion

Sent from my iPhone

> **From:** anita deming <asdeming@hotmail.com>
> **Date:** December 5, 2025 at 7:33:
> **Subject: Cemex expansion**
>
> I am writing to protest the possible expansion of Cemex. Cemex has not abided by the agreements they already have. Instead of being allowed to expand they should be required to stop operations here (if not elsewhere). It 's not as if the area that they are mining is "wasteland". It is valuable wetlands. And there are plans for the area that would be beneficial for the environment. They have already caused irreparable damage, haven't kept the agreements made, are now trying to negotiate agreements more beneficial to themselves and expand the length of the agreement.
> Please deny this expansion.
> Anita Deming
> 179 Inner Circle, Davis, CA 95618
>
> Sent from my iPhone

Julie Dachtler

From: Arian Hoefig <abhoefig@ucdavis.edu>
Sent: Monday, December 8, 2025 1:58 PM
To: Clerkoftheboard
Subject: Opposition to Cache Creek Mining

Dear Yolo County Board of Supervisors,

I am Arian Hoefig from Davis and I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday.

Thank you,

Arian Hoefig

Julie Dachtler

From: Arlo Blackman-McGrew <abmcgrew@ucdavis.edu>
Sent: Monday, December 8, 2025 3:04 PM
To: Clerkoftheboard
Subject: Vote NO on the proposal to extend CEMEX mining in Cache Creek

Dear Yolo County Board of Supervisors,

I am Arlo Blackman-McGrew, concerned activist of UC Davis in District 2, and I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.
- The creek and the land it runs through belongs to members of the Wintun Nation, who stewarded it for centuries before colonization

- The first missionaries and settlers in California discovered an area of nearly unmatched biodiversity and natural abundance when they arrived, and the creek remains a habitat for countless species and microorganisms, including beavers, dragonflies, turtles, and so many more, all relying on a careful balance to keep the environment healthy.

- The creek is home to a number of sacred springs that have existed from time immemorial, since before Western civilization. These springs gave the local Wintun tribe their name; Yocha Dehe means “Spring Home.”

- By the early 2000s, Cache Creek was the largest source of mercury poisoning the Bay-Delta ecosystem. When CEMEX mines for gravel, the deep mining pits in the aquifer fill with much needed groundwater.

- In the last two centuries, Yolo County has seen 95% of its wetlands destroyed. Restoring the creek and preventing further mining is vital for our health and the health of the planet; wetlands sequester carbon and are very important for biofiltration, along with sustaining the wildlife in the area.

-There is still potential to protect Cache Creek and allow the ecosystem to heal. Lower Cache Creek has some of the greatest potential for habitat restoration in Yolo County, and members of the Wintun Nation have knowledge and practices that would allow for restoration of the wetlands.

- Professors, scientists, students, community members, and people for whom the creek holds cultural and spiritual significance all care deeply about the health of the creek and oppose continued gravel mining by CEMEX.

- The main threat to the health of Cache Creek is the continued mining by CEMEX, which would completely exhaust the creek’s natural ability to facilitate biodiversity and maintain balance.

- Continued mining would have negative impacts on groundwater sustainability and increase the threat of mosquitos, along with creating methyl mercury contamination. Scientists have made it clear that the creek will not be able to sustain further mining and that the extension of gravel mining would put the creek, its wildlife, and all of us in danger.

- Yolo County declared a climate emergency in 2022...are they going to put that into action, or is it all empty talk?

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek tomorrow.

Thank you,

Arlo Blackman-McGrew, District 2

Julie Dachtler

From: clutterbarbara@gmail.com
Sent: Tuesday, December 2, 2025 10:42 AM
To: Clerkoftheboard
Subject: Please postpone the Cemex vote

Dear Supervisors,

I urge you to postpone the Dec 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit.

The Cache Creek Area Plan (CCAP) adopted 30 years ago included reclamation requirements prioritizing reclamation of farmland, then secondarily habitat. Cemex has found it very difficult to meet the "healthy soil" requirements of the Surface Mining Reclamation Ordinance. The process of habitat reclamation has not proceeded as originally intended. Deep pit mining was supposed to result in recreational lakes in a proposed Cache Creek Parkway but instead the stagnant water in the pits has high levels of methyl mercury that precludes recreational use and is harmful to fish and water fowl, as well as depleting our ground water as it seeps into the pits.

I believe that instead of approving Cemex's extension, the County should prioritize reclamation to riparian floodplain over farmland and habitat. This advances several goals; the County's climate action CAAP (riparian floodplain sequesters more carbon) ; the goals of the Yolo Habitat Conservancy for a wildlife corridor along the Creek; Yolo Flood Controls efforts to recharge ground water table and aligns with California Dept. of Natural Resources "nature based solutions climate targets".

Because of current staffing difficulties, I understand that County departments are unable to provide Supervisors with necessary information and advice. Please postpone the vote on Cemex's extension until the reclamation change can be properly considered.

Sincerely,
Barbara Clutter, Yolo County resident

2853 S Orange Ave, Fresno, CA 93725 - P.O. Box 2549, Clovis CA 93613 - Office: 559-325-3827 - Fax: 559-325-1584

December 8th, 2025

Dr. Vixie Sandy
625 Court Street, Room 204
Woodland, CA 95695

CC: The Board of Supervisors via Clerk of the Board of the Board of Supervisors,
clerkoftheboard@yolocounty.gov

Re: Support CEMEX's Mining Permit & Reclamation Plan Amendment Project

Dear Honorable Chair Vixie Sandy,

It is my pleasure to write a letter in support of Cemex's Cache Creek Mining Permit & Reclamation Plan Amendment Project.

As a contractor, I have worked with Cemex for many years and have found them reliable and efficient to work with. Their leadership in health and safety and attention to environmental needs are exceptional.

As the county and city grow continue to grow and demand for construction aggregate rises, it would benefit Yolo County to supply this demand locally instead of sourcing from outside of the area. By using a local company, we can reduce transportation costs, product prices and greenhouse gas emissions. It also potentially provides more local job opportunities for the next 20 years. Cemex will help meet the future demands for this area thoughtfully and responsibly. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas and dedicate a significant amount of land to Yolo County; all of this will be done concurrent with mining operations.

In conclusion, I fully support CEMEX's Mining Permit & Reclamation Plan Amendment Project. This venture will be exciting and beneficial for contractors such as myself, as well as the local community's development.

Sincerely,

Bart Jones
President / JWT Site Management, Inc.

Julie Dachtler

From: Betty Berteaux <birdtrax@dcn.org>
Sent: Friday, December 5, 2025 5:04 PM
To: Clerkoftheboard
Subject: Cache Creek

Clerk, Please postpone the vote on CEMEX's bid to expand the mine and enlarge current impoundments until key positions in the County Departments have been filled with those capable offering accurate information and viable advice . Before approving the bid, there needs to be an independent and objective engineering analysis. Yours truly, Elizabeth Berteaux

December 8, 2025

Bob Schneider
2402 Westernesse Rd
Davis, CA 95616
530-304-6215
Verve2006@comcast.net

Yolo County Supervisors
c/o clerkoftheboard@yolocounty.org

Re: BOS Agenda item #43, December 9. 2025- Delay and Changes

Dear Supervisors:

Please postpone a vote on the CEMEX permit application.

There must be **specific** wording changes to assure that the CEMEX permit must comply with future revisions and updates of the Cache Creek Area Plan. If this cannot be done the permit time-period must be reduced to no more than a five-year period.

1. Advocates for Cache Creek, those that know and love this place, are currently working to develop an updated Cache Creek Area Plan that prioritizes restoration of riparian and wetland habitat along the Cache Creek corridor. Agriculture restoration, as shown by the House and House report, to pre-mining conditions have not really been successful. We are seeing however restoration through natural processes of riparian habitat along the creek.

   It is a critical time to reevaluate our vision for Cache Creek restoration and we need to ensure that an extension of the CEMEX permit will comply with an updated Cache Creek Area Plan.

   An update of the CCAP is due on a 10-year schedule and the next update should be 2026. We should not merely reward a 3-year delay past a due date by changing the current **Year 2026** to a later date.

2. A delay will also provide time to complete the much-delayed Lake Management Plans for those mining impoundment pits that are exceeding methyl mercury exceedance levels. We should not issue this permit for additional lake areas prior to having at least some idea what is required in the Lake Management Plans

3. The renewal of the CEMEX permit is also an opportunity to reevaluate the current sand and gravel fee structure. Cache Creek sand and gravel is of the very best quality. It is an important and valuable resource. Yolo County should recognize the value of this resource to Yolo County residents and establish a premium fee that recognizes the quality of our sand and gravel. We should ensure that we do not shortchange our county residents. This permit extension and expansion is an opportune time to have this discussion.

I am including below an article by Catherine Portman recently published in the Davisite that discusses the CEMEX permit extension.

Sincerely,
Bob Schneider

Take action today for Cache Creek habitat

December 2, 2025

By Catherine Portman

Urge the Yolo County Board of Supervisors to postpone the Dec 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit another 10 years. Send your comments to clerkoftheboard@yolocounty.org and Lucas.Frerichs@yolocounty.gov

Almost 30 years ago, I participated in the Cache Creek "gravel wars". We believed the aggregate industry could mine gravel and reclaim mined areas. The County adopted the Cache Creek Area Plan (CCAP) which included reclamation requirements prioritizing reclamation of farmland, then secondarily habitat.

Well, after all these years the reclamation hasn't worked out too well. Turns out it is very difficult to meet the "healthy soil" requirements of the Surface Mining Reclamation Ordinance. It takes a long time to accumulate enough soil to put back to recreate an ag field. And when the soil is stored so long it loses its mojo according to a soil assessment by consultants House & House. The assessment identified one reclaimed ag field produced only wheat but before it was mined it produced sunflower, corn, tomatoes and peppers.

Habitat reclamation is sad too. Deep pit mining was supposed to result in recreational lakes in a proposed Cache Creek Parkway. Turns out the stagnant water in the pits has high levels of methyl mercury that precludes recreational use—also not too good for fish and waterfowl. The Cemex application adds two more, larger (204 acres) deep pits. Some of the pits are into the water table so ground water goes into the pits and evaporates from the surface further depleting ground water. Lakes were not the natural ecosystem of the Creek—riparian floodplain was.

After almost 30 years, previously mined habitat restoration efforts, such as for elderberry, have been very slow and difficult. Vegetation, shrub and tree plantings struggle and are stunted. Cemex's current proposal delays habitat restoration to 2052.

The solution to many problems is the County's General Plan CO A44 to coordinate individual surface mining reclamation plans so that an ***expanded riparian*** corridor can be achieved.

Changing the priority reclamation to riparian floodplain advances several goals; the County's climate action CAAP (riparian floodplain sequesters more carbon); the goals of the Yolo Habitat Conservancy for a wildlife corridor along the Creek; Yolo Flood Controls efforts to recharge ground water table and aligns with California Dept. of Natural Resources "nature-based solutions climate targets".

Cemex's application comes when critical County departments have been reshuffled and a key department head position is vacant. Staff, who could provide the Supervisors with accurate information and advise them, are missing.

This is the BOS's opportunity to require the aggregate industry to fix what they broke.

Postponing the vote to extend Cemex's permit will allow the BOS time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek.

Email your comments to clerkoftheboard@yolocounty.org

Julie Dachtler

From: Bob Scofield <scofield@omsoft.com>
Sent: Tuesday, December 9, 2025 8:56 AM
To: Clerkoftheboard
Subject: CEMEX Mining Plan

Dear Clerk,

I am a Woodland resident. I write to urge the Board of Supervisors to delay action on the CEMEX mining plan until it can be studied further. I support the idea of turning the mining areas into wetlands. The attempt to convert the areas to farming has not worked.

Sincerely,

Bob Scofield

Julie Dachtler

From: Brandon Moon <btmoon@ucdavis.edu>
Sent: Monday, December 8, 2025 11:40 PM
To: Clerkoftheboard
Subject: My Comments Re: Tomorrow's Decision on the CEMEX Mining Permit

Hello,

My name is Brandon, an undergraduate Plant Sciences student at UC Davis who is learning about tomorrow's decision regarding the project to extend the methylmercury-contaminated gravel mines into Cache Creek. I strongly recommend against approving the extension of the CEMEX permit with regards to the Off Channel Mining Plan (OCMP). Cache Creek poses a major cultural significance to the Indigenous communities in the area (Cachil-Dehe nation, Kletsel Dehe nation, and the Yocha-Dehe Wintun nation) who steward the creek. The creek also serves as a corridor for endangered animal-life--connecting the coastal mountains to the valley.

The decision will disrupt the already existing efforts to preserve and restore Cache Creek as a wetland territory, some of which are collaborating with UC Davis. The Creek itself is vulnerable to an increase of frequency in flooding and groundwater pollution upon mining, according to the 1996 OCMP Environmental Impact Report (EIR).

If passed, mining pits along Cache Creek will be an extension of the destruction of the 95% of tributaries and riparian corridors in the Sacramento valley as a result of unsustainable urban, suburban and agricultural development (Michalková et al., 2010). **I implore the Yolo County Board of Supervisors to reject the extension of the mining permit** or to delay the project for further consideration!

REFERENCES

Michalková, M., Piégay, H., Kondolf, G. M., & Greco, S. E. (2011). Lateral erosion of the Sacramento River, California (1942–1999), and responses of channel and floodplain lake to human influences. Earth Surface Processes and Landforms, 36(2), 257-272. https://doi.org/10.1002/esp.2106

Off channel mining plan (OCMP) | yolo county. (n.d.). https://www.yolocounty.gov/government/general-government-departments/community-services/natural-resources/cache-creek-area-plan/off-channel-mining-plan

Yocha Dehe. (2025, December 5). https://yochadehe.gov/

Thank you,
Brandon Moon
--

Brandon Moon
Plant Sciences, B.S.
University of California, Davis—2026
Tel: +1(650)727-7750
btmoon@ucdavis.edu

Julie Dachtler

From: Brigitte Uhlmann <uhlmannbrigitte7@gmail.com>
Sent: Monday, December 8, 2025 1:15 AM
To: Clerkoftheboard
Subject: NO to Cermex permit

Dear Yolo County Board of Supervisors,

Please say NO to the Cermex permit!
Say yes to more wetlands!

Protect Cache Creek from destructive gravel mining by climate polluters.
Some reasons to keep the gravel in the ground:

- Impacts to groundwater sustainability and the integrity of aquifer
- Mining creates methyl contamination in the deep wet pits
- Lack of logical representation in decisions regarding mining permit extensions
- Zero mitigation measures provided in the Cermex Environmental Report
- Wetlands prevent the threat of mosquitos, which breed in standing, unnatural bodies of water

Sincerely,
Brigitte Uhlmann and John W. Bernhardt
1616 Sycamore Lane, Davis

CALCIMA

California Construction and Industrial Materials Association

December 8, 2025

Yolo County Supervisors
County Administrator's Office
625 Court Street, Suite 202,
Woodland, CA 95695

Re: Aggregates and Cache Creek Area Plan

To Yolo County Supervisors:

The California Construction and Industrial Materials Association (CalCIMA) is a trade association for aggregate producers in California, including the aggregate producers within the Cache Creek Area Plan (CCAP) in Yolo County. We offer these considerations in regard to aggregate resources.

Aggregates serve many important needs in our society, including providing the necessary material to maintain the road and bridge networks for travel and transporting goods to market; build homes, schools, and hospitals; and support water, electrical, and power infrastructure.

The aggregate producers within the CCAP operate under some of the most rigorous regulations and oversight within the state. The CCAP is in addition to the State's Surface Mining and Reclamation Act, the California Environmental Quality Act, Air Resources Board standards for stationary, mobile, and portable equipment, and multiple federal and state laws to protect air, water, and wildlife. The CCAP provides an additional layer to ensure that local conditions and impacts are addressed, monitored and mitigated.

Distance Matters

It is particularly important for aggregates to be located near where they are used. Otherwise, aggregates have to be transported by truck over longer distances, which affects air quality, climate, road conditions, and traffic congestion. The concept of local aggregate supplies is written into SB 375, the state law to synchronize land-use, transportation, housing, and reduction of greenhouse gases. It has a requirement for a regional sustainable community strategy (SCS) to coordinate development and transportation in a manner that reduces greenhouse gases. An SCS requires local governments to plan for natural resource needs, including regionally significant mineral resources.

Studies have documented the environmental benefits of local aggregates:

- A UC Berkeley Study on the *Environmental Cost of Aggregates* found that every 15-mile reduction in transporting aggregates by truck reduces truck trips by 178 million miles per year, fuel consumption by 23 million gallons, and carbon dioxide emissions by over 223,000 tons per year.

- The Department of Conservation states in its report *Aggregate Sustainability in California* (2018) that "If the haul distance is doubled to 50 miles (100-mile round trip) the numbers double to 720 million truck miles traveled, more than 102 million gallons of diesel fuel used, and over 1.1 million tons of carbon dioxide emissions produced."

Farmland Reclamation

A requirement of the Surface Mining & Reclamation Act (SMARA) is that mined properties be reclaimed, or returned, to a beneficial second use. There are many types of reclamation, including reclaiming to farmland in areas of the state where agriculture is a feature. Reclaiming to farmland is overseen by requirements in the SMARA. Specifically, SMARA regulations in Section 3707 specify Performance Standards for Prime Agricultural Land Reclamation and Section 3711 addresses Performance Standards for Topsoil Salvage, Maintenance, and Redistribution. Beyond SMARA, the mining ordinances that accompany the CCAP provide additional standards for reclaimed farmlands in Yolo County. Much of this was reviewed in the County's report, *Assessment of Reclamation of Mined Lands to Agriculture under the Yolo County CCAP.*

Mercury Mitigation

An important feature of the CCAP is *the Lower Cache Creek Off-Channel Mining Mercury Monitoring Protocols.* As you may know, the Protocols are an important part of the overall river shed management program through the CCAP, which included moving aggregate operations from the creek to off-channel locations. The monitoring assesses pond ambient levels against a benchmark, pit monitoring, aquatic sampling, and water column profiling. The analysis and reports were expanded and updated in the *CCAP 20-Year Plan Update*. Furthermore, the County and aggregate producers are currently working to implement a unified *Mercury Lake Management Plan,* including the specific control measures and financial support.

We hope this information is helpful, and please let us know if we can be of assistance.

Sincerely,

Robert Dugan
President & CEO

Paula Hugi

From: Carol Warren <kaymoorsmum@gmail.com>
Sent: Friday, December 5, 2025 2:11 PM
To: Clerkoftheboard
Subject: To the Board of Supervisors - CEMEX proposed mining permit extension

Dear friends,

I want to request that you delay the December 9 vote on extending CEMEX's proposal to extend their sand and gravel mining permit for another 20 years.

I worked for nearly a decade for Ohio Valley Environmental Coalition and the West Virginia Environmental Coalition on various issues related to surface mining. I had previously developed surface mining public information brochure materials for Kentucky's Department of Surface Mining, Reclamation and Enforcement and the US Office of Surface Mining.

During those years, it was obvious to me and many others that "habitat," "agriculture and farmland" and "ponds" were the favorite designated post-mining land uses for mining companies. Why? Because it allowed them to do the least work possible, at the least cost possible, and get by with achieving the least amount possible with regard to reclamation. Stripped sites are notoriously hard to re-establish proper soil and vegetation on. It takes much more effort and costs more than the companies want to expend. They can usually get enough vegetation to grow for a year or so in order to demonstrate to enforcement that they have "reclaimed" the site (and in the case of coal companies, get their performance bond released), but the soil is too damaged and often too compacted for the plants to really take hold. In another year, the site is brown and dead. While the site may have been filled with plant life prior to the mining, it is extremely difficult (read "expensive") to get anything but scrubby grass back on the site permanently. I personally saw tree-planting projects (even those supervised by university biologists) fail repeatedly because the topsoil was too compacted and damaged. Soil dryness and compaction notwithstanding, chemicals used in the process, spills, etc. make such sites toxic to wildlife.

Independent and objective engineering analysis should precede any decision by the Board to renew this permit, especially for 20 years! It sounds as if the Supervisors are being asked to take the company's word for what can and will be done. In my experience, that is the worst possible scenario, because the company's primary motivation is profit. They are looking to make money, and thus to save money on what little reclamation they will agree to do. If you want a desert in the county, that's certainly a possibility. But you would do better to bulldoze the whole area and at least leave the toxins and compaction out.

Please delay this vote to allow independent studies. Thank you for your consideration.

Most sincerely,
Carol Warren
411 B St
Davis CA 95616

Julie Dachtler

From: Carrie Shepard <cshepardsky@gmail.com>
Sent: Friday, December 5, 2025 5:18 PM
To: Clerkoftheboard
Subject: Please delay the vote on the CEMEX application

I believe that the Board of Supervisors should delay their vote on the CEMEX application until independent, objective engineering analysis is performed.

The County's General Plan specifies coordination of individual surface mining reclamation plans so that an expanded riparian habitat corridor along Cache Creek can be achieved. Let's not lose this opportunity to do the right thing for the climate, the ground water, the ecosystem and the County.This is not a vote that should be held without the necessary objective analysis available.

Thank you,
Carrie Shepard
2312 Poppy Lane
Davis, CA 95616

Julie Dachtler

From: Christian Reynolds <flycon06@gmail.com>
Sent: Monday, December 8, 2025 3:14 PM
To: Clerkoftheboard
Subject: CEMEX Mining

Dear Yolo County Board of Supervisors,

I am Christian Reynolds of District 2. I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek has been unsustainably used by humanity since the gold rush, and this unique riparian ecosystem can't take much more damage.

Prolonging mining operations here will leave the land desolate and utterly useless for ecological or agricultural purposes. Although the area is damaged now, there is a surplus of people with the will and knowledge needed to restore this area. The threat is not just localized in the Cache Creek area however. The mining operations are leaving ample opportunity for anaerobic bacteria to multiply and adsorb the mercury residue from the gold rush, leaving this toxic metal in the groundwater. Citizens all around Yolo County should be concerned about what's happening to their groundwater because it will flow through the aquifers and into our tap. The last thing we need is for Cache Creek to become the next superfund site. Take it from an Environmental Engineering student. This cannot happen, and if it does existing restoration efforts should be led by a third party, not CEMEX themselves.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday.

Thank you,
Christian Reynolds, District 2

Julie Dachtler

From: Citlali Escobedo <citlalie101@gmail.com>
Sent: Monday, December 8, 2025 1:32 AM
To: Clerkoftheboard
Subject: No to Cemex Permit!

Please say no to the Cemex permit! Say yes to more wetlands!

Protect Cache Creek from destructive gravel mining by climate polluters. A few reasons to keep the gravel in the ground:

-Impacts to groundwater sustainability and the integrity of the aquifer
-Mining creates methyl contamination in the deep, wet pits
-Lack of logical representation in decisions regarding mining permit extensions
-Zero mitigation measures provided in the Cemex Environmental Report
-Wetlands prevent the threat of mosquitoes, which breed in standing, unnatural bodies of water.

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, Conti Materials Service, LLC respectfully requests you support Cemex's Cache Creek Mining Permit and Reclamation Plan Amendment project application.

Conti Materials Service, LLC is a transportation business that transports construction aggregates to customers for building, road work, and commercial construction projects to name a few. Our transfer, bottom dump, and end dumps division operate daily at Cemex's Cache Creek aggregate quarry to service customers in the Northern California region. Should the quarry's operation terminate, Conti Materials Service, LLC would face significant reduction in aggregate supply, the ability to bid jobs directly affecting employment of drivers, and overall economic well-being.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's (project) has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

Sincerely,

Gene Conti Jr.
President
CONTI MATERIALS SERVICE, LLC

Julie Dachtler

From: Cynthia <cynthiaballcc@gmail.com>
Sent: Monday, December 8, 2025 2:54 PM
To: Clerkoftheboard
Subject: Say No to CEMEX Gravel Mining

Dear Yolo County Board of Supervisors,

I am Cynthia Ball in District 2 and I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining. The creek and the land it runs through belongs to members of the Wintun Nation, who stewarded it for centuries before colonization. In the last two centuries, Yolo County has seen 95% of its wetlands destroyed. There is still potential to protect Cache Creek and allow the ecosystem to heal. Lower Cache Creek has some of the greatest potential for habitat restoration in Yolo County, and members of the Wintun Nation have knowledge and practices that would allow for restoration of the wetlands. Scientists have made it clear that the creek will not be able to sustain further mining and that the extension of gravel mining would put the creek, its wildlife, and all of us in danger.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday in line with the climate emergency Yolo County declared in 2022.

Thank you,
Cynthia Ball District 2

Paula Hugi

From: cindydirkx <cindydirkx@comcast.net>
Sent: Friday, December 5, 2025 12:12 PM
To: Clerkoftheboard
Subject: Please delay voting on CEMAX application.

There needs to be more time for appropriate objective engineering analysis of their proposition and to evaluate the damage left from previous work. CEMAX failed to meet previous restoration agreements. This area is such a rare and special place for our locality and it is quite fragile. Please be a responsible steward for what is left.

Sincerely,
Cynthia Dirkx

Paula Hugi

From: Cynthia Shallit <cynthiashallit@gmail.com>
Sent: Thursday, December 4, 2025 8:17 PM
To: Clerkoftheboard; Patrick KEnnedy; SupervisorSerna@saccounty.net; CountyExecutive@saccounty.gov
Subject: Cemex Project

Dear Supervisor Kennedy--

This is nuts to approve the CEMEX permit without keeping them accountable for the environmental damage they will cause:

Specifically I would you like you to address these problems:

- The emissions are being underestimated and should be recalculated based on state and county emissions targets
- There's no specific GHG emissions reduction plan. They say they will develop a plan to mitigate their significant emissions AFTER the application is approved
- Cemex will likely use dubious out-of-state offsets to mitigate their emissions
- The reclamation plan that determines how the lands will be restored and reclaimed by 2052 prioritizes restoring agriculture and two large "lake features" rather than a climate resilient floodplain.
- These lands were once rich riparian forests that extended out a mile on either side of Cache Creek and sustained Puhtwin-WIntun indigenous communities for millennia. They should be restored as quickly as possible under the direction of the Native Californian cultural practitioners that have decades of expertise in restoring the gravel pit at the Cache Creek Nature Preserve
- Rural Yolo County will be left with an impoverished, blighted creek corridor. The county's plans for a recreational parkway are out of touch with climate reality.

Cynthia Shallit
Sacramento

Julie Dachtler

From: Lynda King <lyndaking4@mac.com>
Sent: Thursday, December 4, 2025 3:27 PM
To: Clerkoftheboard
Subject: Postponing the Dec. 9th vote

To the Yolo County Board of Supervisors,

We are urging the Board of Supervisors to postpone the Dec 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit another 10 years. By postponing the vote to extend Cemex's permit will allow the Yolo County Board of Supervisors time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek.

Thank You,

Dale Lyberger and Lynda King

Julie Dachtler

From: Damienlynn Harding <damienlynn1998@gmail.com>
Sent: Monday, December 8, 2025 1:33 AM
To: Clerkoftheboard
Subject: NO TO CEMEX PERMIT

Please say no to the Cemex permit! Say yes to more wetlands!

Protect Cache Creek from destructive gravel mining by climate polluters. A few reasons to keep the gravel in the ground:

-Impacts to groundwater sustainability and the integrity of the aquifer
-Mining creates methyl contamination in the deep, wet pits
-Lack of logical representation in decisions regarding mining permit extensions
-Zero mitigation measures provided in the Cemex Environmental Report
-Wetlands prevent the threat of mosquitoes, which breed in standing, unnatural bodies of water.

Julie Dachtler

From: Aersolon, Drejul <Drejul.Aersolon@sutterhealth.org>
Sent: Tuesday, December 9, 2025 9:26 AM
To: Clerkoftheboard
Subject: Re Mining of Cache Creek

To the Board of Supervisors,

I was unable to attend today's board of supervisors vote as I am currently at work. However, I wanted to write as a resident and employee in Yolo County to urge the board to deny the CEMEX permit. As a resident , I am deeply concerned with the mercury toxicity levels increasing if this permit were to go through. I love living in Davis because of the abundant beautiful nature I'm surrounded by - please do not sell off our beautiful nature for a company to pollute and destroy our habitate.

Thank you for your time,

Drejul Aersolon (they/them)𝍐, ASW #103999

Mental Health Therapist II, Psychiatric Response Team (PRT)

Sutter Center for Psychiatry (SCP)/ SDH Consultation Team

Sutter Davis Hospital, Davis

Sutter Health
2000 Sutter Place
Davis, CA 95616

drejul.aersolon@sutterhealth.org

sutterhealth.org

Julie Dachtler

From: Eileen Samitz <emsamitz@dcn.org>
Sent: Monday, December 8, 2025 9:59 PM
To: Clerkoftheboard
Subject: Please postpone the vote on Cemex's permit application

Dear Yolo County Supervisors,

I am writing to urge the Yolo County Board of Supervisors to postpone the Dec 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit another 10 years

After almost 30 years, previously mined habitat restoration efforts have not worked out as expected. So, before there is any more damage to the environment and particularly to habitat we need to please need to pause.

Postponing the vote to extend Cemex's permit will allow the BOS time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek.

Thank you for your time and consideration on this important matter.

Eileen M. Samitz,

Davis resident

Julie Dachtler

From: Emily Albu <emalbu@ucdavis.edu>
Sent: Tuesday, December 9, 2025 9:26 AM
To: Clerkoftheboard
Subject: CEMEX mining plan

Dear Supervisors:

Please oppose this plan. Save the wetlands and the creek.

Thank you.

Emily Albu
1413 Arena Drive
Davis, CA 95618
emalbu@ucdavis.edu

Julie Dachtler

From: Erin Peixoto <erinpeixoto21@gmail.com>
Sent: Monday, December 8, 2025 2:44 PM
To: Clerkoftheboard
Subject: Response to Cache Creek

Dear Yolo County Board of Supervisors,

Hello, my name is Erin Peixoto (district 2), and I am an undergraduate student studying ecology as well as an active Davis community member. I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

Cache Creek has been stewarded by the Wintun Nation for centuries pre-colonization, and is a home to a diverse range of organisms. The gravel mining conducted by CEMEX will detrimentally affect the ecosystem greatly and disregard the centuries of stewardship led by the Wintun Nation. Restoring the creek and preventing further mining is vital for our health and the health of the planet; wetlands sequester carbon and are very important for biofiltration, along with sustaining the wildlife in the area.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday.

Thank you,
Erin Peixoto District 2

Julie Dachtler

From: Erinne Aboytes <erinneaboytes@gmail.com>
Sent: Sunday, December 7, 2025 9:05 AM
To: Clerkoftheboard; Lucas Frerichs
Subject: Urge you to postpone vote

Hello.

I urge the Yolo County Board of Supervisors to postpone the December 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit another 10 years.

Postponing the vote will allow the BOS time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek.

Thank you.
Erinne O'Hara Aboytes
Davis, CA

Julie Dachtler

From: ga.google <gabriela.rk.acosta@gmail.com>
Sent: Monday, December 8, 2025 10:45 PM
To: Lucas Frerichs; Clerkoftheboard
Subject: NO TO CEMEX MINING PLAN

Dear Lucas Frerichs and the members of the Yolo County Board of Supervisors,

I write as a Davis born and raised young adult and a concerned resident of Yolo County to urge you to **VOTE NO AND DELAY THE PROPOSED PERMIT AMENDMENT for the mining project in Cache Creek,** scheduled for public hearing on December 9, 2025. I will remain professional for the rest of this email but I need to add: Let's get real. It's 2025. Are you serious????????

I oppose the extension and expansion for the following reasons:

- **Environmental harm**
- **risky reclamation timeline.** The proposal would extend mining through 2047 and push final reclamation to 2052 — nearly three decades from now. What's more, past efforts to restore habitat along Cache Creek have proceeded slowly, with native plantings struggling to survive. (Davisite)
- **Long-term ecological risks remain uncertain.** According to the project documents, the amended plan significantly increases total aggregate removed — from roughly 32 million tons under the original permit to over 53 million tons under the amendment. (destinyhosted.com) Meanwhile, the creation of deep-pit lakes raises concerns about legacy mercury in sediments. Under the plan, some ponds may be filled, but others will require "lake-management plans," with uncertain long-term outcomes for water quality, wildlife, or human health. (destinyhosted.com)
- **Promises of "net gains" are speculative and delayed.** The plan's benefits — restored lakes, habitat, agricultural lands, and recreational parkway land — would not materialize until many years from now, if at all. That's especially troubling given the County already has nearly 30 years of experience and still ongoing delays in restoration. (Davisite)
- **Damage to community-supported values.** Many Yolo County residents strongly value preservation of natural habitat, clean water, and safe public open space. Approving a 20-year extension now would effectively lock in decades of extraction and uncertainty — putting current and future generations at risk for the sake of commercial aggregate.

If the Board is not inclined to deny the amendment outright, I respectfully request that you require:

1. A significantly accelerated, enforceable reclamation and habitat-restoration timeline;
2. Robust, independent monitoring of water quality (especially mercury), wildlife impacts, and lake ecology — with mitigation thresholds that trigger project modification or halt mining if not met;
3. Realistic guarantee of the "public benefits" (parks, habitat, recreation) prior to or concurrent with mining, rather than decades later; and

4. Consideration of alternative, less-destructive aggregate sourcing to avoid prolonged impact to Cache Creek's floodplain.

Thank you for your service to the County and for considering this input. We must not sacrifice the health of Cache Creek, local ecosystems, and community well-being for uncertain, delayed promises of benefit.

Respectfully,
[Your Name]
[Your Town or Yolo County Address — optional]
[Your Email — optional]

cc: clerkoftheboard@yolocounty.gov (Clerk of the Board) (Yolo County)

Geoffrey Michael Attardo, Ph.D.
Associate Professor
Department of Entomology & Nematology
University of California, Davis
1 Shields Avenue, Davis, CA, 95616

11/12/2025

To the members of the Yolo County Planning Commission, Yolo County Board of Supervisors, and Yolo County Department of Community Services, Natural Resources Division

Dear Commissioners, Supervisors, and Planning Staff,

I am writing to express my concern regarding the proposed amendment to the CEMEX Mining and Reclamation Plan, which seeks to extend mining operations by 20 years, expand production, increase disturbed acreage, and substantially alter reclamation end-uses along the Cache Creek corridor.

After reviewing the 2024 Mercury Monitoring Report and the 2025 Final SEIR, the proposed amendment does not adequately account for ongoing and unresolved environmental impacts from previous mining activity along the Cache Creek corridor. Particularly, those related to mercury and methylmercury contamination, hydrological disruption, ecological degradation, and climate-driven risks to the region. Given the gravity and documented persistence of these issues, I strongly urge the County to require a more robust, updated environmental assessment and to reconsider reclamation strategies before granting approval for an expansion of this scale and duration.

The County's own long-term monitoring demonstrates that several off-channel mining ponds including CEMEX Phases 3 and 4 that have repeatedly exceeded mercury levels found in a control pond. The combined Phase 3-4 pond recorded five consecutive years of exceedance prior to being split. Current test results show adult fish in both ponds remain above ambient levels, and young-of-year fish in Phase 1 show sharp increases in methylmercury exposure, a clear indicator of an active methylation.

Despite a decade of elevated results, no Lake Management Plans (LMPs) have been implemented, and the SEIR offers no evidence-based pathway for reducing methylmercury production in newly proposed lakes. Approving another 204 acres of deep, stagnant, permanent lakes, which would foster conditions that facilitate methylmercury production

(deep/anoxic/light deficient water) would greatly worsen a problem the County has not yet been able to manage in the existing system. A reclamation plan that increases lake area while reducing wetland habitat contradicts the best scientific understanding of mercury remediation.

The proposed, recreational lakes would not be safe for public use despite the implication that they are. The data from 2024 demonstrate that fish in many mining ponds contain mercury concentrations high enough to trigger health advisories. As the monitoring report states, fish consumption is the dominant exposure pathway for people and wildlife.

Designating these contaminated ponds as "recreational water bodies" implies that they would be safe for public engagement while introducing public-health risks. Without any demonstrated remediation plan, the SEIR fails to meaningfully reconcile the contradiction between the documented unsafe mercury levels in existing mining pits, while expanding these environments which are prone to producing methylmercury. Recreation cannot be credibly offered as a post-mining land use when the underlying water chemistry remains fundamentally unsafe.

Wetland-based reclamation offers far better ecological and remediation outcomes. Shallow wetlands, not deep lakes, provide effective ecological services capable of reducing methylmercury production, converting methylmercury to elemental mercury, and remediation of elemental mercury through plant-based emission via cattails (Typha). These capabilities have been described in the following references.

Gonnuri, B., & Guo, L. (2024). Metal accumulation in cattails cultured in soils flooded with artificial wastewater of varying pH and different levels of metals (Cr, Cd and Zn). *International Journal of Phytoremediation*, *26*(14), 2290–2300.

Lindberg, S., Dong, W., Chanton, J., Qualls, R., & Meyers, T. (2005). A mechanism for bimodal emission of gaseous mercury from aquatic macrophytes. *Atmospheric Environment (Oxford, England: 1994)*, *39*(7), 1289–1301.

This is reaffirmed by the recent findings of low levels of mercury in the Cache Creek Conservancy restored wetland.

The report states - "The Cache Creek Nature Preserve is a perplexing case: low fish mercury together with significant anoxia. That site, however, was also very high in dissolved organic matter relative to the other ponds, a factor that can make methylmercury less available for movement into the foodweb (Ravichandran 2004)."

Besides the presence of dissolved organic matter, the Cache Creek restored wetland has extensive cattail and tule growth. These plants reduce anoxic sediments by pumping

oxygen down into the sediment via their root systems which facilitates aerobic bacterial growth in normally anaerobic sediment. This promotes the conversion of oxidized mercury to elemental mercury which is then taken up by the cattail root systems and “exhaled” by the plants.

This activity provides stable and constant remediation services while fostering the microbial foundation of the aquatic food web, facilitating carbon sequestration, enabling groundwater infiltration and purification, and provision of habitat for the numerous animals that inhabit palustrine wetlands. This approach aligns with the County’s climate adaptation goals, the Yolo Habitat Conservancy’s mandates, and the ecological realities of the Cache Creek watershed.

California has already lost over 90% of its historic wetlands. Continuing to replace mine sites with deep pits instead of ecological habitat restoration compounds this legacy of loss and undermines future ecological and climate resilience.

The proposed amendment delays reclamation of these essential ecological resources by decades and reduces agricultural and habitat recovery. The proposed amendment dramatically postpones reclamation with mining extended to 2047 and final reclamation being delayed to 2052. This pushes restoration, habitat development, and mercury mitigation into the far future while exacerbating already unmitigated environmental issues from prior mining activity.

The SEIR also confirms that CEMEX plans to increase permanent lake acreage, reduce reclaimed agricultural land, and only partially increase riparian or habitat areas. Given the company’s limited progress on existing reclamation commitments, granting 20 additional years, without resolution of existing shortcomings, creates a decades-long deferral of promised public benefits.

Atmospheric river activity, flooding frequency, and storm intensities are all projected to increase in the Sacramento Valley. The creation of large, deep artificial lakes promotes accumulation of mercury-rich sediment, further stratification and deoxygenation, destabilization of shorelines during high-flow events and loss of potential groundwater recharge activity relative to the potential offered by wetlands.

The SEIR acknowledges hydrological and water quality impacts but does not fully incorporate climate projections into its risk analysis. Expanding lake area under these conditions may amplify long-term water-quality degradation rather than support regional water resilience.

Local tribal nations, ecologists, hydrologists, and residents have repeatedly voiced concerns about water quality, mercury contamination, habitat loss, groundwater

depletion, dust, air quality, truck traffic, and climate resilience. The amendment does not meaningfully address these issues or incorporate the ecological expertise now present in the County, including ongoing restoration work at Cache Creek Nature Preserve, Dunnigan Hills, Dutch Slough, and multiple tribal TEK-informed projects. Yolo County can set a modern standard for climate-aligned, community-supported reclamation practices, rather than perpetuating outdated models of industrial pit-lake development.

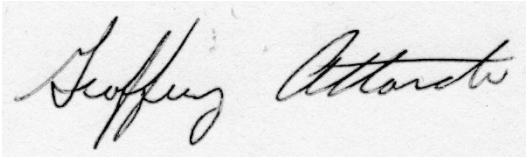
Before granting any amendment of this magnitude, I urge the County to:

1. Require a scientifically robust, updated environmental review that fully addresses mercury remediation, climate-driven hydrological changes, and cumulative water-quality impacts.
2. Prioritize wetland-based reclamation over expanded deep lakes to mitigate mercury risks and increase ecological, hydrological, and climate benefits.
3. Require the full development and implementation of Lake Management Plans for all ponds already exceeding mercury thresholds before approving new excavation or lake creation.
4. Ensure meaningful tribal, ecological, and community participation in designing reclamation outcomes.
5. Enforce stricter timelines and accountability for reclamation milestones given past delays.

Without these measures, the proposed amendment represents a substantial environmental liability, one that disproportionately affects the Cache Creek ecosystem, local biodiversity, and public health for decades to come.

Thank you for your attention to these concerns and for your stewardship of the Cache Creek watershed.

Sincerely,



Geoffrey Michael Attardo, Ph.D.
Associate Professor, UC Davis Department of Entomology & Nematology

Paula Hugi

From: George Galamba <ggalamba@gmail.com>
Sent: Friday, December 5, 2025 11:40 AM
To: Clerkoftheboard
Subject: Cache Creek

"...secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek instead of depleted farmlands and habitat and contaminated impoundment pits."

I urge the Board to carefully consider the environmental consequences of continued surface mining in Cache Creek. A moment of profit for a private company is not justification for an eternity of degraded habitat. Thank you.
George Galamba
2033 Klee Pl, Davis, CA 95618
530-220-3006

Julie Dachtler

From: Gretchen Smurr <gsmurr@sbcglobal.net>
Sent: Monday, December 8, 2025 9:57 AM
To: Clerkoftheboard
Subject: NO to the Cemex Permit

Water is our most precious resource. We are facing another possible year of drought. It is important to sustain our ground water. Our Wetlands are a precious and dwindling ecosystem. It is important to protect what little remains of the vast California Wetlands. Please say NO to the Cemex Permit.
Gretchen Smurr
Woodland, CA

Julie Dachtler

From: Isa Tupy <isatupy@gmail.com>
Sent: Tuesday, December 9, 2025 7:05 PM
To: Clerkoftheboard
Subject: Stop Gravel Mining in Cache Creek

Hello Yolo County Board of Supervisors,

My name is Isa Tupy, and I am a senior in high school. I've enjoyed the beauty of creeks my whole life. I lived in Chico for a while, and my family and I spent many birthdays and family gatherings at Big Chico Creek, splashing around in the water and enjoying being outside. However, the best part about creeks isn't just the water but the life that's in it.

Gravel mining devastates ecosystems by causing the destruction of fish habitats, eroding creekbeds, increasing sediment, and making the waters cloudy and harmful to aquatic life. It also disrupts the creek's natural nutrient cycles that help keep the creek and its inhabitants healthy. This disruption of ecosystems can affect our fishing yields as well as our enjoyment of creeks. Beyond that, gravel mining can lower water tables and lower riverbeds, which can cause bridge support to become unstable, posing a threat to anyone who uses those bridges. Lastly, the Cache Creek watershed contains mercury, which may be disturbed by gravel mining and cause harm to countless inhabitants of the creek, as well as humans.

Instead of putting money and resources into gravel mining, I believe we should turn the gravel mines into wetland habitats. In 2019, flooding of Cache Creek forced many people to evacuate. However, wetlands act as a sponge and absorb rain and snowmelt, slowing the movement of surface water and actually help control flooding. Wetlands also naturally purify water and increase biodiversity, and by storing water for so long, it begins to seep back into the Earth, refreshing our aquifers---sources of drinking water and irrigation. Lastly, wetlands can help mitigate our climate crisis because the plants and soil store carbon, helping to prevent it from being released into the atmosphere.

I hope you will take the time to consider my proposal and think about the environmental impact of gravel mining in Cache Creek.

Thank you for your time and consideration,

-Isa Tupy

Julie Dachtler

From: Isabella Tovar <isabellatovargomez@icloud.com>
Sent: Tuesday, December 2, 2025 10:32 AM
To: Clerkoftheboard
Subject: No Gravel Mining!

Dear Yolo County Board of Supervisors,

I'm writing to ask you to stop gravel mining in our county. The mining pits have already caused enough harm, and we don't want more damage to our land and water.

Instead of letting these pits sit empty or be used for more mining, please turn them into wetlands. Wetlands would help wildlife, improve water quality, and make the area healthier and safer for our community.

Please choose restoration, not more mining.

-Isabella Tovar from Woodland CA

Paula Hugi

From: CATHERINE O' KELLY <catherine_okelly@comcast.net>
Sent: Friday, December 5, 2025 11:51 AM
To: Clerkoftheboard
Subject: Please delay the vote to allow CEMEX to destroy more of your land

I'd say abandon the vote altogether after I have seen the damage to the landscape, as ALL pit mines all over the world are guilty of. CEMEX has a bad history, going back years. They bought the cement plant in Davenport California and turned the whole city into a Dust Bowl!
They've also done some bad *bad* things in Mexico! I was very surprised to learn of the pit that you plan to expand and which may even reach the underground water table. NO! That simply is not right!
Again, please postpone the vote and allow people to become informed, as we hear nothing n-o-t-h-i-n-g about things like this on the local Sacramento-based nightly (weather and crime only) news programs.
I heard about your plans to allow expansion of the Cemex dig via the Indivisible Newsletter, of which I'm a member of their nation-wide group.
Please act in accordance with environmental protections of lands in danger of exceeding their boundaries.
Thank you,
J. Catherine O'Kelly
Solano County Resident
Yolo County Advocate

Julie Dachtler

From: J.K. Pengrove <common.sense.environmentalist@gmail.com>
Sent: Monday, December 8, 2025 6:04 PM
To: Clerkoftheboard
Subject: Public Comment on Item #43 (09 Dec 2025)

Dear Honoured Members of the Yolo County Board of Supervisors,

I take up my virtual pen to convey my support for the staff's recommendation to extend the mining permit granted unto CEMEX. The materials drawn from the earth -- aggregate, gravel, and stone -- are as vital to the advancement of our settlements as timber, iron, or any other foundational resource upon which a thriving Republic depends. Without such substances, we should have no roads upon which to travel, no dwellings to shelter our families, nor bridges to bind our communities together.

It has come to my attention that certain voices, styling themselves as protectors of the environment, have raised objections that seem not grounded in a full understanding of the County's established rules and prudent oversight. Should we deny ourselves the benefit of local resources, we would be compelled to fetch them from far-distant lands, perhaps from places where neither stewardship nor sustainability is exercised with due care. Such folly would increase burdens upon both the people and the land.

Having examined the County's programme and its provisions, I find it furnished with ample safeguards to ensure that the earth's bounty is taken not with reckless abandon but with mindful regard for posterity. Responsible extraction is not only possible -- it is assured through the very measures the County has set forth.

Therefore, I beseech you to act with reason and steadfastness. Let not misinformation nor unfounded alarm sway your judgment. Uphold the course that best serves the public good, and approve the extension of the permit.

With sincere respect,

J.K. Pengrove

The Common-Sense Environmentalist

Julie Dachtler

From: Jacquelyn Ross <jacquelynross@gmail.com>
Sent: Thursday, December 4, 2025 10:29 AM
To: Clerkoftheboard
Subject: CEMEX Contract

Dear Board of Supervisors,
Please vote no on the extension of CEMEX's contract to extract gravel and earth from Cache Creek. Having worked on creek restoration projects, I find the prospect of more material to be disturbing. The damage to local aquifers continues to cause big problems locally. Talk to anyone who has had to drill a new well lately.

We are in climate chaos. Cannot we not be proactive and keep our home resources protected?
Sincerely
Jacquelyn Ross
Woodland, CA

Julie Dachtler

From: Jayna Lizama <jaynaeliz19@gmail.com>
Sent: Tuesday, December 9, 2025 11:46 AM
To: Clerkoftheboard
Subject: Stop extractive violence // Protect Cache Creek

Hello Yolo County,

I am writing as a community member among many who share significant love for the environment of Cache Creek. I oppose the CEMEX permit to develop and build on Cache Creek, further expediting destruction and contamination to a wetland ecosystem. If the permit is passed, people will be harmed and civil unrest will continue. Protect the wetland and nature of Yolo County as it is a critical lifeline for many people and life forms. Be on the right side with the people who want a sustainable and healthy future.

Sincerely,
Jade Lizama

Julie Dachtler

From: Jamie Seibel <jamieseibel@ymail.com>
Sent: Saturday, December 6, 2025 7:56 PM
To: Clerkoftheboard
Subject: Message to the Yolo County Board of Supervisors before their meeting on the 9th

Hello,

Please say no to the Cemex permit! Say yes to more wetlands!

Protect Cache Creek from destructive gravel mining by climate polluters. A few reasons to keep the gravel in the ground:

-Impacts to groundwater sustainability and the integrity of the aquifer
-Mining creates methyl contamination in the deep, wet pits
-Lack of logical representation in decisions regarding mining permit extensions
-Zero mitigation measures provided in the Cemex Environmental Report
-Wetlands prevent the threat of mosquitoes, which breed in standing, unnatural bodies of water.

Thank you.

Sincerely,
Jamie Seibel
Woodland Resident

Julie Dachtler

From: J. Loye <jeloye@gmail.com>
Sent: Friday, December 5, 2025 6:26 AM
To: Clerkoftheboard; Lucas Frerichs
Subject: Big no to Cemex application for cache Creek gravel mining

i'm shocked to see that there's even a consideration of renewing the gravel mining in cache Creek basin. With current knowledge in 2025 it's so clear that this is not acceptable for ecological reasons! I know I speak from hundreds when I say vote against this for God sake.

Jenella Loye
Dept. Entomology, Univ. California Davis
and Carroll-Loye Biological Research
Mail to: Jenella Loye at 711 Oak Ave, Davis CA 95616
Mobile: 530 902 8289
website: Carroll-Loye.com and http://www.soapberrybug.org/

"The thinking man must oppose all cruel customs no matter how deeply rooted in tradition or surrounded by a halo. We need a boundless ethic which will include the animals also"
Dr. Albert Schweitzer

A Poem by Mary Oliver: Messenger

My work is loving the world.
Here the sunflowers, there the hummingbird—
  equal seekers of sweetness.
Here the quickening yeast there the blue plums.
Here the clam deep in the speckled sand.

Are my boots old? Is my coat torn?
Am I no longer young, and still not half-perfect? Let me
  keep my mind on what matters,
which is my work,
which is mostly standing still and learning to be
  astonished.
The phoebe, the delphinium.
The sheep in the pasture, and the pasture.
Which is mostly rejoicing, since all the ingredients are here,

which is gratitude, to be given a mind and a heart
  and these body-clothes,
a mouth with which to give shouts of joy
  to the moth and the wren, to the sleepy dug-up clam,
telling them all, over and over, how it is
that we live forever.

Julie Dachtler

From: Jennifer Roach <jenroach72@gmail.com>
Sent: Sunday, December 7, 2025 5:54 PM
To: Clerkoftheboard
Subject: URGENT! Please delay the vote to extend Cemex's application for permit

Dear Yolo County Board of Supervisors,

I am urgently requesting a delay in the vote on Cemex's application to extend the surface sand and gravel mining permit until an independent objective engineering analysis is performed. Based on information from the Yolono Group of the Sierra Club, I believe that there are greater environmental impacts than originally thought from the mining that has occurred over the past 30 years and it would be prudent to delay the vote that allows them to extend their permit for another 20 years. Cache Creek is an important watershed, an important riparian area for wildlife, and important farmland. It is my understanding that the mining will be deep enough to reach the groundwater which is concerning and that the land is not reclaimed well enough for suitable farmland. This area is an important non-renewable resource for Yolo and Solano counties and should be treated as such. I believe that it is imperative to have an independent analysis performed and urge you to postpone your vote until it has been completed and reviewed thoroughly.

Thank you,
Jennifer Roach
Yolo County resident

Julie Dachtler

From: Jessica Friedman <tufluv4ever@gmail.com>
Sent: Saturday, December 6, 2025 8:39 PM
To: Clerkoftheboard
Subject: CEMEX MINING

I am a resident of Davis and a full time teacher in Woodland. I own my home and pay my property taxes. I am firmly AGAINST more permitting for CEMEX to mine more gravel in our wetlands. No! Enough is enough. Protect the environment, no to more mining.
Jessica Friedman
1423 Farragut Circle
Davis, CA

Julie Dachtler

From: Benjie Briones <B0567333@go.yccd.edu>
Sent: Monday, December 8, 2025 12:06 AM
To: Clerkoftheboard
Subject: Please consider our kids future

WE DON'T WANT GRAVEL MINING TO CONTINUE HERE IN YOLO COUNTY!

Let our kids enjoy this earth like we did in our younger years. As parents, we try to "give the best" to our kids. Stop killing mother earth...

Jie Briones
Concerned parent from Yolo county

Paula Hugi

From: Joannie S <jsiegler57@gmail.com>
Sent: Friday, December 5, 2025 8:55 AM
To: Clerkoftheboard; lucas.frerichs@yolociunty.gov
Subject: Postpone vote on Cemex's application

To whom it may concern,
Please postpone the vote on Cemex's application to extend their permit for another 10 years.
Let's wait until there are people in place to gather the important information necessary to evaluate the application appropriately.
Thank you,
Joannie Siegler
Davis, CA

Julie Dachtler

From: Jocelyn Cavins <jocelynicavins@gmail.com>
Sent: Monday, December 8, 2025 1:50 PM
To: Clerkoftheboard
Subject: Say no to CEMEX!

To the Yolo County Board of Supervisors:

I am writing to express my strong opposition to CEMEX's application to extend their mining operation in Cache creek.

Approving CEMEX's permit goes against Yolo County's declaration of Climate Emergency in 2022 and the goal to transition to be a carbon neutral county by 2030. CEMEX does not have a plan in place to mitigate its greenhouse gas emissions. Further, continued mining poses a great risk of flash floods in Capay Valley and Woodland. As our climate continues to change with catastrophic consequences to our community, Yolo County should be doing everything they can to prevent disaster in our region, which includes denying the CEMEX permit renewal request.

Another consequence of mining along cache creek is the generation of methyl mercury, a potent neurotoxin. Mercury is bioaccumulating to toxic levels in fish, which is harmful itself, and which also poses a risk to other animals and humans if the fish are ingested.

The Sierra Club has called out the county's noncompliance with its own mercury regulations. Over five years ago the consultant hired by the county recommended mercury management plans be developed. These plans have not even been developed to this day!

Lastly, continued mining by CEMEX threatens our farmland, farmer livelihood, and groundwater access and quality. Yolo county is known for its agriculture, and I think of Yolo County as being home to many small, local, and organic farms. The mining of cache creek has ruined soil health, cut into farmland, and reduced access to groundwater. Even more mining is sure to harm our local farms and food systems.

It is hugely irresponsible and detrimental to all living beings in our community to allow CEMEX and other companies to continue mining given the current climate catastrophe and the county's failure to mitigate health and environmental consequences of these projects

As someone who works in food access and sustainable agriculture, I understand the domino effect that resource extraction from our land, like mining, has on the local food system. The more we exploit the earth for money, the bleaker the future of sustainable, local, family owned agriculture in this region. It is incredibly disheartening to hear that Yolo County has neglected to protect our waterways and agricultural resources and instead allows a 15 billion dollar multinational company to exploit our precious land and water for profit at the expense of our community.

Please do what is right for our land, waterways, and community, and say NO TO CEMEX.

Sincerely,
Jocelyn Cavins

Julie Dachtler

From: Joe Cinelli <jjcinelli@gmail.com>
Sent: Monday, December 8, 2025 11:25 AM
To: Clerkoftheboard
Subject: Tues 12/9 9am Agenda Item 43

Kind Greetings,

This is in reference to Agenda Item 43, regarding the CEMEX Permit.

My name is Rev. Joseph Cinelli, in Davis.

I often pray before I make any decisions. Not everyone does. I respect that. Civic Duty should be free from divine guidance.

But I don't need to pray in order to know our wetlands are beyond critical importance. All that is not saved will be lost.

When we each look back on our own legacy, will we be remembered for the "funds we balanced" for our beloved County?

Or will we be remembered because we were steadfast in protecting our environment for our children and their children?

For they will be the true judges of our choices, when they shoulder the weight of the mantle we leave behind for them once we retire.

They will remember.

My Best Blessings,
Joe

Julie Dachtler

From: Juan Alvarado <judalvarado@ucdavis.edu>
Sent: Monday, December 8, 2025 2:41 PM
To: Clerkoftheboard
Subject: Creek Gravel Mining Must End

Dear Yolo County Board of Supervisors,

I am Juan Alvarado and I live in District 2 and I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

I believe it's important to acknowledge that Cache Creek and the land it runs through belongs to members of the Wintun Nation, who stewarded it for centuries before colonization. The first missionaries and settlers in California discovered an area of nearly unmatched biodiversity and natural abundance when they arrived, and the creek remains a habitat for countless species and microorganisms, including beavers, dragonflies, turtles, and so many more, all relying on a careful balance to keep the environment healthy. Professors, scientists, students, community members, and people for whom the creek holds cultural and spiritual significance all care deeply about the health of the creek and oppose continued gravel mining by CEMEX. The main threat to the health of Cache Creek is the continued mining by CEMEX, which would completely exhaust the creek's natural ability to facilitate biodiversity and maintain balance. Continued mining would have negative impacts on groundwater sustainability and increase the threat of mosquitos, along with creating methyl mercury contamination in our wildlife and food.Scientists have made it clear that the creek will not be able to sustain further mining and that the extension of gravel mining would put the creek, its wildlife, and all of us in danger.
In the last two centuries, Yolo County has seen 95% of its wetlands destroyed. But there is still hope. Restoring the creek and preventing further mining is vital for our health and the health of the planet; wetlands sequester carbon and are very important for biofiltration, along with sustaining the wildlife in the area. There is still potential to protect Cache Creek and allow the ecosystem to heal. Lower Cache Creek has some of the greatest potential for habitat restoration in Yolo County, and members of the Wintun Nation have knowledge and practices that would allow for restoration of the wetlands.

I am not only calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday, but asking you if you are willing to live with the consequences which will affect all of us.

Thank you,
Juan Alvarado, District 2

Julie Dachtler

From: Julia Seebach <juliaseebach@gmail.com>
Sent: Thursday, December 4, 2025 1:45 PM
To: Clerkoftheboard
Subject: cache creek mining vote

Greetings Yolo County Board of Supervisors,
I wanted to express my deep concerns regarding the mining extension contract with CEMEX along Cache Creek.

We've already lost too much of our wetlands and everyone should be working on the preservation and restoration of our watersheds. Extending mining for more decades would be a huge step backwards. The salmon repopulation at putah creek is a testament to the resilience of the natural world when we come together to restore, protect and preserve.

Thank you for doing your part to protect our precious waters and land. While there is always enormous pressure to cave to billion dollar companies, the earth requires all local communities to prioritize preservation over corporate dollars.

In community,
Julia Seebach
Davis, CA / Cornell Drive

December 8, 2025

Yolo County Board of Supervisors
c/o Clerk of the Board

RE: Agenda Item 43 pertaining to the CEMEX Mining and Reclamation Plan Permit Application

Dear Supervisors,

I am writing as a sixteen year resident of Yolo County with family ties to the agricultural economy of the region dating back to the late 1800's. I'd like to share my concerns with the CEMEX mining project as a UC Berkeley-trained Conservation and Resource specialist with over thirty years of experience working at the intersection of water sustainability, climate change and community economic-development.

I urge you not to approve the CEMEX application on Tuesday. There are many outstanding issues that merit further deliberation before the Subsequent EIR (SEIR) is certified and the permit granted. This project will permanently impact rural Yolo County — the communities of Madison and Esparto in particular — and will undermine community-led efforts to restore a climate-resilient, biodiverse, carbon-sequestering, groundwater-enhancing Cache Creek floodplain and wildlife corridor that could for the basis for a healthy economy well into a highly uncertain future.

Over the past five years, I have done my best to analyze this project — and the Off Channel Mining Program as a whole — with an open mind, while learning from community members who have been actively restoring the Cache Creek Nature Preserve gravel pit for over 20 years. This exemplary restoration work has been guided by the values of sustainability, indigenous cultural revitalization, community well-being, environmental justice and climate adaptation.

The Tending and Gathering Garden has become a world-renowned hub for integrating Western science and highly-evolved, place-based indigenous knowledge to restore healthy homeland ecosystems. Unfortunately, the application before you does not reflect this best available science. Your consultants fundamentally lack this experience and awareness. The people that should be centered in this decision-making process are being systematically excluded. You now have an opportunity to rectify this inequity and make land-use decisions with the best available, place-based science that has emerged right here in the Cache Creek watershed.

Over seventy five people with combined hundreds of years of land-use planning and community development experience have written to you asking for a better, more inclusive process before a final decision is made on this 20-year permit (see attached letter). It is the largest active aggregate mine in Yolo County and deserves careful consideration.

With 1,900 acres, this site extends along 3-miles of creekside land comprising 20% of the proposed parkway. It is the linchpin for a restored floodplain.

General Plan Action CO-A44 clearly stipulates county planning staff must: **"Coordinate individual surface mining reclamation plans so that the development of an expanded riparian corridor along Cache Creek may be achieved."**

CEMEX's current reclamation plan, approved in 1996, includes the design of two small ponds (four water bodies in total) adjacent to the creek that are better suited for restored floodplain habitat than the current plan to leave two large artificial deep pits on this site.

Yolo County would be better served with the current reclamation plan (Alternative 1a or 1b in the SEIR) than being saddled with an unscientific plan that could pose a major liability for future generations. As detailed in the comment letter by Dr. Geoffrey Attardo, an expert in environmental and public health, deep, landlocked artificial "lakes" could become a source of mosquito-borne diseases, ongoing mercury poisoning in the food web, toxic algal and bacterial blooms and other unforeseen outcomes of poor environmental planning.

These "lakes," as raised in the draft EIR comment letter by Kristin Sicke (attached), could also be a constant drain on groundwater due to evaporative losses and pose a number of health and safety risks.

The glossy pictures in the draft parkway plan of how these so-called lakes could be be used for recreation in the future are unrealistic and do not reflect the reality of living in a drier, hotter climate. The pictures show people recreating in green forests, yet it is very difficult to get trees established (just visit Capay Open Space Park). I am concerned that the future parkway will be too exposed to be of much use. Wetlands, on the other hand, grow quickly, serve as cooling mechanisms, improve the soil, help recharge groundwater with deep plant roots that extend into the water table and actually help remediate mercury and other contaminants.

These are issues that deserve more consideration by local community members who will be living with these reclaimed sites, and yet the public engagement process for this project has been totally inadequate.

The general plan stipulates the measures that should be taken for meaningful community engagement. They include:

GOAL LU-8: Environmental Justice. Ensure an equitable distribution of public facilities and services, a safe and healthy environment, including access to healthy foods, recreation and activity, public services, with an emphasis on equity for disadvantaged and vulnerable communities, and provide fair treatment and opportunities for meaningful involvement for all people.

Policy LU-8.2 Ensure that land use, development, infrastructure, and other County decisions are conducted through an open and engaging process inclusive of community residents.

Action CC-A38: Build strong ties, especially with disadvantaged communities, to ensure local residents can make impactful contributions to planning decisions through:
- *Use of culturally appropriate approaches,*
- *Consideration of timing, location, and virtual participation to make meetings more accessible to community members,*
- *Provision of translation services and translated materials when needed, and*
- *Partnering with local organizations and nonprofits who are active in the County.*

When I raised this in my comment letter on the draft EIR, staff responded on Page 3-83,

The process for consideration of the proposed project has involved numerous opportunities for public involvement including providing written comments on the CEQA Notice of Preparation during the 30-day comment period; providing oral comments on the appropriate scope of the EIR at the Planning Commission scoping meeting; providing written comments on the DSEIR during the 45-day comment period; and providing oral comments on the adequacy of the DSEIR at the Planning Commission meeting held on April 11, 2024.

Public noticing has included the following:
• CEQA Notice of Preparation and Notice of Scoping Meeting for Draft Environmental Impact Report, dated February 26, 2021.
• Public legal notice in the Davis Enterprise newspaper on February 28, 2021, regarding an item before the County Planning Commission on March 11, 2021, to receive comments on the scope of the DSEIR.
• CEQA Notice of Availability and Notice of Public Meeting for Draft Subsequent Environmental Impact Report, dated March 21, 2024.

How are any of these actions addressing historic barriers to participation by historically marginalized community members? These do not reflect an understanding of the county's general plan obligations to advance meaningful engagement with disadvantaged and vulnerable community members to support inclusive planning decisions.

From numerous conversations I've had with Native Californian cultural practitioners, the public engagement process lacks an understanding of cultural priorities, perpetuates the long history of exclusion from policy-making spaces including the TAC, and worsens ongoing public health impacts due to lack of access to healthy, natural spaces for gathering, fishing, fiber and cultural purposes.

To repeatedly claim that adequate tribal consultation has occurred and that the appropriate technical "experts" have been consulted on the reclamation plan ignores and erases the generations of traditional ecological stewardship of the Cache Creek corridor as inspired by Wintun cultural practitioner Bertha Mitchell, the last speaker of the Puhtwin language as her mother tongue, who advised on the original design of the Tending and Gathering Garden.

<u>This is a grave environmental injustice and a blatant violation of the county's environmental justice elements of the general plan.</u>

County staff reports that the only environmental justice-impacted community is the census tract partially in West Sacramento and to the north along the Sacramento River. This lacks a localized understanding of indigenous-led Cache Creek restoration efforts in particular, and the socio-economic conditions of the communities closest to the project.

Cemex and county staff point to Zentner biology as the "experts" on this project. To my knowledge, in the 20+ years that Zentner has been actively restoring habitat at the CEMEX site, there has been no consultation with Native cultural-ecological practitioners. Our request for a site visit to assess Zentner's restoration was denied citing health and safety reasons, and yet

Planning Commissioners and County Supervisors and staff were permitted to view the project site.

This gap in communication should be remedied before a final decision is made on the Habitat Plan for the CEMEX reclamation project. Again, this 1,900 acre project site should be subject to adaptive management with the best available science. The county's reliance on outside consultants (whose use of the term in “digger pines” in their reports is derogatory and offensive) instead of local land-use and gravel mine reclamation experts is both unjust and scientifically unsound.

During the Planning Commission’s relatively brief, one-sided hearing on this complex project, the applicant shared that they have found significantly more marketable materials than was originally estimated. Given this windfall, there should be no urgency in approving this permit which expires in late 2027.

Please consider delaying a decision on the application and allocate funding to support a more robust, inclusive stakeholder engagement process. Staff positions that are vacant should be filled before a decision of this magnetite affecting the future of Cache Creek is made. A decision to approve this project at this juncture will undermine and permanently eclipse the efforts of numerous restoration efforts working in good faith to restore the creek with the best available science.

Thank you for your consideration of these concerns.

In the spirit of sound, responsible stewardship,
Juliette Beck

Geoffrey Michael Attardo, Ph.D.
Associate Professor
Department of Entomology & Nematology
University of California, Davis
1 Shields Avenue, Davis, CA, 95616

11/12/2025

To the members of the Yolo County Planning Commission, Yolo County Board of Supervisors, and Yolo County Department of Community Services, Natural Resources Division

Dear Commissioners, Supervisors, and Planning Staff,

I am writing to express my concern regarding the proposed amendment to the CEMEX Mining and Reclamation Plan, which seeks to extend mining operations by 20 years, expand production, increase disturbed acreage, and substantially alter reclamation end-uses along the Cache Creek corridor.

After reviewing the 2024 Mercury Monitoring Report and the 2025 Final SEIR, the proposed amendment does not adequately account for ongoing and unresolved environmental impacts from previous mining activity along the Cache Creek corridor. Particularly, those related to mercury and methylmercury contamination, hydrological disruption, ecological degradation, and climate-driven risks to the region. Given the gravity and documented persistence of these issues, I strongly urge the County to require a more robust, updated environmental assessment and to reconsider reclamation strategies before granting approval for an expansion of this scale and duration.

The County's own long-term monitoring demonstrates that several off-channel mining ponds including CEMEX Phases 3 and 4 that have repeatedly exceeded mercury levels found in a control pond. The combined Phase 3-4 pond recorded five consecutive years of exceedance prior to being split. Current test results show adult fish in both ponds remain above ambient levels, and young-of-year fish in Phase 1 show sharp increases in methylmercury exposure, a clear indicator of an active methylation.

Despite a decade of elevated results, no Lake Management Plans (LMPs) have been implemented, and the SEIR offers no evidence-based pathway for reducing methylmercury production in newly proposed lakes. Approving another 204 acres of deep, stagnant, permanent lakes, which would foster conditions that facilitate methylmercury production

(deep/anoxic/light deficient water) would greatly worsen a problem the County has not yet been able to manage in the existing system. A reclamation plan that increases lake area while reducing wetland habitat contradicts the best scientific understanding of mercury remediation.

The proposed, recreational lakes would not be safe for public use despite the implication that they are. The data from 2024 demonstrate that fish in many mining ponds contain mercury concentrations high enough to trigger health advisories. As the monitoring report states, fish consumption is the dominant exposure pathway for people and wildlife.

Designating these contaminated ponds as "recreational water bodies" implies that they would be safe for public engagement while introducing public-health risks. Without any demonstrated remediation plan, the SEIR fails to meaningfully reconcile the contradiction between the documented unsafe mercury levels in existing mining pits, while expanding these environments which are prone to producing methylmercury. Recreation cannot be credibly offered as a post-mining land use when the underlying water chemistry remains fundamentally unsafe.

Wetland-based reclamation offers far better ecological and remediation outcomes. Shallow wetlands, not deep lakes, provide effective ecological services capable of reducing methylmercury production, converting methylmercury to elemental mercury, and remediation of elemental mercury through plant-based emission via cattails (Typha). These capabilities have been described in the following references.

Gonnuri, B., & Guo, L. (2024). Metal accumulation in cattails cultured in soils flooded with artificial wastewater of varying pH and different levels of metals (Cr, Cd and Zn). *International Journal of Phytoremediation*, *26*(14), 2290–2300.

Lindberg, S., Dong, W., Chanton, J., Qualls, R., & Meyers, T. (2005). A mechanism for bimodal emission of gaseous mercury from aquatic macrophytes. *Atmospheric Environment (Oxford, England: 1994)*, *39*(7), 1289–1301.

This is reaffirmed by the recent findings of low levels of mercury in the Cache Creek Conservancy restored wetland.

The report states - "The Cache Creek Nature Preserve is a perplexing case: low fish mercury together with significant anoxia. That site, however, was also very high in dissolved organic matter relative to the other ponds, a factor that can make methylmercury less available for movement into the foodweb (Ravichandran 2004)."

Besides the presence of dissolved organic matter, the Cache Creek restored wetland has extensive cattail and tule growth. These plants reduce anoxic sediments by pumping

oxygen down into the sediment via their root systems which facilitates aerobic bacterial growth in normally anaerobic sediment. This promotes the conversion of oxidized mercury to elemental mercury which is then taken up by the cattail root systems and “exhaled” by the plants.

This activity provides stable and constant remediation services while fostering the microbial foundation of the aquatic food web, facilitating carbon sequestration, enabling groundwater infiltration and purification, and provision of habitat for the numerous animals that inhabit palustrine wetlands. This approach aligns with the County’s climate adaptation goals, the Yolo Habitat Conservancy’s mandates, and the ecological realities of the Cache Creek watershed.

California has already lost over 90% of its historic wetlands. Continuing to replace mine sites with deep pits instead of ecological habitat restoration compounds this legacy of loss and undermines future ecological and climate resilience.

The proposed amendment delays reclamation of these essential ecological resources by decades and reduces agricultural and habitat recovery. The proposed amendment dramatically postpones reclamation with mining extended to 2047 and final reclamation being delayed to 2052. This pushes restoration, habitat development, and mercury mitigation into the far future while exacerbating already unmitigated environmental issues from prior mining activity.

The SEIR also confirms that CEMEX plans to increase permanent lake acreage, reduce reclaimed agricultural land, and only partially increase riparian or habitat areas. Given the company’s limited progress on existing reclamation commitments, granting 20 additional years, without resolution of existing shortcomings, creates a decades-long deferral of promised public benefits.

Atmospheric river activity, flooding frequency, and storm intensities are all projected to increase in the Sacramento Valley. The creation of large, deep artificial lakes promotes accumulation of mercury-rich sediment, further stratification and deoxygenation, destabilization of shorelines during high-flow events and loss of potential groundwater recharge activity relative to the potential offered by wetlands.

The SEIR acknowledges hydrological and water quality impacts but does not fully incorporate climate projections into its risk analysis. Expanding lake area under these conditions may amplify long-term water-quality degradation rather than support regional water resilience.

Local tribal nations, ecologists, hydrologists, and residents have repeatedly voiced concerns about water quality, mercury contamination, habitat loss, groundwater

depletion, dust, air quality, truck traffic, and climate resilience. The amendment does not meaningfully address these issues or incorporate the ecological expertise now present in the County, including ongoing restoration work at Cache Creek Nature Preserve, Dunnigan Hills, Dutch Slough, and multiple tribal TEK-informed projects. Yolo County can set a modern standard for climate-aligned, community-supported reclamation practices, rather than perpetuating outdated models of industrial pit-lake development.

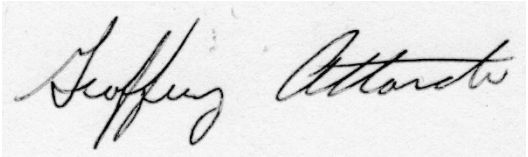
Before granting any amendment of this magnitude, I urge the County to:

1. Require a scientifically robust, updated environmental review that fully addresses mercury remediation, climate-driven hydrological changes, and cumulative water-quality impacts.
2. Prioritize wetland-based reclamation over expanded deep lakes to mitigate mercury risks and increase ecological, hydrological, and climate benefits.
3. Require the full development and implementation of Lake Management Plans for all ponds already exceeding mercury thresholds before approving new excavation or lake creation.
4. Ensure meaningful tribal, ecological, and community participation in designing reclamation outcomes.
5. Enforce stricter timelines and accountability for reclamation milestones given past delays.

Without these measures, the proposed amendment represents a substantial environmental liability, one that disproportionately affects the Cache Creek ecosystem, local biodiversity, and public health for decades to come.

Thank you for your attention to these concerns and for your stewardship of the Cache Creek watershed.

Sincerely,



Geoffrey Michael Attardo, Ph.D.
Associate Professor, UC Davis Department of Entomology & Nematology

LETTER 10

KRISTIN SICKE,

YOLO SUBBASIN GROUNDWATER AGENCY

(MAY 6, 2024)

Yolo Subbasin Groundwater Agency
Groundwater Sustainability Agency

34274 State Highway 16 ▪ Woodland, CA 95695 ▪ 530.662.3211 ▪ www.yologroundwater.org

LETTER 10

May 6, 2024

Casey Liebler, Natural Resources Planner
County of Yolo
Casey.Liebler@yolocounty.org

RE: Notice of Availability of a Draft Subsequent Draft Environmental Impact Report (Draft SEIR) for the CEMEX Mining and Reclamation Plan Permit Amendment Project (ZF#2018-0015)

Dear Mr. Liebler,

Thank you for the opportunity to comment on the Draft SEIR for the CEMEX Mining and Reclamation Plan Permit Amendment Project (Project). On behalf of the Yolo Subbasin Groundwater Agency (YSGA), we have concerns about the lack of comprehensive analysis in the Draft SEIR related to groundwater impacts. The Draft SEIR fails to consider the impact to groundwater levels, storage, land subsidence, and water quality based on the total evaporative losses when mining at a lower elevation and the displacement or disruption to the soil profile from mining activities. The YSGA would welcome the opportunity to partner with CEMEX, other mining operations, and the County to learn more about the potential impacts (or benefits) of mining operations on subsurface conditions surrounding project sites. There is much to learn about whether mining operations (or significant ground-disturbance activities) result in modified hydraulic heads altering the path of groundwater flow; compacted soils, reduced pore space, and reduced storage capacity; or degradation of water quality or migration of constituents of concern. **10-1**

The YSGA respectfully requests the County to consider incorporating an evaluation of the proposed Project on the 2022 Yolo Subbasin Groundwater Sustainability Plan (GSP) sustainability indicators in the Final SEIR and welcomes a meeting with the County and CEMEX team to discuss things further. **10-2**

Feel free to contact us with any questions at info@yolosga.org.

Thanks for your time,

Kristin Sicke, YSGA Executive Officer

City of Davis ▪ City of West Sacramento ▪ City of Winters ▪ City of Woodland ▪ County of Yolo ▪ Dunnigan Water District ▪ Esparto Community Service District ▪ Madison Community Service District ▪ Reclamation District 108 ▪ Reclamation District 150 Reclamation District 307 ▪ Reclamation District 537 ▪ Reclamation District 730 ▪ Reclamation District 765 ▪ Reclamation District 787 ▪ Reclamation 999 ▪ Reclamation District 1600 ▪ Reclamation District 2035 ▪ Yocha Dehe Wintun Nation ▪ Yolo County Flood Control and Water Conservation District ▪ University of California Davis ▪ California American Water ▪ Colusa Drain Mutual Water Company ▪ Yolo County Farm Bureau ▪ Environmental Representative ▪ Rumsey Water Users Association

PDF Page	PAGE	YSGA COMMENT	
62	3-6	*"Agricultural production on and around the site are mainly row crops".* **There are also many tree crops, particularly to the north of the site.**	10-3
64	3-8	**This list of actions should also include mercury exceedance notifications and lake management plans (such as the recent 2018 exceedance).**	10-4
65-66	3-9, 3-10	*"Mining of the 100-acre off-channel Hutson parcel was ultimately completed in 1995 and the parcel was substantially reclaimed to agriculture. Row crop farming occurred through 2016 at which point the operator placed additional A-, B-, and C-horizon soils and farming ceased. The parcel has remained fallow until recently. Agricultural leveling of the field occurred in Summer of 2022 and crops were planted in December 2022".* **The same is said about the Farnham West parcel. Why was fallowing and soil addition necessary? Had the mining operation depleted the farmable soil?**	10-5
70	3-14	*The applicant has agreed to several actions that will be monitoring by the County to resolve these matters.* **Typo, should be "monitored".**	10-6
348-349	4.6-4, 4.6-5	**Please update this text to describe the current status of the YSGA and the Yolo Subbasin GSP. The YSGA was established in 2017 and is composed of 26 member agencies. The Yolo Subbasin GSP was adopted by the YSGA in Jan 2022 and conditionally approved by DWR in Oct 2023. The GSP covers a 50-year period ending in 2071. Information about the YSGA, the GSP, and implementation can be found at https://www.yologroundwater.org**	10-7
348-349	4.6-4, 4.6-5	*"The CCAP Update, under which the CEMEX mine operates, considered SGMA and opportunities for groundwater recharge among other public benefits of the plan to encourage recharge projects as possible community benefit projects."* **What kinds of recharge projects were considered?**	10-8
General		**YSGA requests consultation before monitoring wells on site are destroyed as part of the reclamation plan. These shallow, near-stream monitoring wells are important data points for the YSGA in the implementation of the Sustainable Groundwater Management Act. YSGA would be willing to take over maintenance and monitoring of the sites after mining operations cease. Wells of particular importance to the YSGA include OW-1D, OW-2, OW-3, OW-4, OW-8D, and OW-6D.**	10-9
356, 475, others	4.6-12, 5-13, others	**For analysis of impacts to neighboring wells in this section and those following, the analysis radius should be at least 2,000 feet, consistent with the recent well permitting TM developed by the County DEH. impacts to a domestic well could plausibly occur outside of a 500-foot radius.**	10-10
356	4.6-12	**Are similar protections proposed for the post-reclamation recreational lakes? For example, what if the lake is seasonally connected to the water table? This could potentially allow for conveyance of surface pollutants into the groundwater as the lake transitions from gaining to losing.**	10-11
		How is the level of seasonal high groundwater determined? This can change significantly from year to year depending on hydrology.	10-12

356	4.6-12	**It seems inequitable to place the burden of well relocation on well owners who had existing wells before the expansion of wet pit mining in this scenario. In addition, the impact of contaminant mobilization would potentially expand to more areas than only the well owner's property. Therefore, the well owner is not able to fully accept the potential impact, because other parties in the groundwater basin and surrounding area could also experience impacts.**	10-13
359-360	4.6-15, 4.6-16	**YSGA requests proposals and technical studies related to pit design and groundwater flow impacts be noticed to the agency. YSGA also requests provision of any site-specific aquifer testing results and modeled aquifer properties for use in improved County-wide aquifer modeling.**	10-14
		Analysis of impacts should be expanded to at least 2,000 feet or potentially up to 1 mile from the site. In addition, how are average high and average historic low groundwater levels calculated? The time period and methods used can make a huge difference in results.	10-15
369	4.6-25	**Evaporation from open water (approx. 60 in/yr) is significantly greater than evapo-transpiration from agricultural land use (approx. 30-50 in/yr). Thus, the impact of evaporation during the open wet pit phase, and during the reclaimed lake phase, could be significant. Source: https://openetdata.org/**	10-16
372	4.6-28	*"The TAC found that there are no obvious longterm trends that indicate water quality degradation, and that most contaminants being tested occur at levels that are below action levels."* **Which contaminants occur at levels above action levels? What actions are being taken in response?**	10-17
374-375	4.6-30, 4.6-31	**Why are there fish in the wet pits?**	10-18
		If the pond was last sampled in 2018, for which 2 consecutive years was mercury "elevated above baseline?" Wouldn't sampling need to occur annually to fulfill this requirement?	10-19
		If exceedance was detected in 2018, why have the notice and LMP not yet been prepared? For sufficient mitigation of this impact, it seems a time limit between the detection of an exceedance and the development of an LMP is necessary. Page 4.6-31 states that implementation of an LMP must occur within 3 years of reported results - Why has the LMP for the 2018 exceedance event not been developed/implemented?	10-20
		YSGA requests notice and review of LMP's.	10-21
		Preparation of alternate management plans should be publicly noticed in a manner similar to the original LMP.	10-22
		"...fill the pit lake with suitable fill material to a level no less than five (5) feet above the average seasonal high groundwater level..." **Using what time period is the average calculated? This can greatly change the results.**	10-23

376-377	4.6-32, 4.6-33	**The proposed annual and cumulative loss of groundwater from storage due to evaporation, in both the original and the modified project scenario, should be quantified. Without this quantification, the conclusion that the impact is less than significant is unsubstantiated. By rough estimate, the proposed additional 57.4 acres could result in the loss of an additional 287 AF per year from the aquifer. Open water shows higher ET rates than the large majority of other land uses, and the direct evaporation of exposed groundwater is of concern. Cache Creek relies on elevated groundwater levels, especially in this area, to maintain habitable conditions during summer months. The source and amount of water used to fill the ponds also needs to be explained and accounted for (especially in dry years when the groundwater table is low).**	10-24
		In addition, how will the proposed project affect the movement and storage of water through the aquifer? Potential impacts on soil properties, compaction, etc should be considered here.	10-25
		The expansion of exposed groundwater to evaporation will cause an increase in loss of groundwater from storage. This cannot be declared insignificant without quantification of (1) loss of storage, (2) resulting change in groundwater levels, and (3) resulting effects on the gaining stretches of Cache Creek.	10-26
379-380	4.6-35, 4.6-36	**The GSP has already been prepared and adopted and should be considered more thoroughly. Increases in groundwater extraction are implicit in the project through the proposed increase in open water area, which would directly evaporate groundwater. In addition, the GSP also establishes threshold criteria with respect to (1) groundwater levels, (2) changes in groundwater storage, (3) groundwater quality, and (4) interconnected surface water bodies. Impacts of the project on each of these criteria should be quantified relative to the Measurable Objectives and Minimum Thresholds established in the GSP.**	10-27
		The GSP provides significant additional important information relative to groundwater quantity, quality, and movement in the Subbasin that was not available in 1996. In addition, the GSP provides quantifiable thresholds for impacts to groundwater resources which this analysis should take into account.	10-28
382	4.6-38	**Yolo Subbasin Groundwater Sustainability Plan should be cited and considered in this table.**	10-29
475	5-13	**See previously cited concerns about timeline of mercury exceedance to mitigation. In that time, groundwater can become contaminated, and the plume can spread to the surrounding aquifer. The cumulative impacts of exceedance occurring in multiple pits could be considerable.**	10-30
		The text in this section and in section 4.6 is missing a discussion of the impacts of methylmercury formation on groundwater. If methylmercury accumulates in the wet pit lakes, and groundwater	10-31

3
YSGA Comments on CEMEX Draft SEIR

		continues to freely flow through the lakes, what prohibits the transport of methylmercury into the groundwater aquifer?	10-31 cont.
		A larger radius than 1,000 ft should be used for considering impacts on neighboring wells.	10-32
		This cumulative impact section should have a discussion on the cumulative evaporative impacts on groundwater storage. What is the quantitative impact of increasing the mining period on the amount of groundwater evaporated?	10-33
480	5-18	*"Changes in land use which would commit future generations"* **The delay of reclamation and extension of the mining period should be an impact considered under this section.**	10-34
481	5-19	*"...analysis, and will require if proposed reclamation to agriculture in that area is not approved"* typo? **This sentence is not clear.**	10-35

LETTER 10: KRISTIN SICKE, YOLO SUBBASIN GROUNDWATER AGENCY (MAY 6, 2024)

Response to Comment 10-1

The commenter's views regarding the groundwater analysis and other aspects of the DSEIR are noted. Groundwater has been a primary consideration in the CCAP and all mining projects. The following general summary of groundwater analysis prepared for the CCAP and the CEMEX operation is provided for the information of the commenter.

The CCAP was developed based on an extensive analysis of the interaction between groundwater and wet pit mining. The 1995 Technical Studies provided baseline and historical information about the streamway fluvial morphology, groundwater resources, and riparian habitat, and provided detailed recommendations for managing creek resources as an integrated system. These became the foundation for the CCAP which was adopted in 1996.

The 1996 OCMP and CCRMP EIRs examined potential impacts to groundwater and all mitigation measures were integrated into the CCAP as regulatory requirements.

The CCAP is based on an adaptive management model. The idea behind this concept is to evolve the program based on the actual results and trend analysis over time. The CCAP requires regularly conducted modeling, monitoring, surveying, and reporting. The resulting information is to be analyzed for patterns and fed back into the program for the purpose of program update and modification, if appropriate, when the County conducts regularly required program reviews.

Pursuant to Section 10-4.417 of the Mining Ordinance, each gravel producer is required to undertake the following annual groundwater monitoring:

- Water levels – Every quarter in wells and pits
- Water quality – Every six months in wells and pits

Also annually, the Cache Creek TAC is required, among other tasks, to:

- Review stream discharge and sediment transport (load) data, topography, aerial photos, and digital terrain modeling (CCIP)
- Conduct hydraulic and sediment transport modeling, and update our CCAP dashboard (CCIP)
- Prepare an annual creek monitoring report (CCIP)

Every year the County is required to perform, among other things:

- Interagency contact regarding water quality (CCRMP Action 3.4-2)
- Testing of surface water quality at Capay and Yolo (CCRMP Action 3.4-3)

In 2015, the County commissioned the Cache Creek TAC to prepare an update to the original 1995 Technical Studies. This report involved detailed analysis of the monitoring and reporting (outlined above) that had occurred over the prior 20 years and resulted in publication of the 2017 Technical Studies. This report became the basis for the recent comprehensive CCAP update, which was completed in 2019. The CCAP Update was also analyzed in a comprehensive EIR which included a review of groundwater conditions in the "Setting" subsection of Chapter 4.9 (Hydrology and Water Quality) (pages 4.9-2 to 4.9-4, 2019 CCAP Update EIR, Draft Volume), and an analysis of groundwater impacts in Impact HYD-2 (page 4.9-30 to 4.9-31, 2019 CCAP Update EIR, Draft Volume). Impacts to groundwater supply, groundwater recharge, and sustainable groundwater management were all found to be less-than-significant.

As described on DSEIR page 4-1, the subject CEMEX DSEIR tiers from the 1996 Solano Long-Term Off-Channel Mining Permit Application FEIR (SCH No. 96012034) and the 2019 Cache Creek Area Plan Update FEIR (SCH No. 017052069). Impacts to groundwater are analyzed in Chapter 4.6 (Hydrology and Water Quality) of the DSEIR. Three technical reports specifically on groundwater conditions relevant to the proposed project were prepared by Luhdorff and Scalmanini Consulting Engineers, and are cited on page 4.6-1 of the DSEIR. These reports are available in their entirety as documents 25, 26, and 27 in the posting of all reference documents that accompanied release of the DSEIR (see weblink provided in Response 6-4).

The rigorous analysis, regulation, and monitoring of groundwater that has occurred over decades pursuant to the CCAP demonstrate consistently that groundwater effects of mining, including impacts to flow, recharge, and water quality are less-than-significant. Groundwater levels generally near Cache Creek have exhibited long-term seasonal trends of depression in the irrigation season and recovery in the rainy season, with expected variation during periods of drought. There are no indications of adverse effects to groundwater levels or quality as a result of permitted aggregate mining.

In Impact HYD-4, the CCAP Update EIR examined compatibility with the required Groundwater Sustainability Plan which was under preparation at the time and concluded that continued implementation of the CCAP "…would not adversely affect sustainable groundwater management because no groundwater extraction or increase in impervious surfaces (which could reduce recharge) is proposed under the CCAP" (page 4.9-34, 2019 CCAP Update EIR, Draft Volume).

Response to Comment 10-2

The Yolo Subbasin Groundwater Agency (YSGA) operates under a Joint Powers Agreement, comprised of 20 member agencies and six affiliated parties. The Yolo Subbasin is divided into six management areas (MAs). The CEMEX off-channel mining operation is located within the Central Yolo MA. The YCFCWCD is the relevant member agency. The YSGA's *2022 Groundwater Sustainability Plan* (GSP), prepared by GEI Consultants, Inc. in 2022, identifies five sustainability indicators (SIs) (see GSP page 4-2). The commenter has requested an evaluation of the project on each of the SIs. Each of these is listed below followed by the requested evaluation:

1. Chronic lowering of groundwater levels

2. Reduction in groundwater storage
3. Degraded water quality
4. Land subsidence
5. Depletion of interconnected surface water

Chronic Lowering of Groundwater Levels and Reduction in Groundwater Storage – The GSP defines the undesirable result for chronic lowering of groundwater levels as "the point at which significant and unreasonable impacts over the planning and implementation horizon, as determined by depth or elevation of ground water, affect the reasonable beneficial use of, and access to, groundwater by overlying users." For the Central Yolo MA, the following minimum threshold applies: "a well violates the minimum threshold when the groundwater elevation exceeds the historic (pre-2016) minimum elevation in the period of record of each Representative Well in two consecutive fall measurements."

The sustainability indicator for reduction in groundwater storage is evaluated using the same criteria as that for chronic lowering of groundwater levels. Thus, this discussion applies to both indicators. The closest Groundwater Elevation and Storage representative monitoring well is YSGA Representative Well 265 (State Well Number [SWN] 10N01W21J001M). The operational range for this well (i.e., the difference between the minimum threshold and measurable objective) is 36.6 feet. The depth to water at the minimum threshold is 70.4 feet below ground surface.

The off-channel mining operations are projected to reach a maximum depth of 70 feet, with local groundwater elevations ranging from approximately 15 to 45 feet below ground surface. Because the ponds intersect shallow groundwater, declines due to pond evaporation are not expected to exceed 45 feet below ground surface, thus, remaining within the operational range defined in the GSP.

Degraded Water Quality – The GSP defines the minimum threshold for degraded water quality as "a representative monitoring well violates the minimum threshold when the total dissolved solids concentration exceeds 1,000 ppm over a three (3) year rolling average." Groundwater quality monitoring conducted at the CEMEX facility has not recorded total dissolved solids concentrations exceeding 1,000 ppm since monitoring activities began in 1990. This is documented in annually prepared cumulative monitoring reports, including the most recent report, prepared by Luhdorff and Scalmanini Consulting Engineers (LSCE), titled *2024 Groundwater Conditions in the Vicinity of CEMEX' Madison Plant, Yolo County, CA* (dated October 24, 2024). Since the proposed project does not alter ongoing operations, no change in water quality is anticipated.

Land Subsidence – As stated in the Section 3.6.1.1 of the GSP, "…the mechanism most relevant to sustainable groundwater management is the long or short-term depressurization of aquifers and aquitards due to lowering of groundwater levels, which can lead to the compaction of compressible strata and lowering of the ground surface." The proposed project does not involve

changes that would or could cause such depressurization and resulting lowering of the ground surface.

Interconnected Surface Water – The CEMEX facility is located adjacent to Lower Cache Creek. The GSP (page xxxix) characterizes Lower Cache Creek:

> *Lower Cache Creek is an intermittent water body with a known connection to groundwater that supports sensitive ecosystems, recreation, and surface water uses. The creek experiences connection to, and disconnection from, groundwater that varies in space and time…*

The goal of the interconnected surface water SI recognizes the natural variability in stream-groundwater interactions and allows for temporary disconnection, provided that reconnection occurs during wet periods. As stated in the GSP (page xxxix), the minimum threshold for this SI is:

> *The Minimum Threshold for depletion of interconnected surface water is the recurrence of the spring (March-May) average measurement for 1975 to present in at least one spring in every seven (7) years.*

The shallow groundwater monitoring conducted at the CEMEX facility shows recurrence of high groundwater levels in the spring. The groundwater response measured in spring months is not expected to be influenced by additional ponds. Furthermore, the GSP continues to discuss the goals associated with interconnected surface water (page xxxviii):

> *… The goal of the YSGA is to maintain conditions experienced in the past and to cause no degradation of habitat relative to the Subbasin's current baseline. Historically this condition included periods when groundwater elevations were below the level needed to support connection to surface water bodies. However, groundwater elevations recover during wet periods to reestablish connections between groundwater and surface water bodies. This regime of fluctuating and periodic recovery of groundwater levels maintains the current level of habitat in interconnected surface water bodies needed to support GDEs.*

The proposed plan will result in an increase in riparian and/or wetland habitat when reclaimed to permanent lakes.

Response to Comment 10-3

An edit will be made to DSEIR page 3-6 to clarify existing conditions as follows:

> *… Agricultural production on and around the site ~~are mainly~~ includes row and tree crops. …*

Response to Comment 10-4

It is not clear what "actions" the commenter is referencing. The County is unable to provide a

response. However, the mercury monitoring requirements of Section 10-5.517 of the Reclamation Ordinance are regulatory, and compliance is mandatory.

Response to Comment 10-5

In approximately 2016, the applicant placed additional overburden materials and top soils in the Phase 1 area. The placement of this additional material resulted in a temporary suspension of crop production. The applicant indicated that their tenant farmer, Sagara Farms, subsequently recommended that the additional topsoil be spread over the Phase 1 fields to raise the elevation of the field and improve the mix of gravels in the existing soil cover. Sagara also advised that the fields be laser-leveled prior to planting additional crops. These activities were completed in 2022.

The applicant has confirmed there is no evidence that mining operations depleted the farmable soil. Prior to mining, farmable subsoils in the Phase 1 area were excavated and placed in stockpiles for future use in reclamation, as required by Section 10-4.433 of the Mining Ordinance. The stockpiled soils were used throughout the reclamation process, including during the final stages of backfill completed in 2022. The applicant was required and has installed signage to identify stockpiles by type of soil (e.g., topsoil and other subsoils).

Response to Comment 10-6

An edit will be made to DSEIR page 3-14 to correct the typo as follows:

> *… The applicant has agreed to several actions that will be ~~monitoring~~ monitored by the County to resolve these matters. …*

Response to Comment 10-7

An edit will be made to DSEIR page 4.6-5 to add the following additional information before the subsection titled “2030 Countywide General Plan.”

> ***YSGA and Yolo Subbasin GSP***
> *The Yolo Subbasin Groundwater Agency (YSGA) was established in 2017 and is composed of 26 member agencies. Yolo Subbasin Groundwater Sustainability Plan (GSP) was adopted by YSGA in January 2022 and conditionally approved by the California Department of Water Resources (DWR) in October of 2023. The GSP covers a 50-year period ending in 2071. Information about YSGA, the GSP, and implementation can be found at http://www.yologroundwater.org.*

Response to Comment 10-8

This comment appears to concern the CCAP program overall rather than the subject project which is an amendment to the existing CEMEX mining permit. The CCAP is not proposed for modification and therefore the comment appears to be outside of the scope of the project. The County nevertheless provides the following information to help inform the commenter and the public on the matter.

The 2019 CCAP Update EIR (page 4.9-4, Draft Volume) provides the following summary of groundwater recharge in the CCAP plan area:

> *The primary source of groundwater recharge is applied irrigation water and direct rainfall. Recharge of aquifers typically occurs along the streambeds or creek and canals. The Lower Cache Creek channel and adjacent coarse-grained alluvial deposits (within the CCAP) is one of the major groundwater recharge areas within the County. Recharge occurs naturally and also through reservoir releases, such as release of stored water from the Indian Valley Reservoir into Cache Creek during low flow periods.*

Surface water flow in Cache Creek recharges the banks and surrounding aquifer along losing reaches. The project site is located in two reaches – the Guesisosi Reach and the Dunnigan Hills Reach. These reaches, which span most of the area between the Esparto Bridge and the Dunnigan Hills, may either be losing or gaining, depending on the amount of rain (CCRMP, page 37). The more rain there is, the higher the groundwater table raises, seeping water into the creek. In a prolonged drought, however, the level of the aquifer drops, and the reach loses water.

Groundwater recharge can also occur through other types of managed recharge projects which involve diverting/conveying water to specific project locations. There have been two specific recharge projects approved as part of the net gains components of gravel operations permitted since 1995:

> Teichert Woodland Development Agreement, Section 2.2.8 – Net Gains and Dedications, Item iii:
>
> *Design and implementation of a demonstration habitat and recharge program off-site at the Roger's Pit …*
>
> > Project Status: The Rodgers Water Recharge and Habitat Demonstration Project was initiated in the fall of 1997. The 30-acre property was restored to function as a groundwater recharge basin with two water recharge cells on the westerly ±20 acres of the site and wildlife habitat on the easterly ±8 acres of site. An observation/overlook area with "interpretive value" was constructed on the eastern edge. The project was completed in the fall of 1999 and monitored was required for five years. Luhdorff and Scalmanini Consulting Engineers (September 22, 2003) concluded that the project was successful in recharging 90 percent of the total water delivered to Basin A. Conclusions were not provided regarding Basin B due to problems with the meter. Overall, the report indicated that depending on water availability, the Rodgers facility could continue to be successfully used for artificial groundwater recharge. The Rodgers property was dedicated to the County in 2004. The County manages the property primarily for habitat purposes, and has agreements with the Cache Creek Conservancy to perform invasive species removal and site maintenance.

Granite Capay Development Agreement, Section 2.2.8 – Net Gains and Dedications, Item iii:

… Reclamation of 9 acres of reclaimed habitat in Phase 1A (19 acres) to accommodate a future recharge program. Surface elevation of the habitat will be lower than the adjoining reclaimed agricultural field in Phase 1B. This will accommodate future conjunctive uses such as a recharge system involving the Adams Canal, should the Flood Control District chose [sic] to pursue such an arrangement in the future. The developer shall work cooperatively with the Yolo County Flood Control and Water Conservation District, or other appropriate entity, if an opportunity arises to implement a recharge project or program involving this property…

Granite Capay Condition of Approval No. 19.2:

… Upon the completion of reclamation within Phases 1A, 1 B, and the East Plant site of the project the operator shall enroll each reclaimed parcel in Williamson Act contracts and shall provide long-term easements or an equivalent (e.g. deed restrictions) to protect open space and agriculture. The description of uses identified in the contract as allowed to occur on Phases 1A and 1 B, shall specifically identify conjunctive aquifer recharge…

Project Status: In December 2012, the Yolo County Flood Control and Water Conservation District (YCFCWCD) completed a study titled *Enhanced Canal Recharge Feasibility Report*, which concluded on page 22 that using the Phase 1A pond has a "low capability" as a recharge site, but that other mined pits may be "more appropriate for active groundwater recharge."

In addition to these two net gains projects, the County and the YCFCWCD are presently modifying surface water infrastructure to allow the YCFCWCD to transfer canal water into the Teichert Muller Pond site for the purpose of groundwater recharge. These improvements are still being considered by County staff and the YCFCWCD. The YCFCWCD is also investigating with the County implementation of a pilot project to use the Teichert Storz Pond for groundwater recharge.

As evidenced in the excerpts below, groundwater recharge has been a substantive policy and regulatory consideration in the CCAP since its inception. These policy commitments and regulatory requirements allow for collaboration between the gravel program and other agencies to identify and pursue recharge opportunities that align programmatically with the CCAP.

CCAP excerpts related to groundwater recharge projects (not a complete list):

OCMP, Chapter 3.0 – Water Resources Element, Section 3.1 – Introduction, "OCMP Vision" section, page 33:

… In order to make the best use of the recovery capacity of the groundwater basin, the Yolo County Flood Control and Water Conservation District (YCFCWCD)

retains their canals and ditches in an unlined condition. The YCFCWCD seeks to place more water into the aquifer to increase the availability of groundwater. In the past, the YCFCWCD has expressed interest in experimenting with groundwater recharge using reclaimed mining pits. Given the interrelated goals of both agencies, the County will continue to work with the YCFCWCD in coordinating efforts to protect and improve both the quantity and quality of groundwater supplies. …

OCMP, Chapter 3.0 – Water Resources Element, Action 3.4-2, page 36:

Coordinate with the Yolo County Flood Control and Water Conservation District in developing an integrated groundwater recharge plan for Cache Creek, in order to increase the available groundwater supply for municipal and agricultural uses.

CCRMP, Chapter 1.0 – Introduction, Section 1.4 – Required Approvals, "Approval of Zone Changes" section, page 25:

In 1996, the area within the CCRMP plan boundary was rezoned to the Open Space (OS) designation. The OS Zone is specifically designed for resource management, including agriculture, groundwater recharge, habitat, recreation, flood control, sand and gravel extraction, and riparian areas. As such, it provides the flexibility needed to meet the various resource needs of Cache Creek.

CCRMP, Chapter 2.0 – Floodway and Channel Stability Element, Section 2.1 – Introduction, "CCRMP Vision" section, page 32:

The CCRMP encourages coordination with YCFCWCD to enhance groundwater recharge, where possible, in order to increase water supply reliability for both urban and agricultural users in the County.

CCRMP, Chapter 2.0 – Floodway and Channel Stability Element, Action 2.4-3, page 35:

Implement the Channel Form Template described in the 2017 Technical Studies to re-shape the Cache Creek channel based on best available data and hydraulic modeling tools. Continue to collect and analyze channel topography (LiDAR) data, and update the CCRMP hydraulic model with those data. Based on outcomes of these analyses, the TAC can determine the need for streambed and channel alteration projects. Altering the channel banks and profiles will assist in returning the creek to a form that is more similar to its historical condition. This will result in reduced erosion, increased in-channel recharge, and additional riparian habitat opportunities.

CCRMP, Chapter 2.0 – Floodway and Channel Stability Element, Section 2.1 – Introduction, "Present Conditions" section, pages 37-38:

… Groundwater elevations in the Cache Creek area have been consistent over the two decades since the start of the CCRMP, exhibiting seasonal trends of

depression in the summer/fall due to pumping and recharge in the winter/spring due to rains. Overall, the winter recharge has kept spring groundwater elevations near Cache Creek constant. Two exceptions are during 2009-2010, when groundwater levels were depressed due to dry conditions in 2007-2009, and from 2012 to 2016 due to the effects of the 2012-2014 California drought. Wet conditions in 2011 restored groundwater elevations after the 2009-2010 depression, but the severity of the 2012-2014 drought has meant that rains in the winter of 2015-2016 have not yet recovered pre-drought groundwater elevations.

In 2007, the Water Resources Association of Yolo County, comprised of the jurisdictions and water agencies of Yolo County, adopted an Integrated Regional Water Management Plan (IRWMP) to look area wide at water supply, water quality, and water resources management. In 2014, significant new legislation known as the Sustainable Groundwater Management Act or SGMA was enacted relevant to groundwater management in California. This legislation established requirements for sustainable management of groundwater at the local level to protect against overdraft, subsidence, and other adverse effects of unsustainable groundwater use. This resulted in the formation of the Yolo Subbasin Groundwater Agency and on-going efforts to develop a Groundwater Sustainability Plan by January 2022. …

CCRMP, Chapter 2.0 – Floodway and Channel Stability Element, Section 3.1 – Introduction, "CCRMP Vision" section, page 38:

… The CCRMP also recognizes opportunities to develop a groundwater recharge program as a component of mining reclamation. Recharge can be accomplished by converting some of the formerly mined pits along Cache Creek into groundwater recharge basins. Excavations where the pit floor is above the groundwater table are especially suitable for recharge. Where appropriate, the County will coordinate with the Yolo County Flood Control and Water Conservation District in their efforts to develop a groundwater management program. …

CCRMP, Chapter 3.0 – Water Resources Element, Objective 3.3-1, page 39:

Encourage the development of a groundwater recharge program, where appropriate, within the Cache Creek basin. The program may specify use of reclaimed mining pits and open lakes to the greatest extent feasible, while maintaining consistency with the other goals, objectives, actions, and standards of both the CCRMP and OCMP.

CCIP, Chapter 5.0 – Design Guidelines for Channel Stabilization and Maintenance, Section 5.4 – Summary of Recommended Design Guidelines, Guidelines Recommendation No. 11, page 32:

Opportunities for groundwater recharge and reestablishment of valuable riparian features should be considered at all project sites. This measure will be implemented in concert with Action 4.4-6 of the CCRMP.

Reclamation Ordinance, Section 10-5.103(c) (Purposes):

In order to provide for reclamation plans that are specifically adapted to the requirements of particular mined lands; and to ensure that mined land is reclaimed to end uses such as agriculture, habitat, groundwater recharge, flood control, and channel stabilization in a consistent manner to maximize their overall management; this chapter imposes performance standards by which reclamation methods and operations shall be measured;

Reclamation Ordinance, Section 10-5.103(d) (Purposes):

… Prime agricultural land that is within the A-P Zone and is not within a Williamson Act contract shall be reclaimed to those uses which are declared by the County to be compatible with agricultural activities. Such uses include, but are not limited to, the following:

(1) Agriculture and range land;

(2) Groundwater storage and recharge areas;

(3) Native fish, wildlife, invertebrate, and plant habitat;

(4) Watercourses and flood control basins; and,

(5) Recreational or open space lands.

In Channel Ordinance, Section 10-3.103(b) (Purpose):

Stabilizing the channel banks and profiles pursuant to the CCRMP/CCIP will result in reduced erosion, increased in-channel recharge, and additional riparian habitat opportunities.

Response to Comment 10-9

The applicant proposes to destroy monitoring wells at the completion of the mining and reclamation period. This is consistent with Section 10-4.417(b) of the Mining Ordinance, which states in relevant part:

… If, at the completion of the mining and reclamation period, water quality has not been impacted, all monitoring wells shall be destroyed in accordance with the California Department of Water Resources Well Standards. If the County, landowner, or other agency wishes to maintain the wells for future water resources evaluation, selected wells may be preserved for this use. Monitoring wells may remain useful for post-mining land uses. …

As described in the regulation, retention of the monitoring wells is allowed, and the commenter's request could be accommodated. New Condition of Approval No. 28.5 is proposed to address this.

Response to Comment 10-10

This comment appears to concern the CCAP program overall rather than the subject project which is an amendment to the existing CEMEX mining permit. The CCAP is not proposed for modification and therefore the comment appears to be outside of the scope of the project. The County nevertheless provides the following information to help inform the commenter and the public on the matter.

The project does not propose new wells. Existing wells at the operation were developed, and have been monitored, pursuant to Section 10-4.427 of the Mining Ordinance (see Response 10-11). The Mining Ordinance comprises a critical component of the CCAP which was recently comprehensively updated in 2019. As part of the CCAP Update the various requirements and regulations of the program, including well distances, were subject to technical and environmental review, and reaffirmed by the Board of Supervisors. The County's *Temporary Well Permitting Procedures to Address Executive Order N-3-23*, which were adopted on April 9, 2024, apply only to new wells, and do not apply to monitoring wells, and are not relevant to the proposed project.

Response to Comment 10-11

The reclaimed lakes will be connected to groundwater. LSCE prepared a groundwater assessment in support of the proposed Reclamation Plan and 20-year permit extension (see Reclamation Plan Appendix C, Groundwater Assessment, 2018). Based on the results of LSCE's groundwater assessment, surface mining and reclamation activities are not expected to affect downstream beneficial uses of water, or the quality of water, recharge potential, or storage capacity of groundwater aquifers. LSCE concluded that the entirety of the site record shows no evidence or indication that the mining and plant operations have caused any changes in groundwater levels or quality to date, or that they would in the future.

As required by Section 10-4.417 of the Mining Ordinance (see Response 10-1), the applicant also implements an extensive quarterly groundwater monitoring program at the site. The groundwater monitoring well network at the site presently consists of a total of 19 wells, including 15 dedicated observation wells and 4 production wells. Continuous groundwater monitoring has been taking place in on-site wells since 1990 and LSCE has been preparing annual monitoring reports with cumulative data evaluation since 2003. Monitoring reports are submitted annually by the applicant to the County as part of an Annual Report required by Section 10-4.701 of the Mining Ordinance. The applicant submitted its most recent annual report on October 31, 2024, which included the aforementioned 2024 Groundwater Conditions report prepared by LSCE. Similar to the project groundwater assessment, this report concluded that "the existing data record shows no evidence or indication that the mining and plant operations, including approved Phase 5 dewatering…have caused any changes in groundwater levels or quality to date."

Response to Comment 10-12

LSCE provided the estimates of average high groundwater levels to inform the engineering designs for the proposed mining and reclamation plans (see Reclamation Plan Appendix D, Estimation of Average High Groundwater Levels, 2016). As described on pages 1 and 2 of the LSCE report, establishing the average high groundwater level for the site consisted of a three-

step process:

1. Selection of a hydrologic base period, a historical period of time that represents average hydrologic conditions in the area;

2. Computation of well-specific average high groundwater for the base period; and

3. Identification of historically observed groundwater level condition that most closely compares to the computed well-specific average high groundwater.

Response to Comment 10-13

The comment is understood to refer to the following excerpt from Section 10-4.427 of the Mining Ordinance:

> *… Alternatively, the operator shall submit a written agreement that the well owner has agreed to relocate or redesign the well, or accept the potential impact (at no expense to the County). …*

This regulation is not proposed for change as a part of the project and therefore not subject to review or comment. Nevertheless, the County wishes to clarify that the regulation does not require a well owner to pay to relocate or redesign a well. Such financial arrangements would be made between the parties. It should also be noted that no permitted operator has ever requested to rely on this aspect of the regulations.

Regarding the physical extent of impact, this would be determined through the CEQA analysis at the time each new proposed mining project is evaluated, and the project would be required to be modified or to mitigate accordingly.

Response to Comment 10-14

The YSGA is identified by the County as a party to receive notice of CEQA documentation for all proposed projects. The YSGA would have access to specific project information through this process.

The groundwater monitoring data associated with the permitted mining operations is available through the YSGA's Groundwater Data Map, accessible at the following link:

https://sgma.yologroundwater.org/

Response to Comment 10-15

The technical requirements of the Mining Ordinance, such as Section 10-4.427 which pertains to the protection of nearby drinking water wells, were developed based on technical analysis and recommendations, and were programmatically reviewed for adequacy as recently as the 2019 CCAP Update. The regulation requires consideration of municipal wells within 1,000 feet and domestic wells within 500 feet.

Based on the adaptive management requirements of the program, the CCAP is evaluated every ten years. The next review will occur in approximately 2029 at which time consideration of programmatic changes would occur.

References to the "average high groundwater" levels appear in Sections 10-4.427 and 10-4.502 of the Mining Ordinance. A reference to the "average historic low groundwater" levels appears in Section 10-4.412 of the Mining Ordinance. Generally, average groundwater levels are determined based on the professional judgement of the qualified person preparing the analysis. They may be informed by available information regarding historical trends, available data from wells within a defined radius, consideration of relevant management actions that could make a certain historical period inapplicable, and recent rainfall.

For average high groundwater levels, refer to the LSCE Technical Memorandum titled *Estimation of Average High Groundwater Levels* (dated November 30, 2016). For average low groundwater levels, refer to the LSCE Technical Memorandum titled *Estimation of Average Low Groundwater Levels* (dated April 26, 2017).

Response to Comment 10-16

Impacts associated with evaporation from wet pits/reclaimed lakes were analyzed during development of the CCAP, both programmatically and on a site-specific basis for each subsequently permitted operation, relying on analytical "tiering" which is allowed under CEQA (CEQA Guidelines Sections 15152 and 15168). This analysis was revisited for the 2019 CCAP Update on which the subject project DSEIR relies (see discussion on DSEIR page 4-1-4-2 of Chapter 2.0 (Introduction to the Analysis)). A summary and relevant citations are provided below.

Background information on evaporation and evapotranspiration was provided on pages 4.4-6 to 4.4-9 in Chapter 4.4 (Hydrology and Water Quality) of the 1996 OCMP EIR Draft Volume. Evapotranspiration losses were identified as ranging from 65 inches per year for wetland habitat, 47 inches per year for lakes, 43.7 inches per year for irrigated pasture, and 11.4 to 42.3 inches per year for a variety of identified crops. Tomatoes, for example, are identified as resulting in a loss of 27.4 inches per year.

1996 OCMP EIR Impact 4.4-4 analyzed the effects of evaporation associated with implementation of the mining component of the CCAP (pages 4.4-52 to 4.4-55, 1996 OCMP EIR Draft Volume, as modified by pages 2-16 and 2-17 of Response to Comments Volume). The analysis estimated the annual net loss (i.e., total loss adjusted for precipitation and losses associated with a tomato crop) of groundwater due to evaporation associated with total anticipated wet pit surfaces and associated wetland habitat (771 acres) would be 2,341 acre/feet per year. This was based on a rate of 3.92 feet per year (DWR 1975, as cited in the 1996 DEIR) for open water surfaces (assumed to be 90 percent of the wet pit surface) and 20 feet per year for wetland perimeters (assumed to be ten percent of the wet pit surface) which would result in annual groundwater loss of 4,260 acre/feet per year, adjusted for precipitation which would bring the rate to 3,030 acre-feet per year, and further adjusted for losses associated with a tomato crop of the same size (698 acre-feet per year), resulting in 2,341 acre-feet per year.

Approximately 161 acres of reclaimed lake was assumed at the subject site (Table 3-1, page 3-22, 1996 OCMP EIR and Table 3-2, page 3-13, 1996 EIR). This represents approximately 21 percent of the total 771 acres and or about 491 acre/feet per year of calculated evaporation (applying the same proportion). Total evaporative losses were determined to be less-than-significant (acceptable) based on policy guidance in the OCMP (see citation below) which directs that these overall minor evaporative losses were acceptable on balance given the open water recreational opportunities (the County has no natural lakes) and habitat created as a result of mining reclamation. This impact conclusion was also supported by program requirements to minimize the footprint and maximize the depth of wet pits (see citation below) which also serves to minimizes farmlands impacts, as well as water losses associated with evaporation from the reclaimed lakes. The analysis notes that steep-sided wet pits would reduce evaporative losses relative to shallow wet pits. The analysis notes that both agriculture and habitat were described as designated beneficial uses of water in the applicable Water Quality Control Basin Plan for the Central Valley Region. The current (February 2019) Basin Plan continues to identify these and other uses as "… critical to water quality management in California" (Basin Plan, page 2-1).

The OCMP contains the following relevant excerpts which confirm the continuing applicability of these policy requirements:

> OCMP, Chapter 3.0 – Water Resources Element, Section 3.1 – Introduction, "OCMP Vision" section, page 35:
>
> *… Although water is a vitally important issue to both agriculture and urban areas, the OCMP acknowledges that other resources have a need for water that must be accommodated. Open bodies of water, such as those that may result from wet pit mining allowed under the OCMP, may lose water regularly due to evapotranspiration. This amount can be reduced through the avoidance of shallow water depths of less than 10 feet. However, these same shallow depths provide the necessary conditions for recreational uses and wetland habitat. The OCMP encourages the balanced use of wet pits, so that they may serve the variety of goals expressed for Cache Creek…*
>
> OCMP, Chapter 3.0 – Water Resources Element, Action 3.4-1, page 36:
>
> *Consider evaporation losses as an acceptable result of exposed groundwater, when reclaimed wet pit areas are included as a part of proposed riparian habitat or recreational facilities.*

The Mining Ordinance contains the following requirement regarding depth of mining:

> Mining Ordinance, Section 10-4.411.1 (Depth of Mining):
>
> *This ordinance regulates the size of the footprint of the mining operation, and establishes no regulatory depth limit for off-channel mining. Unless an environmental analysis concludes that unacceptable environmental impacts will result, mining operations shall be encouraged to excavate the full depth of available resources at any particular mining site. In conjunction with a minimize*

mining footprint, this will ensure efficiency in resource extraction, help minimize impacts to agriculture by containing the area of surface disturbance of any individual mining operation, and minimize impacts of water loss associated with evaporation from reclaimed lakes.

The Reclamation Ordinance contains the following requirements regarding depth of mining:

Reclamation Ordinance, Section 10-5.529 (Shallow Depths):

All permanent wet pits shall be reclaimed to include valuable wildlife habitat as a beneficial use of the water lost from wet pits due to evaporation.

The 1996 Solano EIR analyzed the potential for impacts related to evaporation losses in Impact 4.4-2 on page 4.4-23 of the Draft Volume. The impact was determined to be less-than-significant based on consistency with the OCMP and in reliance on the 1996 OCMP EIR (described above).

The 2019 CCAP Update EIR assumed continued operation of existing aggregate mining in existing or new "replacement" sites and one net new aggregate mining operation of an average size of approximately 440 acres with extraction of 1,100,000 annual tons mined at each and 1,000,000 annual tons sold (Table 3-1, page 3-6, Draft Volume).

Impact HYD-2 of the 2019 CCAP Update EIR identifies that the expansion of mining allowed under the CCAP would increase the potential wet pit mining area and result in increased evaporative losses of water by exposing groundwater at the surface in wet pits and wetlands (page 4.9-31, Draft Volume). The analysis points to Sections 10-4.411.1 and 10-5.529 of County Code discussed above, in support of a determination of less-than-significant for this impact.

Detailed reclamation assumptions were not identified in the 2019 CCAP Update analysis; however, given "lake area to mining area" ratios of existing off-channel mining approved since 1996, which have averaged about 45 percent of the total mining area (see Table 3-B), an expected acreage of lake surface area for the assumed 440-acre new operation would be approximately 198 acres (440 ac. x 0.45).

Table 3-B: Reclaimed Lake Surface Area to Approved Mining Area Comparisons

OPERATION	APPROVED MINING AREA (acres)	RECLAIMED LAKE SURFACE AREA (acres)	% LAKE TO TOTAL
CEMEX	586	204 (proposed)	34.8%
Granite Capay	312	207	66.3%
Granite Esparto	313	157	50.2%
Syar	248	142	57.3%
Teichert Esparto	148	98	66.2%
Teichert Woodland Properties	252	50	19.8%
Teichert Schwarzgruber	41	32	78.0%
Teichert Shifler	264	91	34.5%
TOTAL	**2,164**	**981**	**45.3%**

As identified earlier, the 1996 OCMP EIR assumed 161 acres of lake surface plus 65 acres of shoreline wetland habitat at the subject site for purposes of the analysis of evaporation losses conducted at the time (Note: the final approved lake acreage was 153 acres plus 61 acres of shoreline wetland habitat). The proposed project would result in 204 acres of lake surface plus 61 acres of shoreline wetland habitat, which reflects an increase of 51 acres of lake surface (204 acres minus 153 acres) with no change to the acreage of shoreline wetland habitat. This is considerably less than the 198 acres of added lake area surface reasonably assumed to be covered in the 2019 CCAP Update EIR. Nevertheless, to further substantiate this conclusion, the potential evaporation loss associated with an additional 51 acres of open water surface was calculated based on updated evaporation rates from Luhdorff and Scalmanini Consulting Engineers (Technical Memorandum, dated September 24, 2024, see Appendix C of this Response to Comments Volume).

LSCE used two methodologies to capture possible uncertainties in both methods. The first method was based on literature values of open water evaporation combined with locally measured reference evapotranspiration (ET_o) from the California Irrigation Management Information System (CIMIS) and an open water coefficient, K_{ow}. The second method was based on remotely sensed data from OpenET. Both methods were applied over an 11-year time period (2013-2023) and yielded average groundwater evaporation (E_{GW}) rates of 48.9 inches per year (i.e., 4.1 feet per year) and 40.8 inches per year (i.e., 3.4 feet per year), respectively. Therefore, the proposed reclamation activities would increase E_{GW} from 521-623 acre-feet per year to 694-831 acre-feet per year from the pond surface. This indicates that the additional 51 acres of open water would result in losses of an additional 173 to 208 acre-feet per year.

An edit will be made to DSEIR page 4.6-25 to clarify Table 4.6-1 related to 1996 EIR Impact 4.4-2 as follows:

> *No mitigation measures were required because annual evaporative losses from reclaimed uses (lake, agriculture, and habitat) would be similar to those anticipated from ~~typical agriculture~~ some agricultural activities that would otherwise be taking place on the land, and is acceptable under policies of the CCAP and due to ~~other~~ beneficial results that would occur from reclaimed habitat and reclaimed open water lake recreational opportunities.*

Response to Comment 10-17

This comment appears to inquire regarding the results of the 2017 Technical Studies and 2019 CCAP Update as summarized in the DSEIR, rather than the subject project which is an amendment to the existing CEMEX mining permit. The CCAP is not proposed for modification and therefore the comment appears to be outside of the scope of the project. The County nevertheless provides the following information to help inform the commenter and the public on the matter.

The 2017 Technical Studies is available online at the following link:

https://www.yolocounty.gov/home/showpublisheddocument/41164/636559289369530000

The Cache Creek Annual Status Reports are available online at the following link:

https://www.yolocounty.gov/government/general-government-departments/community-services/natural-resources/cache-creek-area-plan/cache-creek-area-plan-technical-advisory-committee

The CCAP water quality monitoring is programmatic (i.e., samples are taken at Capay, near Yolo, and at one intermediate location) and therefore does not indicate specific water quality conditions at individual aggregate operations. The effects on water quality of approved activities and operations at the mining sites cannot be quantified by the CCAP water quality monitoring program. The focus is more generally looking at overall watershed conditions. Sometimes the annual reports contain recommendations for action that are considered annually by County Natural Resources staff and coordinated with agencies and/or landowners as appropriate. Water quality conditions in the CCAP plan area vary annually as reflected in these reports. For example, fecal coliforms or nitrates may exhibit higher levels in certain years, likely due to agricultural land uses in the area. The monitored constituents are compared to relevant federal or state established standards to provide information and context but not to determine regulatory or other actions that may be taken by responsible agencies.

Each aggregate operation must conduct regular water quality monitoring in compliance with the mining program. Similarly, these reports may exhibit elevated levels of various constituents from time-to-time reflecting site-specific conditions (e.g., nitrates). County Natural Resources staff ensure operator compliance through the monitoring and inspection program. Monitoring report recommendations are required to be implemented by each operator as part of demonstrating annual program and permit compliance.

The referenced excerpt was intending to convey that there have been no identified recurring conditions or trends in either the CCAP surface water or individual site groundwater monitoring programs that can be linked specifically to operations of aggregate mining. The use of the term “action levels” may have been confusing and could be replaced with “established standards.”

Response to Comment 10-18

Fish are believed to have populated the wet pits by natural methods, such as the dispersal of fertilized eggs by other species. The applicant has indicated they have not stocked any of the wet pits with fish.

Response to Comment 10-19

Section 10-5.517(c)(1) of the Reclamation Ordinance requires a minimum of five consecutive years of fish monitoring and water column monitoring in each pit lake, during mining, once it becomes permanently wet and is navigable. If, in that initial monitoring period the applicable mercury response threshold is exceeded in any three out of five years, annual monitoring must continue for an additional five years, and the operator must undertake expanded analysis pursuant to subsection (f) and preparation of a lake management plan (LMP) pursuant to subsection (g). These results are presented below. See also Response 8-10.

Fish Mercury Monitoring Summary – All Sites, 2015-2022

Pit Sites	2015	2016	2017	2018	2019	2020	2021	2022
Cemex – Phase 1	≤	≤	≤	≤	≤	≤	≤	≤
Cemex – Phase 3	>	>	>	>	>	≤	>	>
Cemex – Phase 4							INC	≤
Teichert-Esparto – Reiff	INC	>	>	>	>	>	>	>
Teichert-Esparto – Mast			>	INC	>			
Teichert-Woodland – Storz			INC	≤	≤	≤	≤	
Syar – B1	>	>	>	>	>	>	>	>
Syar – West			>	≤	>	>	>	INC

≤ = at or below ambient INC = inconclusive > = elevated over ambient

Water Profiling Summary - All Sites, 2018-2022

Pit Sites	2018	2019	2020	2021	2022
Cemex - Phase 1	✓	✓	✓	✓	✓
Cemex - Phase 3	✓	✓	✓	✓	✓
Cemex - Phase 4				✓	✓
Syar - B1	✓	✓	✓	✓	✓
Syar - West		✓	✓	✓	✓
Teichert-Esparto - Reiff	✓	✓	✓	✓	✓
Teichert-Esparto - Mast					
Teichert-Woodland - Storz	✓	✓	✓	✓	

✓ = profiling conducted
✓ = profiling conducted as control

Response to Comment 10-20

See Responses 8-10 and 10-18. An LMP is not triggered by a single event, and it is critically informed by the required expanded lake water column profiling analysis. Expanded analysis is underway now and will inform the LMPs (see Table 3-C). The characteristics of each pit must be understood to develop an effective LMP.

Table 3-C: Mercury Monitoring Program Completed Reports

Year	Fish Monitoring	Water Column Profiling	Bottom Sediments	Ambient Levels
2011				✓ (2011-2012)
2012				
2013				
2014				
2015	✓			
2016	✓			
2017	✓			
2018	✓	✓	✓ (2018-2019)	
2019	✓	✓		
2020	✓	✓		
2021	✓	✓		
2022	✓	✓		◇
2023	◇	◇		
2024	◇	◇		

Key: ✓ = report completed / ◇ = data collected; reporting in progress

The County is developing an LMP template and menu of potential control options. LMPs must be prepared by qualified aquatic scientist(s) or equivalent professional(s) acceptable to the County. Peer review of the LMP may be required at the discretion of the County. Each LMP will be presented to the Cache Creek TAC at a formally noticed public meeting, at which interested parties will have an opportunity to provide input and ask questions. Presentation to Planning Commission and/or Board of Supervisors may be scheduled at the discretion of the County Administrator or his/her designee, particularly if implementation of the LMP would require permit amendment, such as modification of an approved Reclamation Plan. LMPs must accepted by the Community Services Director. Upon acceptance of the LMP, the operator must immediately begin implementation.

Response to Comment 10-21

The commenter's request to receive notice regarding LMPs and to be identified as a reviewing agency is noted. As noted in Response 10-20, the LMPs will be presented to the Cache Creek TAC thus providing an opportunity for review and comment by the YSGA. YSGA staff already attend and make regular presentations to the Cache Creek TAC.

Response to Comment 10-22

Section 10-5.517(g) of the Reclamation Ordinance refers to "alternate" lake management plan. An alternate lake management plan would be a lake management plan accepted by the County and under implementation, for which amendment or modification is proposed due to a failure to achieve desired results. Alternate lake management plans would be subject to the same review process and receive the same consideration as an "original" lake management plan. See Response 10-20.

Response to Comment 10-23

See Response 10-15.

Response to Comment 10-24

See Response 10-16. The source of water in the wet pits is groundwater from the aquifer. The pits fill as extraction extends below the groundwater table.

For each mining phase, the estimated average high and low groundwater elevations are indicated on the mining and reclamation plan sheets (Cunningham Engineering, 2021). These elevations are based on historical groundwater levels and were derived from the Technical Memoranda prepared by LSCE, titled *Estimation of Average High Groundwater Levels* (dated November 30, 2016) and *Estimation of Average Low Groundwater Levels* (dated April 26, 2017). The following table summarizes the estimated range in lake levels shown on the plans:

Table 3-D: Estimated Groundwater Ranges of Mining Phase Lakes

Phase	Average High Groundwater (AHG)	Average Low Groundwater (ALG)	Δ Between AHG and ALG
Phase 1	N/A – backfilled	N/A – backfilled	N/A
Phase 2	N/A – no groundwater contact	N/A – no groundwater contact	N/A
Phase 3	112’ msl	107’ msl	5’
Phase 4	108’ msl	103’ msl	5’
Phase 5	108’ msl	102’ msl	6’
Phase 6	106’ msl	98’ msl	8’
Phase 7	N/A – phase proposed to be eliminated from project	N/A – phase proposed to be eliminated from project	N/A

Response to Comment 10-25

Impacts to groundwater levels, rate of flow, and direction of flow were addressed programmatically in Impact 4.4-1 of the 1996 OCMP EIR (pages 4.4-23 through 4.4-30, Draft Volume). The analysis described modeling undertaken at the time to evaluate potential effects to groundwater levels from backfilled pits under various scenarios. The analysis identifies requirements of the CCAP that reduce the potential for impact to less-than-significant (acceptable) levels. These include protections for nearby active wells, and requirements for aquifer modeling to simulate altered flow conditions. See discussion below.

The OCMP contains the following relevant excerpts:

> OCMP, Chapter 3.0 – Water Resources, page 35:
>
> *… Backfilled pits can create localized obstructions to groundwater flow, while pits located too close to nearby wells may serve as a conduit for potential contamination. In order to address these issues, the OCMP includes specific performance standards for protecting both groundwater and surface water quality and quantity. These standards apply both to the off-channel mining operations, as well as their reclaimed uses.*

OCMP, Chapter 3.0 – Water Resources, Action 3.4-5, page 37:

Require that surface mining operations demonstrate that proposed off-channel excavations extending below the groundwater level will not adversely affect the producing capacity or water quality of local active wells. (See Sections 10-4.412, 10-4.417, 10-4.427, and 10-4.502(b)(2) of the Mining Ordinance.)

The Mining Ordinance contains the following relevant excerpts:

Mining Ordinance, Section 10-4.412 (Dewatering):

… No off-channel excavation shall use dewatering as a part of surface mining operations, unless site-specific technical analysis performed by a qualified Professional Engineer or Professional Geologist with experience in hydrogeology demonstrates that the proposed dewatering will not adversely affect off-site wells with respect to groundwater level and quality. The Professional Engineer or Professional Geologist shall demonstrate, using appropriate hydrogeologic analysis (i.e., using data-supported empirical, analytical, and/or numerical investigative tools), that the proposed dewatering activity will not adversely impact active off-site wells or other water resources (e.g., creeks and wetlands) within 1,000 feet of the proposed dewatering pit boundary. …

Mining Ordinance, Section 10-4.417 (Groundwater Monitoring Program):

… A groundwater level monitoring program shall be initiated at least six months prior to the removal of overburden. At a minimum, the groundwater level monitoring program shall consist of three monitoring wells, with at least one well upgradient of the wet pit and one well downgradient of the wet pit. Monitoring programs for proposed mining areas exceeding one-hundred (100) acres (total proposed mining area over the life of the project) shall include one additional well for each one-hundred (100) acres of wet pit mining. Therefore, wet pit mining areas of 1 to 99 acres would require three (3) wells, 100 to 199 acres would require four (4) wells, 200 to 299 acres would require five (5) wells, and so on. These wells shall be distributed through the vicinity of the wet pit mining area and used for groundwater level measurements. Groundwater levels shall be collected from the monitoring wells on a quarterly basis for six (6) months prior to mining and for the duration of the mining period. All wellheads shall be surveyed with horizontal and vertical control to allow calculation of groundwater elevations and development of groundwater contour maps. Groundwater levels shall be measured with an accuracy of plus or minus 0.01 foot, at minimum. …

Mining Ordinance, Section 10-4.427 (Protection of Nearby Drinking Water Wells):

… If wet pit mining is proposed within one-thousand (1,000) feet of a municipal water supply or within five-hundred (500) feet of a domestic water supply well, a capture zone analysis shall be conducted using the U.S. Environmental Protection Agency model WHPA (or a similar model of equal capability and proven reliability,

as approved by the Director). The simulation shall assume thirty (30) days of continuous pumping of the water supply well (at its maximum probable yield) under analysis. A mining setback shall be established so that the capture zone and the pit do not coincide. Alternatively, the operator shall submit a written agreement that the well owner has agreed to relocate or redesign the well, or accept the potential impact (at no expense to the County). …

The Reclamation Ordinance contains the following relevant excerpts:

Reclamation Ordinance, Section 10-5.503 (Backfilled Excavations: Groundwater Flow Impacts):

The area of backfilled off-channel excavations extending below the groundwater table shall be minimized in order to reduce changes to groundwater levels and flow. Backfilled pits shall be oriented with regard to the direction of groundwater flow to prevent localized obstructions. If a backfilled off-channel excavation is proposed to penetrate either fifty (50) feet or one-half (1/2) into the saturated thickness of the shallow aquifer, then at least six months prior to the commencement of excavation below the average high groundwater level, the applicant shall demonstrate in a manner consistent with the Technical Studies that the pit design will not adversely affect active off-site wells within one-thousand (1,000) feet of the proposed pit boundary. If the application includes a series of backfilled pits, then the applicant shall also demonstrate that the cumulative effects of the multiple backfilled pits will not adversely affect groundwater flow, if there are any active off-site wells within one-thousand (1,000) feet of the pit boundaries.

The applicant shall demonstrate, using MODFLOW (or a similar model of equal capability and proven reliability, as approved by the Director), that the proposed pit design would not adversely impact active off-site wells within one-thousand (1,000) feet of the proposed pit boundary or result in well failure. Average, historic low groundwater levels, which represent the condition of maximum threat to water levels in the subject well, shall be used for this simulation. If an adverse impact is identified by the MODFLOW (or other approved model) simulation, the mining and reclamation plan shall be modified, or the applicant shall submit a written agreement that the well owner has agreed to relocate or redesign the well, or accept the potential impact (at no expense to the County).

Site-specific aquifer testing shall be conducted, if needed, to determine aquifer properties for the required modeling.

Reclamation Ordinance, Section 10-5.530 (Slopes):

All final reclaimed slopes shall have a minimum safety factor equal to, or greater than, the critical gradient as determined by an engineering analysis of the slope stability. Final slopes less than five (5) feet below the average summer low groundwater level shall be designed in accordance with the reclaimed use and

> *shall not be steeper than 2:1 (horizontal:vertical). Reclaimed wet pit slopes located five (5) feet or more below the average summer low groundwater level shall not be steeper than 1:1 (horizontal:vertical), in order to minimize the effects of sedimentation and biological clogging on groundwater flow, to prevent stagnation, and to protect the public health. …*

The 1996 EIR analyzed the potential for impacts from the movement and storage of water in and through the aquifer. The 1996 analysis acknowledged that the creation of wet pit lakes and the subsequent backfilling with fine-grained sediments (processing fines and overburden) could cause impacts to groundwater levels, rate of flow and direction of flow (see 1996 EIR, Draft Volume, Impact 4.4-5, at page 4.4-28). This impact was determined to be less-than-significant based on consistency with the requirements of the CCAP.

As described in the 1996 EIR, introduction of relatively low permeability zones influences groundwater levels in the vicinity of the backfilled pit. Upgradient of the pit, the low permeability zone acts as an inhibitor to flows, raising groundwater levels. Downgradient of the backfilled pit, groundwater levels are lowered because groundwater flows away from the low permeability zone in the native, coarser-grained materials faster than it can be replaced by flow through the low permeability zone. However, due to the high permeability of the surrounding native sand and gravel, groundwater levels equilibrate at a relatively short distance (typically less than 1,000 feet) away from the low permeability zone (David Keith Todd 1995, as cited in the 1996 EIR).

Significant alterations in groundwater flow patterns could adversely impact water supply wells in the vicinity of the backfilled pits. However, there are no off-site water supply wells within 1,000 feet of the proposed backfilled pits. Moreover, as described in Response 10-11, LSCE prepared a groundwater assessment in support of the proposed Reclamation Plan and 20-year mining use permit extension, which concluded that surface mining and reclamation activities are not expected to affect downstream beneficial uses of water, or the quality of water, recharge potential, or storage capacity of groundwater aquifers. LSCE further concluded that the entirety of the site record shows no evidence or indication that the mining and plant operations have caused any changes in groundwater levels or quality to date, or that they would in the future.

Impact HYD-2 of the 2019 CCAP Update EIR noted in relevant part (page 4.9-31, Draft Volume):

> *… It has always been the policy of the CCAP program to reduce agricultural land loss, promote efficient aggregate resource management, and minimize evaporation water losses by encouraging applicants to reduce the size of the footprint of off-channel mining pits and encouraging deeper mining. However, it is possible that deeper mining (and potentially backfill or clogging of the pit walls with fines) could result in impacts to groundwater flow. The 1996 OCMP EIR found that maintaining steep slopes below the groundwater table in the wet pits (which is required by Section 10-5.530 of the Reclamation Ordinance) would discourage "clogging" of the aquifer and encourage the free flow of groundwater into and out of the wet pit lakes. The CCAP Update would not change the requirement for steep slopes below the groundwater table (i.e., no changes to Section 10-5.530 are*

> *proposed), and therefore potential impacts to groundwater flow from implementation of the CCAP Update are less than significant. …*

Similar information is provided on DSEIR page 5-13 under Impact 5-10 related to cumulative impacts to groundwater.

Response to Comment 10-26

See Responses 10-2, 10-11, 10-16, and 10-25.

Response to Comment 10-27

See Responses 10-1, 10-2, and 10-16.

Response to Comment 10-28

See Responses 10-1 and 10-2. As summarized throughout these responses, the CCAP was comprehensively updated in 2019, including consideration of the 2015 SGMA legislation. Based on the comprehensive protections contained in the CCAP for groundwater quality, levels, flow, and recharge for over 25 years, all of which align with the focus and desirable outcomes of groundwater sustainability, the potential for impacts was determined to be less-than-significant. Based on the adaptive management requirements of the program, the CCAP is evaluated every ten years. The next review will occur in approximately 2029 at which point significant new legislation and policy directives, such as the 2022 GSP would be reviewed.

The GSP does not describe or appear to consider the extensive and complementary protections of the CCAP, or the opportunities to explore collaborative recharge projects between the programs. County staff look forward to working with the commenting agency and staff to resolve this.

Response to Comment 10-29

Table 4.6-2 on pages 4.6-38 to 4.6-55 of the DSEIR examines consistency with various adopted County policies and regulations. Policies, regulations, and plans of non-County agencies were not intended to be covered in this table. No changes have been made to the EIR based on this comment.

Response to Comment 10-30

The potential for significant impacts, at the project level and cumulatively, was addressed programmatically in the 1996 OCMP EIR and 2019 CCAP Update EIR, and at the project-level in the 1996 EIR and subject DSEIR. All programmatic mitigation measures were integrated into the CCAP, and the existing CEMEX operation is required to demonstrate ongoing compliance. This requirement would apply to the proposed project if it were approved. See Response 10-31.

Response to Comment 10-31

Mercury is discussed throughout DSEIR Chapter 4.6 (Hydrology and Water Quality) including specifically under Impact 4.6-1 (DSEIR pages 4.6-27 to 4.6-32); under Impact 5-10 related to

cumulative impacts to hydrology and water quality (DSEIR pages 5-12 to 5-13); and under Irreversible Changes from Environmental Accidents (DSIER pages 5-18 to 5-19).

As described on DSEIR page 4-1, this DSEIR tiers from analysis in earlier EIRs including the 1996 EIR and the 2019 CCAP Update EIR. Mercury was extensively analyzed in the 1996 OCMP EIR and again in the 2019 CCAP Update EIR. In particular the setting and background information on mercury is provided on pages 4.9-4 to 4.9-7 of the 2019 CCAP Update EIR (Draft Volume), and the potential for adverse environmental impact is addressed in Impact HYD-1 on pages 4.9-21 to 4.9-30. The mitigation measures identified in these two programmatic analyses were integrated into the CCAP primarily as Section 10-5.517 of the Reclamation Ordinance which establishes the County's regulatory requirements for mercury monitoring, management, and remediation. The existing CEMEX operation is required to comply with these requirements, and that requirement will carry over to the subject permit modification, if approved. This ensures that mitigation is achieved.

The County has and continues to contract with mercury experts to implement the mercury monitoring and advise the County regarding results. This collaboration has occurred since the early 1990s. In March 2019, Dr. Darell Slotton, a preeminent scientist in the field of applied aquatic ecology who specializes in mercury bioaccumulation research, advised the County as follows (see Memorandum of Professional Opinion regarding Yolo County CCAP Mercury Monitoring Program, Dr. Darrell Slotton to Elisa Sabatini and Eric May, Yolo County, March 12, 2019):

> *… Mercury biogeochemistry is complex; there is no simple, 'one-size-fits-all' solution for elevated fish mercury levels. Nor, in my opinion, is there an inherent human health risk present here that merits a crisis response, before exploring other options. The ponds are contained and isolated from the wider watershed. Public access is prohibited and appropriate health warnings regarding fish consumption are posted. The remaining hazard, during the interim time while developing remedial options, is that of wildlife exposure for fish-eating species such as herons and cormorants. It is my opinion that the positive benefits of the new aquatic and riparian habitats outweigh the short-term downsides related to mercury exposure, at the levels we are documenting. …*
>
> *… At this time, one of the most straightforward options, particularly for deep basins where the bottom waters may become seasonally anoxic in the summer and fall, is to simply prevent the bottom water from becoming anoxic. When bottom waters are anoxic, the zone of methylmercury production and concentration moves from the deep sediments up into the water, where bioaccumulation into the food web is greatly accelerated. There are a number of ways to tackle this. One fairly simple approach is with a well-placed and crafted bubbler in the deepest point of the lake. Rather than 'aerating the water' directly, the rising column of bubbles forms an upward current that pulls the cool, low-oxygen bottom water up into the warm, oxygenated surface layer, effectively mixing the lake.*

Other possible remedial techniques include a variety of manufactured materials that are claimed to cap or bind inorganic mercury and/or methylmercury, lowering biological exposure. Other options include modification of the food web in various ways. The Ordinance language states that removal of high-mercury fish and replacement with lower mercury planter fish of the same type is not intended to be a long-term solution. However, if removal of a high-bioaccumulating species like largemouth bass is accompanied by replacement with a lower bioaccumulating species like bluegill sunfish, the net effect could be positive and long-lasting. Additional potential site-specific remediation approaches will likely be developed in the field of mercury biogeochemistry over time. …

… Mercury in the pits does not pose a water quality concern – in terms of the water itself. There is no substantive direct human or wildlife health risk related to mercury in the water because the concentrations are orders of magnitude below any standard for direct ingestion. The pits are not a source of drinking water and they have no direct surface water connection to Cache Creek. The mercury in some of the pits does pose a potential water quality concern, indirectly, to the extent that aqueous methylmercury bioaccumulates and biomagnifies in concentration as it moves up the aquatic food chain. …

… It is my opinion that the County's regulations, … provide appropriate protections for human and wildlife health, as related to mercury bioaccumulation in the deep off-channel pits. Implementation of the regulations, … balances the long-term benefits of new aquatic habitat with potential mercury concerns in the ponds.

… It is further my opinion that, for identified elevated-mercury ponds, the County should not mandate mining suspension and/or 'mitigation' of these sites by the mining operators, without first obtaining supplemental field data to help guide the preparation of a remedial plan. There is insufficient information to make effective decisions based on the monitoring results thus far. Additional analysis of fish mercury levels and other factors is needed to identify a definitive path forward. Temporary delay in remediation during this period of additional study is, I believe, an acceptable risk with regard to fish-eating wildlife. Provided there is no human consumption of fish from identified elevated-fish- mercury ponds, there is no worsening of existing human health concerns by continuing with the current monitoring program.

Response to Comment 10-32

Section 10-4.427 of the Mining Ordinance identifies 1,000 feet as the appropriate radius for consideration of effects to municipal wells and 500 feet as the appropriate radius for consideration of effects to domestic wells. These thresholds were established in 1996 based on technical analysis. They were considered again in the 2019 CCAP Update and determined to be appropriate.

Response to Comment 10-33

See Response 10-16.

Response to Comment 10-34

An edit will be made to DSEIR page 5-18 to clarify the text as follows:

> *Changes in Land Use Which Would Commit Future Generations*
> *Land uses at the project site are already committed to mining, with reclamation to agriculture, habitat, and open space uses. While the project proposes various project modifications, there is no substantive change in land use from existing and/or approved conditions that would result in a significant or irreversible change in this category of impact. The applicant proposes, among other things, to mine for a longer period of time (20 additional years) and to delay reclamation of some areas of the site for 20 to 36 years (see Chapter 2.0 – Project Description). This would result in delayed realization of reclaimed recreational, agricultural, and habitat uses. However, extension of the mining permit for up to 20 years is allowed under Section 10-4.426 of the Mining Ordinance and existing Condition of Approval No. 6. Chapter 4.0 provides a detailed analysis on the effects of the proposed project. Pages 4-3 to 4-6 describe the overall approach to the analysis.*

Response to Comment 10-35

An edit will be made to DSEIR page 5-19 to clarify the text as follows:

> *As explained under Impact 4.6-1 the detected level of methylmercury in the existing CEMEX Phase 3-4 lake has remained elevated over comparable creek baseline samples for a majority of fish sample types for four sampling years which has triggered additional monitoring and expanded analysis, and will require preparation of a lake management plan if proposed reclamation to agriculture in that area is not approved.*

Julie Dachtler

From: Karina Arroyo Chavez <arroyochavez@cpp.edu>
Sent: Saturday, December 6, 2025 6:16 PM
To: Clerkoftheboard
Subject: Comment for 12/9/25 Board of Supervisors Meeting

I would like to submit a comment for the upcoming board meeting. Dear County Board of Supervisors,

I would like to voice concern for the growing number of car accidents that have been occurring on County Road 102 in recent months. As a Woodland resident who often uses these county roads to visit family in Knights Landing, I constantly worry for my own safety and theirs when using the road. It is the county's responsibility to ensure the safety of all who use the road, and that concern should not be limited to community members who happen to live in the more populated towns of Woodland and Davis.

Thank you for your time and consideration.

Sincerely,
Karina Arroyo Chavez

Julie Dachtler

From: Kate McDonald <communikate@earthlink.net>
Sent: Saturday, December 6, 2025 8:12 PM
To: Clerkoftheboard
Subject: Postpone Vote on CEMEX Application

I think the county should take a little more time to evaluation this application. I don't think the farmland reclamation and habitat restoration have gone to well for previous projects like this.

I'm very concerned about the methyl mercury that accumulates in the pits. That is not good for wildlife or people.

I think the supervisors should not allow Cemex to delay their current habitat restoration obligations.

We need to take care of our environment.

Thank you.

Kate McDonald
Davis, CA

Julie Dachtler

From: Kathryn Kawecki <kackaw@gmail.com>
Sent: Monday, December 8, 2025 10:09 PM
To: Clerkoftheboard
Subject: CEMEX mine, item 43

To whom it may concern;

I am a concerned citizen who opposes the extension of the permit for the CEMEX mine.
This company is lining their pockets while avoiding taking responsibility for the damage they have already caused. Farming and wetlands have been destroyed. Wildlife is being harmed. Instead of making repartitions, they are intent on making the situation worse.
Additionally, we know that with climate change, wetlands are becoming increasingly more vulnerable and increasingly more valuable for wildlife and for our water sources. I support the efforts to restore Yolo County's creeks.
As a native Californian I am well aware of how precious water is and yet, this company is poisoning it! The board must reject this claim and hold CEMEX accountable for the damage they have already caused!
Thank you for your time.
Sincerely,
Kathryn Kawecki

Julie Dachtler

From: Kelcey Meadows-Lucas <kelceymattbaywood@gmail.com>
Sent: Tuesday, December 9, 2025 9:44 AM
To: Clerkoftheboard
Subject: Oppose mining in Yolo County

Hello,

I am a resident of Davis in Yolo County. Our family and friends often hike in the Capay valley, and we are opposed to the CEMEX mining plan. It will leech toxins into our watershed and destroy the natural beauty of the area as well as the creek that so many lives and wildlife depend on.

We were just hiking at Frog Pond Trail in Rumsey last weekend. Sadly, there were about 50 ATVs driving all around and revving their engines, littering their garbage, terrifying the wildlife and certainly disturbing the peace and quiet those of us trying to enjoy nature. Why not re-purpose those old mining pits into ATV tracks so they can do that there instead of ruining the natural world?

Please vote no to more mining pits. We've done enough damage to our county.

Sincerely,

Kelcey Meadows-Lucas
1507 Baywood Ln., Davis, CA 95618

Please forgive any typos, message created with voice to text due to arm injury.

Julie Dachtler

From: Kristin Kawecki <kawecki.kristin@gmail.com>
Sent: Tuesday, December 9, 2025 8:32 AM
To: Clerkoftheboard
Subject: Say NO to Cemex Expansion

Dear Yolo County Board of Supervisors,
Please listen to the water protectors.
The people of the Wintun Nation, including Diana from Cache Creek Conservancy, have wisdom that deserves to be respected. Please do NOT let CEMEX expand; please delay the project until further environmental impact is examined. The methyl mercury left behind will take much effort--and money--to clean up, and leftover waste from previous mines has already been hurting the precious wetlands. Cache Creek deserves restoration, not further damage.
Your constituents will remember your actions.
Please choose wisely.
Very Best,
Kristin Kawecki

Julie Dachtler

From: K.K. Hudson-Bates <kkhb22@gmail.com>
Sent: Saturday, December 6, 2025 10:05 AM
To: Clerkoftheboard
Subject: Cache Creek preservation

Greetings!

Please do not approve of more destruction of the Cache Creek area by CEMEX (or any other mining company!). Gravel mining has been a disaster for the land in that area. Habitat restoration has not been effective, and farmland reclamation has failed.

Please do not allow further destruction of our county's agricultural and natural resources!

Thank you!

—Kumari Hudson-Bates

K. K. Hudson-Bates
~°~~°~~°~~°~~°~~°~~°~
https://www.flickr.com/photos/28418716@N00/

"If you are neutral in situations of injustice, you have chosen the side of the oppressor. If an elephant has its foot on the tail of a mouse and you say that you are neutral, the mouse will not appreciate your neutrality." —Archbishop Desmond Tutu

Julie Dachtler

From: Laura Draper <lauradraper67@yahoo.com>
Sent: Tuesday, December 9, 2025 2:42 AM
To: Clerkoftheboard
Subject: Cache Creek Habitat

Please delay the vote on extending mining for another 20 years.

There needs to be an independent analysis first.

Thank you for your consideration.

Laura Espinosa Draper

Julie Dachtler

From: annesbooks@tuta.com
Sent: Monday, December 8, 2025 10:34 AM
To: Clerkoftheboard
Subject: NO to Cemex!

Dear Supervisors,
Please vote no on the Cemex permit. Protect our aquifer. Prevent methyl mercury contamination. Restore the wetlands to sequester carbon and mitigate climate change.
Thank you!
LeAnn Herigstad
20 Outer Cir
Davis CA 95618

--

Paula Hugi

From: Linda Fitz Gibbon <lindasfg@att.net>
Sent: Friday, December 5, 2025 11:39 AM
To: Clerkoftheboard
Subject: Postpone Dec. 9 vote on CEMEX application

To whom it may concern,

Please don't extend CEMEX's desire to expand their mine. Research has shown that the impact of mining gravely affects the environment and prevents later use of farmland and also pollutes the aquifer. Ask the Supervisors to delay this vote until independent objective engineering analysis is performed.

Sincerely,
Linda Fitz Gibbon
Devin Hough

86 1st Street
Woodland, CA 95695

Julie Dachtler

From: Elizabeth Reay <ereay58@outlook.com>
Sent: Tuesday, December 9, 2025 12:04 PM
To: Clerkoftheboard

Dear Yolo County Supervisors,

I am writing to urge the Yolo County Board of Supervisors to postpone the Dec 9th vote on Cemex's application to extend the Granite Capay Mining and Reclamation permit another 10 years. Their demands are outrageous just as most county residents seek to restore their environment.

After almost 30 years, previously mined habitat restoration efforts have not worked out as expected. So, before there is any more damage to the environment and particularly to habitat we need to please need to pause.

Postponing the vote to extend Cemex's permit will allow the BOS time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek.

Thank you for your time and consideration on this important matter.

Liz Reay, M.S., RBP
ereay58@outlook.com
530-902-3248

Julie Dachtler

From: Lucia Rodriguez <luvrodriguez@ucdavis.edu>
Sent: Monday, December 8, 2025 2:08 PM
To: Clerkoftheboard
Subject: Cache Creek Protection

Dear Yolo County Board of Supervisors,

I am Lucia Rodriguez, a resident of Yolo County and a currently a graduate student at UC Davis. I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

The creek and the land it runs through belongs to members of the Wintun Nation, who stewarded it for centuries before colonization. There is still potential to protect Cache Creek and allow the ecosystem to heal. Lower Cache Creek has some of the greatest potential for habitat restoration in Yolo County, and members of the Wintun Nation have knowledge and practices that would allow for restoration of the wetlands.

Professors, scientists, students, community members, and people for whom the creek holds cultural and spiritual significance all care deeply about the health of the creek and oppose continued gravel mining by CEMEX.
The main threat to the health of Cache Creek is the continued mining by CEMEX, which would completely exhaust the creek's natural ability to facilitate biodiversity and maintain balance.

I am calling on you to please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday. Or at the very least to postpone the vote until after an environmental survey is done.

Thank you,
Lucia Rodriguez, district 2

Julie Dachtler

From: Madeleine Canavese <madeleine@canavese.org>
Sent: Monday, December 8, 2025 1:42 PM
To: Lucas Frerichs; Clerkoftheboard
Subject: Please Oppose Extension of CEMEX Mining of Cache Creek

Dear Board of Supervisors,

I am writing to you in opposition to the proposed amendment to CEMEX Mining and Reclamation Plan Permit. As a student at UC Davis, I have often enjoyed the gift of the Putah creek riparian reserve, and I believe the beauty and health of that place is a model of what Cache creek should look like. The wetlands of Cache Creek are essential to the health of our county for sustaining wildlife, recharging our aquifers, purifying water, and controlling flooding. We cannot let CEMEX further disparage the beauty and services nature has provided us with. Instead of authorizing further mining and delaying much-needed reclamation, please consider proposals to restore the wetlands for recreation. Nature has amazing power to recover if we give it a chance.

Thank you for your consideration. I look forward to the public hearing tomorrow.

Sincerely,
Madeleine Canavese

Julie Dachtler

From: Maggie Levin <m.f.levin@gmail.com>
Sent: Wednesday, December 3, 2025 1:19 PM
To: Clerkoftheboard
Subject: Cemex's application for mining permit extension in Cache Creek

I am writing this email to respectfully voice my opposition to extending Cemex's mining permit in Cache Creek. As a new farm owner in the Capay Valley I am dismayed to hear of Cemex's application to extend the Granite Capay Mining and Reclamation permit another ten years and to delay habitat restoration to 2052. On our farm we are currently working to restore native plants to the section of land along Cache Creek and support the goals of the Yolo Habitat Conservancy for a wildlife corridor along the creek. Extending Cemex's permit will move us farther away from this goal at a time when healthy habitats and wildlife corridors are becoming increasingly important for the survival of species in a fragmented landscape. It would cause more methyl-mercury pollution and threaten the water table. It is not the future we want in our community.
Sincerely,
Margaret Levin
Co-owner of Fairy Lantern Farm, Rumsey, CA

Julie Dachtler

From: Marge Matoba <margematoba@gmail.com>
Sent: Saturday, December 6, 2025 8:59 AM
To: Clerkoftheboard
Subject: Postpone decision on CEMEX application

Dear Supervisors,

I am writing to urge the Board to postpone a decision on the CEMEX application, currently scheduled for Dec.9th. In the current application, CEMEX is specifying what they want without critical Staff or independent engineering oversight. This is the Board of Supervisors' opportunity to require the aggregate industry to fix what the mining companies broke. Postponing the vote to extend Cemex's permit will allow the time to secure a reclamation plan prioritizing habitat and restoring a healthy ecosystem in Cache Creek instead of depleted farmlands and habitat and contaminated impoundment pits.

Please don't rush into a decision that lasts 20 years and can devastate valuable land in our county.

Sincerely,

Marge Matoba, Davis, CA

Paula Hugi

From: Marian Schlotterbeck <mschlotterbeck@ucdavis.edu>
Sent: Friday, December 5, 2025 12:29 PM
To: Clerkoftheboard
Subject: Cache Creek

Dear Yolo County Board of Supervisors,

As a longtime Yolo County resident and a mother of small children, I urge you to postpone your scheduled December 9th vote on CEMEX's application to extend their surface sand and gravel mining permit another 20 years. Please delay this critical vote until an independent objective engineering analysis is performed. Doing so, will allow sufficient time to develop a reclamation plan that will prioritize habitat and restore a healthy ecosystem in Cache Creek that can benefit all residents of Yolo County, not just the profits of a foreign company.

Thank you for your time and service,

Sincerely,

Marian E. Schlotterbeck
Associate Professor of History
University of California, Davis
One Shields Avenue
Davis, CA 95616
mschlotterbeck@ucdavis.edu

Julie Dachtler

From: Marijane Anthony <mja@cal.net>
Sent: Thursday, December 4, 2025 3:37 PM
To: Clerkoftheboard
Subject: Granite Capay Mining

I am very displeased with Cemex and the Granite Capay Mining and Reclamation permit extension consideration. I urge you not to extend the permit for another 10 years.
Marijane Anthony
Yolo County Resident
Sent from my iPhone

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, Mark Manley Trucking, LLC respectfully requests you support Cemex's Cache Creek Mining Permit and Reclamation Plan Amendment project application.

We are a trucking company working in construction delivering dirt and aggregates to Northern California.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's (project) has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

Sincerely,

Julie Dachtler

From: Mary Goodell <mgoodell5@gmail.com>
Sent: Tuesday, December 2, 2025 11:15 AM
To: Lucas Frerichs; Clerkoftheboard
Subject: Cemex proposed extension

As a Davis resident and voter, I urge you to postpone the vote scheduled for 12/9 to extend the Granite Capay Mining and Reclamation permit for another 10 years. This is your chance to require the aggregate industry to fix what they broke. Unfortunately, reclamation has been a very big disappointment, per the article in the Davisite, which I urge you to read.

Thank you,
Mary Goodell
127 Full Circle
Davis, CA 95618

Julie Dachtler

From: Mayra Sánchez Barba <mgsanchez@ucdavis.edu>
Sent: Monday, December 8, 2025 8:22 AM
To: Clerkoftheboard
Subject: Say No to the CEMEX permit

Dear Board of Supervisors and Yolo County Planning Commission,

Thank you for your service to sustain and protect our health and environments.

Please **vote NO on the extension of the gravel mining permit to CEMEX**—one of the largest cement corporations and a major climate polluter—for another 20 years across more than 500 acres of the Cache Creek floodplains. This permit would authorize the removal of 56 million tons of earth from a living watershed that is home not only to people, but to fish, birds, plants, and countless other beings whose well-being is intertwined with our own.

Deep pit mining—forbidden in nearby counties—along Cache Creek has already degraded this ecosystem through the toxic contamination of methyl mercury (extremely potent neurotoxin) in water and fish, putting at risk humans, river otters, raptors, and many other creatures all the way down to the marine ecology of the San Francisco Bay. Such gravel operations pollute our watersheds, destroy riparian and wetland habitats, disrupt wildlife movement corridors, and release a tonnage of carbon emissions—which further impact our climate. Extending this permit would lock in another generation of harm instead of allowing the creek to heal, re-establish wetlands, and build climate resilience as established in the 2030 Yolo County's Climate Action and Adaptation Plan.

Cache Creek flows through Lands long cared for by local Native nations whose cultural, spiritual, and subsistence relationships are rooted in the creek, its salmon, tule marshes, and oak woodlands. Further mining disrespects those relationships by continuing to treat the floodplain primarily as a sacrifice zone for extraction. Any decision about this permit should be grounded in meaningful consultation and shared decision-making with local communities on how to keep the creek, soil, and multiple species alive for future generations.

For all these reasons, please **say NO** to the CEMEX permit and instead work to help restore more wetlands, more habitat, and a future where human and nonhuman communities can thrive together.

Thank you,
Mayra Sanchez, PhD
Research Affiliate

Julie Dachtler

From: Melissa Nolan <melissanoelnolan@gmail.com>
Sent: Monday, December 8, 2025 9:08 AM
To: Clerkoftheboard
Subject: NO MORE MINES, protect Cache Creek

Please say no to the Cemex permit! Say yes to more wetlands!

Protect Cache Creek from destructive gravel mining by climate polluters. A few reasons to keep the gravel in the ground:

-Impacts to groundwater sustainability and the integrity of the aquifer
-Mining creates methyl contamination in the deep, wet pits
-Lack of logical representation in decisions regarding mining permit extensions
-Zero mitigation measures provided in the Cemex Environmental Report
-Wetlands prevent the threat of mosquitoes, which breed in standing, unnatural bodies of water.

MITCHELL CHADWICK

Patrick G. Mitchell
pmitchell@mitchellchadwick.com
916-462-8887
916-788-0290 Fax

December 8, 2025

VIA EMAIL AND U.S. MAIL

Yolo County Board of Supervisors
625 Court Street, Room 204
Woodland, CA 95695

Re: Response to Opposition Letters & Support for Project Approval

Dear Yolo County Board of Supervisors:

My law firm represents Cemex regarding the Cache Creek project. I write in response to a few letters and emails that were submitted in opposition to the Cemex Mining and Reclamation Plan Permit Amendment Project and Subsequent Environmental Impact Report ("SEIR"), which is currently set for hearing by the Yolo County Board of Supervisors ("BOS") on December 9, 2025. The scheduled BOS hearing follows the Yolo County Planning Commission's recent unanimous recommendation for approval by a 6-0 vote after a public hearing held on November 13, 2025. The opposition letters and emails include four letters from Alan Pryor, one sent in a personal capacity, dated September 10, 2025, and three additional letters sent in his capacity as Chair of the Sierra Club Yolano Group ("Yolano Group") dated October 7, 2025, November 7, 2025, and November 10, 2025, respectively; a letter from University of California, Davis, Associate Professor Geoffrey Attardo dated November 12, 2025; and a letter and accompanying email from a group of concerned Davis community members dated November 6, 2025. The letters raise five primary areas of concern regarding the Cemex application, which we address below. First, Yolano Group posits that Cemex has been unsuccessful in past reclamation efforts to convert former mining areas into productive agricultural land. Second, the issue of reclamation priority order for the plan regarding habitat restoration and agriculture is raised. Third, the group of community members request additional public participation in the project review process. Fourth, some letters note concerns surrounding methyl mercury levels in the off channel mining ponds. Finally, Yolano posit that the SEIR failed to analyze a reasonable range of alternatives.

1. The Site has been Successfully Reclaimed to Productive Farmland

The first issue raised by Yolano Group regarding failure to successfully reclaim former mining areas within the project site to successful agricultural use is demonstrably inaccurate. Attached to this letter (Attachment A) is a letter from Sagara Farms, a major partner in farming the reclaimed land, indicating the successful agricultural use of this reclaimed land. In his letter, Mr. Sagara noted that the field in question had been less productive prior to the reclamation project and that

the improvement to the land would have been virtually impossible without the mining reclamation procedure conducted by Cemex.

Additionally, Attachment B to this letter contains a reclamation yield report and proposal for 2025 from M Three Ranches[1], which has been farming the reclaimed parcels continuously since 2017. This report finds that the parcel in question, Field 435, had a comparable yield to the county average and was in line with a sample field in proximity to the reclaimed parcel.[2]

Further, the House Agricultural Consultants' Assessment Report of Reclamation of Mined Lands to Agriculture under the Yolo County CCAP ("House Report") notes that two portions of the site were successfully farmed, exceeding benchmarks standards for the years between 1997 to 2016 and between 2008 to 2016, respectively. Thus, Yolano Group's claim that "CEMEX has repeatedly failed to reclaim a single acre of farmland even after trying for 30 years" is demonstrably false. The abovementioned sources describe substantial acreage that has been successfully reclaimed to agricultural use, demonstrating that the reclamation techniques employed by Cemex and its farmers have been successful and will be successful in future agricultural reclamation under the updated plan proposal.

2. In Compliance with the County OCMP, the Cache Creek RP Prioritizes Agricultural End Uses Over Habitat End Uses

The second issue is reprioritization of reclamation to emphasize habitat restoration over agricultural use. This is contrary to county policy which explicitly holds reclamation to agriculture as the preferred end use for reclaimed mining land.[3] The updated Cemex plan includes increased habitat restoration while still complying with the County's existing Off Chanel Mining Plan ("OCMP") priority hierarchy and prioritizing reclamation to agriculture as the primary end use of the project. The updated plan represents a significant habitat restoration component in addition to agricultural reclamation, "demonstrating that reclamation to agriculture and habitat can, and do very well co-exist."[4] This is not the process to address changes to the OCMP; that will be when the County begins its update to the CCAP during its 10-year review process.

3. There Have Been Extensive and Legally Compliant Opportunities for Public Participation

Regarding the third issue, while the Davis community member group requests additional public participation measures, the project has complied with all relevant legal requirements for public participation. There have been extensive public participation opportunities in this matter. The November 6, 2025 letter from the group of Davis community members does not dispute that public participation requirements were met, but instead requests that the project go above and beyond what is expected for these kinds of projects. This project has already involved significant

[1] M 3 Ranches is a farming subcontractor to Sagara.
[2] Attachment B, "M Three Ranches – Cemex Farming Reclamation Proposal," at p. 3.
[3] Yolo County, OCMP for Lower Cache Creek, Updated December 17, 2019, p. 52
[4] Letter from Cache Creek Conservancy Board of Directors, dated November 11, 2025, p. 1.

public participation, including outreach to landowners, stakeholders, operators, tribal representatives, agencies, and service providers. Public engagement opportunities included:

- the NOP scoping meeting,
- the NOP 30-day scoping comment period,
- the Draft SEIR comment meeting,
- the Draft SEIR 47-day comment period,
- the Planning Commission meeting of October 9, 2025, and
- the Planning Commission hearing of November 13, 2025.

4. The Mercury Monitoring Requirements are Being Met

Regarding the allegation of methyl mercury contamination in the mining ponds, as noted in the Lower Cache Creek Off-Channel Mining Mercury Monitoring Protocols 2021 Revision, "Cache Creek is known to be a mercury-impacted watershed, dating from extensive mercury mining activities in the upper watershed from the mid-1800s through the mid-1900s."[5] The Cache Creek Area Plan (CCAP), of which the OCMP is a part, requires mercury monitoring in order to ensure public health is not at risk of methyl mercury bioaccumulation in fish.

Concerns were raised around non-compliance with the County's Surface Mining Reclamation Ordinance (found in the county code at Title 10, Chapter 5) regarding mercury level monitoring and mitigation. The County has acknowledged during public hearings, as noted in the September 2025 Pryor letter, that although the County ordinance requires the mine operators to conduct the required mercury monitoring,

> County determined early on in the administration of the mercury monitoring program that contracting with one qualified expert consultant to perform all monitoring at all sites using consistent methods and approach, under the oversight of the County, was superior to individual monitoring and reports from each independent operator using potentially inconsistent methods and approaches.[6]

The concerns regarding delays in posting the monitoring reports have presumably been assuaged based on the posting of these reports in past few months.

5. The SEIR Analyzed an Adequate Range of Alternatives in Compliance with CEQA Requirements

The Yolano Group's November 7, 2025 letter claims that that the SEIR failed to analyze a reasonable range of alternatives, including an alternative with more reclamation to habitat. This contention overlaps slightly with the above-discussed second issue, as it suggests consideration of a reclamation plan that runs counter to the OCMP reclamation hierarchy.

The SEIR for this project analyzed an adequate range of alternatives in compliance with CEQA and in alignment with the County OCMP, without considering the Yolano Group's preferred

---

[5] Darell Slotton, Ph.D, Lower Cache Creek Off-Channel Mining Mercury Monitoring Protocols, 2021 Revision, at p. 1.

[6] Pryor Letter, dated September 10, 2025.

reclamation plan. The original CCAP program EIR (completed circa 1995-1996) programmatically evaluated an alternative akin to that suggested by the Yolano Group which emphasized habitat reclamation. The voters of Yolo County subsequently voted in favor of prioritizing agriculture over habitat as the preferred end use. As noted above, this priority was upheld in the most recent update to the OCMP in 2019. Thus, the County determined that no further examination of the alternative proposed by Yolano Group was warranted in the SEIR for the Cemex Plan.

Based on the above, we believe that the concerns raised in the opposition letters are without merit. Cemex respectfully requests that the Board of Supervisors approve the Cemex Cache Creek project.

Sincerely,

MITCHELL CHADWICK LLP

Patrick G. Mitchell

Cc: Eric May, Sr. Deputy County Counsel
Rob Cutter, Cemex
Debbie Wells, Cemex
Christine Jones, Cemex
Yasha Saber, Compass Land Group

Attachment A

Sagara Farms, Inc.
P.O. Box 99
Esparto, California 95627

Office 530-787-2000
Cell 530-304-4850

October 9, 2025

TO: Yolo County Planning Commission

FROM: Steve Sagara

RE: Statement Regarding Farming of Reclaimed Ground

In the years prior to this reclamation procedure, I would venture to guess that 20% of the parcel was incapable of producing any meaningful returns to my operation.

I had taken many crops of tomatoes off of this field and I can't remember a single instance where I was able to take a crop off under optimum conditions. There were many strips throughout this field with a very shallow layer of topsoil with sand and gravel very near the surface. These areas within this parcel had very low moisture retention. When these areas were ready to be harvested, the areas with the deep topsoil were still lushly growing and too green for harvest. What I normally did was wait for the fruit on the deeper topsoil to ripen and let the fruit on the gravely areas burn up. I feel that all my chemical and energy applications were wasted on the areas with the shallow topsoil.

From an economic standpoint, it is virtually impossible for a farmer to correct this situation by removing a non-productive soil structure from the middle of a field and replacing it with a layer of topsoil of uniform depth. This reclamation procedure has solved my problems.

Now, with a uniform layer of good topsoil over the entire area I farm, it makes for a much desired efficiency from a farmer's standpoint. I will now have the same total production as before with 20% less chemical application and energy use.

NOTE: This same scenario holds true for all crops that I plant in this area.

Attachment B

M Three Ranches - Cemex Farming Reclamation Proposal

Cemex's is in the process of reclaiming their Phase I mining operation on the Hutson piece, East of the main office. From the Cache Creek Mine Revised Reclamation Plan "Reclamation will be deemed complete when productive capability of the affected land is equivalent to or exceeds, for two consecutive crop years, that of the unmined agricultural lands adjacent to and south of the mining areas." The most likely crop to grow to achieve this goal is wheat.

FIELD HARVESTED MID JUNE

In 2025, the wheat crop grown on the Hutson parcel (field #435) averaged a yield of 2.15 tons per acre. A parcel (field #440) in close proximity yielded 2.74 tons per acre for the same year. California winter wheat county estimates put out by the USDA (table below) show the variability in the yields throughout the county.

Year	Yield (Tons/Ac)
2017	2.21
2018	2.34
2019	1.40
2020	3.32
Avg	**2.32**

Field #440 is considered an irrigated field where Field #435 is considered dryland production. Dryland production fields tend to have higher chance of crop failures and lower crop yields. It is our opinion that field #435 produced comparable yields to the county average and the yield was in line with the field in proximity given the difference in irrigated versus non-irrigated land.

M Three Ranches expenses in farming the Hutson parcel for the 2025 crop year was $61,117.35. Due to the weed bank of grasses, barley, and weeds, the wheat had to be sold as a mixed grain. The mixed grain was sold at $140 per ton totaling $25,677.40 for the parcel. This was a net loss of $35,439.95.

To increase the chance of achieving yields necessary to meet the requirements for the permit, M Three Ranches recommends the following steps.

A. Work the field post-harvest of the 2025 crop.
B. Install a new pipeline from the newly repaired well #6 to irrigate the field.
C. Irrigate the field in the summer to sprout volunteer wheat and weeds.
D. Disc the green vegetation into the field to add biomass.
E. Apply 3 tons per acre of green waste compost to the field to add biomass.
F. Plant winter wheat in the typical planting window October through November.

It is expected that the growing, irrigation, and input costs associated with the project will be custom work performed for Cemex by M Three Ranches. The pipeline installation from the well to the field will be performed by a third party (Alsco Guyer quoted this project). Cemex will be invoiced for the work performed by M Three Ranches and any proceeds off of the sale of the wheat, post-harvest, will be provided to Cemex. The estimated cost breakdown for the work performed on the 85.2 Acre parcel can be seen in the table below.

Description	**Est. Cost per Acre**	**Est. Total Cost to Field**
Pipeline (Well to Field)		$10,996.01
Growing costs	$700	$59,640
Summer Irrigation	$150	$12,780
Compost Application	$150	$12,780
	Est. Total Cost	**$96,196.01**

The proceeds from the sale of the harvested wheat is estimated to be $51,120. This is assuming that the wheat harvested will come out around 3 tons per acre and sold at a price of $200 per ton. This would lead to an estimated net loss (or cost of the project) of $45,076.01 for crop year 2026.

We believe the process proposed will provide the highest likelihood of success in producing a crop meeting or exceeding the yield of similar crops adjacent to the reclaimed parcel. Time is of the essence for this project. It is important to make a decision on this by the middle of August to ensure all work can be performed prior to reduced temperatures and fall rains.

Cemex Field 435 Reclamation Compliance Information

15-Jul-25

Results for 2025 Grain Crop for field 435

NOT IRRIGATED

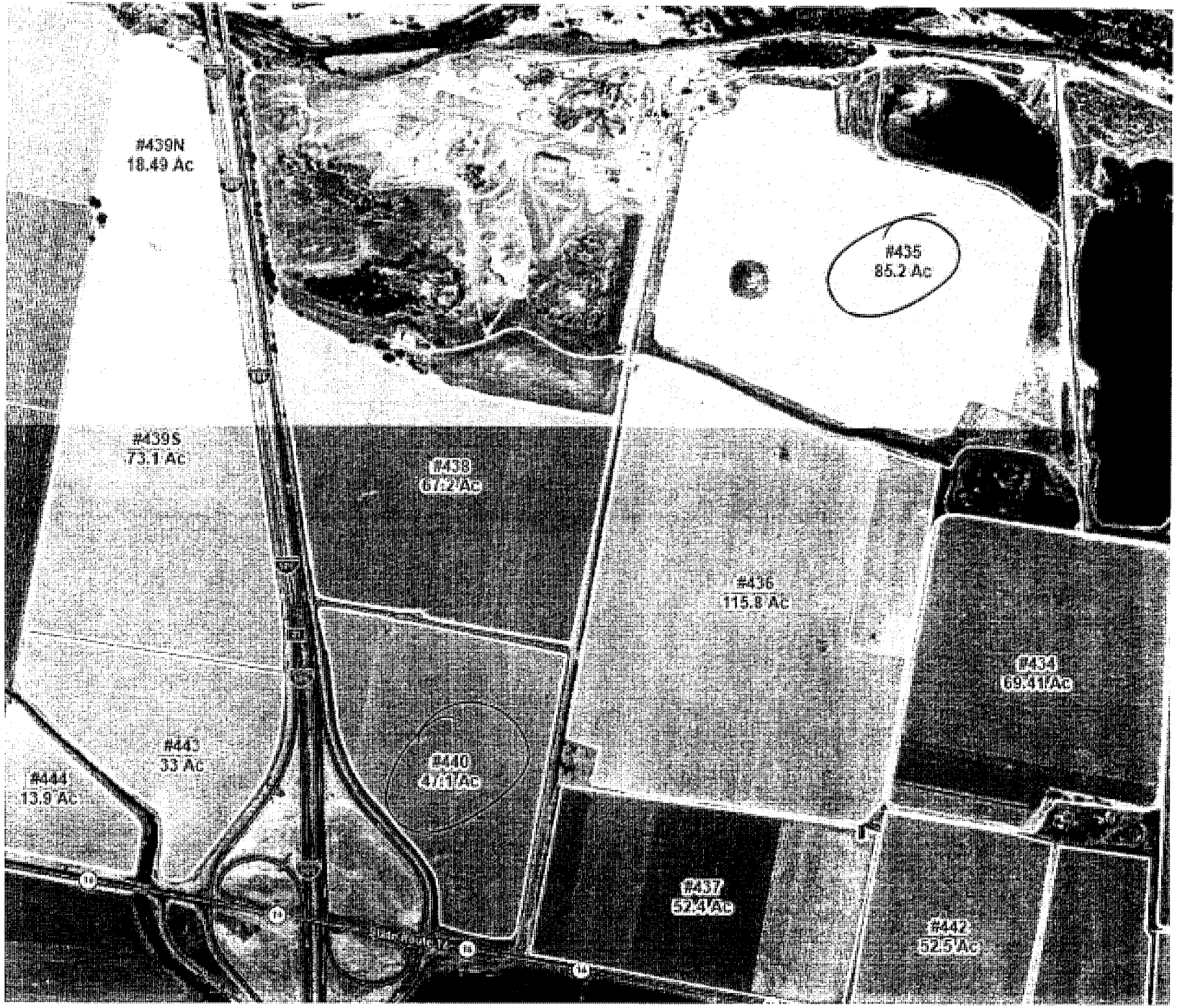
Pounds Produced:	366,820
Tons Produced:	183.41
Acres:	85.2
Tons per acre:	2.15

Comparative field in closest proximity # 440:

Pounds Produced:	258,517
Tons Produced:	129.2585
Acres:	47.1
Tons per acre:	2.74

Notes: Field 440 is an irrigated field
Field 435 did not have irrigation available in 2025
Field 435 is considered to be "dryland" production
Yolo County irrigated wheat production average is +/- 2.25 tons/acre
Yolo County non irrigated yields are less than 2.25 tons/acre

Conclusion: It is our opinion that Field 435 Produced comparable yields to the county average and the yield was in line with the field in close proximity given that it was considered to be dryland farmed.


#439N
18.49 Ac
#435
85.2 Ac
#439S
73.1 Ac
#438
67.2 Ac
#436
115.8 Ac
#434
69.41 Ac
#443
33 Ac
#440
47.17 Ac
#444
13.9 Ac
#437
52.4 Ac
#442
52.5 Ac

United States Department of Agriculture
National Agricultural Statistics Service

California Winter Wheat County Estimates

Cooperating with the California Department of Food and Agriculture, and Hawaii and Nevada Departments of Agriculture
Pacific Regional Office · P.O. Box 1258 · Sacramento, CA 95812 · (916) 738-6600 · (855) 270-2722 Fax · www.nass.usda.gov/ca

Released: March 26, 2019

Winter Wheat Crop Acreage, Yield, and Production, by County: 2017-2018

District & County	Planted		Harvested		Yield		Production	
	2017	2018	2017	2018	2017	2018	2017	2018
	acres	*acres*	*acres*	*acres*	*bushels per acre*	*bushels per acre*	*bushels*	*bushels*
Northeast		10,400		7,900		91.1		720,000
Lassen		2,500		1,200		90.0		108,000
Other counties		7,900		6,700		91.3		612,000
Central Coast		6,200		2,100		75.7		159,000
Other counties		6,200		2,100		75.7		159,000
Sacramento Valley	49,000	52,900	35,200	34,500	66.6	75.3	2,344,000	2,597,000
Colusa	5,700	5,600	4,800	3,200	72.9	70.6	350,000	226,000
Glenn	4,600		2,800		44.6		125,000	
Sacramento		8,600		5,500		82.9		456,000
Solano	12,500	11,700	10,400	7,300	60.0	72.3	624,000	528,000
Sutter		4,500		3,100		84.8		263,000
Yolo	18,000	17,000	12,800	13,100	73.8	77.9	945,000	1,020,000
Other counties	8,200	5,500	4,400	2,300	68.2	45.2	300,000	104,000
San Joaquin Valley	291,000	279,000	97,600	55,300	66.3	72.8	6,473,000	4,028,000
Fresno	48,400	43,500	28,200	14,000	55.1	51.8	1,555,000	725,000
Kern		20,300		6,000		75.0		450,000
Kings	44,000	41,700	10,400	10,200	89.4	85.3	930,000	870,000
Madera		20,400		500		80.0		40,000
Merced	39,900	38,600	17,500	7,000	79.8	85.7	1,397,000	600,000
San Joaquin	14,800	16,200	7,500	5,000	82.7	84.0	620,000	420,000
Stanislaus	10,700	9,900	500	1,700	60.0	84.1	30,000	143,000
Tulare	97,700	88,400	22,500	10,900	57.8	71.6	1,300,000	780,000
Other counties	35,500		11,000		58.3		641,000	
Sierra Mountains		4,200		300		74.0		22,200
Other counties		4,200		300		74.0		22,200
Southern California	19,800		14,700		32.3		475,000	
Other counties	19,800		14,700		32.3		475,000	
Other districts	25,200	27,300	7,500	9,900	83.7	95.3	628,000	943,800
California	385,000	380,000	155,000	110,000	64.0	77.0	9,920,000	8,470,000

2017 73.8 Bushels = 2.21 Tons / Acre
2018 77.9 Bushels = 2.34 Tons / Acre

United States Department of Agriculture
National Agricultural Statistics Service

California Winter Wheat County Estimates

Cooperating with the California Department of Food and Agriculture, and Hawaii and Nevada Departments of Agriculture
Pacific Regional Office · P.O. Box 1258 · Sacramento, CA 95812 · (916) 738-6600 · (855) 270-2722 Fax · www.nass.usda.gov/ca

Released: December 10, 2020

Winter Wheat Crop Acreage, Yield, and Production, by County: 2019-2020

County	Planted		Harvested		Yield		Production	
	2019	2020	2019	2020	2019	2020	2019	2020
	acres	*acres*	*acres*	*acres*	*bushels per acre*	*bushels per acre*	*bushels*	*bushels*
Colusa	5,500	3,900	4,200	2,210	52.1	115.4	219,000	255,000
Fresno	43,000	(D)	6,600	(D)	52.1	(D)	344,000	(D)
Kern	(D)	12,300	(D)	2,940	(D)	112.2	(D)	330,000
Kings	47,400	58,600	6,700	11,000	55.8	94.9	374,000	1,044,000
Lassen	(D)	3,300	(D)	730	(D)	53.3	(D)	38,900
Merced	40,900	44,800	4,900	7,970	59.0	95.4	289,000	760,000
Modoc	(D)	3,900	(D)	1,420	(D)	103.5	(D)	147,000
Sacramento	(D)	5,500	(D)	2,060	(D)	71.4	(D)	147,000
San Joaquin	17,300	16,900	4,100	2,820	59.8	86.5	245,000	244,000
Solano	8,000	8,000	5,700	3,620	46.5	53.3	265,000	193,000
Sutter	5,300	3,100	4,200	1,750	47.6	120.6	200,000	211,000
Tulare	85,700	(D)	6,400	(D)	37.2	(D)	238,000	(D)
Yolo	19,100	12,400	17,200	5,040	46.6	110.7	802,000	558,000
Other counties	117,800	182,300	40,000	38,440	50.6	53.9	2,024,000	2,072,100
California	390,000	355,000	100,000	80,000	50.0	75.0	5,000,000	6,000,000

(D) Included in "Other Counties" to avoid disclosing data for individual operations.

2019 46.6 Bushels = 1.4 Tons/Acre

2020 110.7 Bushels = 3.32 Tons/Acre

Julie Dachtler

From: Naomi Scher <naomi.scher@gmail.com>
Sent: Tuesday, December 9, 2025 7:57 AM
To: Clerkoftheboard
Subject: Agenda item #43 - opposition to CEMEX permit extension

Dear Planning Commission,

Please vote in opposition to the proposed CEMEX permit extension, item #43 on today's agenda. The vote could also be delayed for additional consideration, including independent review and more specific reclamation planning as requested by many others.

We do not have another 20 years to change how we are doing things for the future of our watershed. This affects all of us in Yolo County, our children, our wildlife, and our natural surroundings, including water and air quality. We should be working towards restoration and local resilience NOW.

Gratefully,
Naomi Scher
Woodland resident

Julie Dachtler

From: Natalia Deeb-Sossa <ndeebsossa@ucdavis.edu>
Sent: Sunday, December 7, 2025 7:45 AM
To: Oscar Villegas; Viviana Dazo; Jack Johnson; Lucas Frerichs; Mary Vixie Sandy; Dotty Pritchard; Sheila Allen; Oliver Snow; Lysette Marshman; Angel Barajas; Monica Rivera; tjmerwin@gmail.com; elisabeth.dubin.green@gmail.com; b_sala@yahoo.com; yolomccormick@gmail.com; AMON.MULLER@GMAIL.COM; sarahdukettpc@gmail.com; gurtaj21@gmail.com; Clerkoftheboard
Subject: Say No to the CEMEX permit and YES to wetlands

Dear Board of Supervisors and Yolo County Planning Commission,

Thank you for your extraordinary dedication in unprecedented times.

Please deny the extension of gravel mining permit to CEMEX—one of the largest cement companies and a major climate polluter—for another 20 years across more than 500 acres of the Cache Creek flood plains which would enable them to excavate 56 million tons of earth along Cache Creek.

Given how deep pit mining in Cache Creek, in particular gravel operations have caused significant environmental racism and impacted marginalized communities through severe mercury contamination in water and fish, threatening human and wildlife, habitat destruction, dust, noise, traffic pollution, groundwater impacts, and challenges to effective land reclamation, the extension of the permit would be in opposition to the 2030 Yolo County's Climate Action and Adaptation Plan.

As you consider this permit application, I urge you to ask yourselves:

- Is granting a permit ensuring that those most at risk of environmental racism will thrive in our community?
    - The clear answer is no, given the clear environmental impacts. CEMEX did not even provide a mitigation measure in their Environmental Report, and no Health Impact Report has been done.
- Has this process secured equitable strategies and has the commission outreached to diverse communities in the planning process?
    - Again, the answer is no. There has been a lack of local representation on decisions regarding mining permit extensions. This is an enormous failure of equity in the County.

It is not too late to reverse all these mishaps. I encourage you to work with local community members who are already working to restore Cache Creek into a more natural, climate-resilient Cache Creek floodplain. Please say NO to the CEMEX permit and YES to more wetlands.

En comunidad,

Natalia Deeb-Sossa
Professor
Chicana/o/x Studies Department
University of California, Davis

Natalia Deeb-Sossa, Professor Chicana/o/x Studies, University of California at Davis.
ndeebsossa@ucdavis.edu

Author of Doing Good
Editor of Community-Based Participatory Research
Co-Editor of Latinx Belonging
Co-Editor of Testimonios of Care

Co-Chair, UC Ethnic Studies Council

UC Davis occupies the unceded lands of the Patwin people. Give the land back to the Cachil DeHe Band of Wintun Indians of the Colusa Indian Community, Kletsel Dehe Wintun Nation, and Yocha Dehe Wintun Nation.
At minimum UC Davis must return all Native American remains and cultural items.
Land Acknowledgement ≠ Landback.

M3 RANCHES 35472 COUNTY ROAD 18A • WOODLAND, CA 95695 • T 530.669.5870

December 8, 2025

Clerk of the Board of Supervisors
Yolo County Board of Supervisors
625 Court Street, Room 204
Woodland, CA 95695

Dear Clerk,

I am writing to express my support for permitting gravel mining on designated areas of prime agricultural land on the Cemex Ranch. From our experience, with proper planning, soil management, and reclamation standards, gravel extraction can be conducted in a way that protects the long-term agricultural value of the land while meeting the community's need for essential aggregate resources.

A central component of responsible gravel mining is the careful removal, separation, and preservation of topsoil before excavation begins. By stockpiling the existing topsoil and keeping it uncontaminated, operators ensure that the soil's productive qualities, such as organic matter, nutrients, and soil structure, are maintained for future use. When mining is complete, this topsoil can be replaced and graded across the site, restoring the land's capability for crop production.

Equally important, reclaimed land must be designed to remain above the water table. Ensuring that the final reclaimed surface is elevated sufficiently prevents the creation of wetlands or standing-water areas and preserves the conditions necessary for successful agricultural operations. Maintaining this elevation standard allows the site to be brought back into active farming with proper drainage and field stability.

When the practices of topsoil separation and return, post-mining leveling, and ensuring the reclaimed land remains above the water table are followed diligently, prime agricultural land can be restored to productive use. Many reclaimed sites across the region and country have demonstrated that aggregate extraction and long-term agriculture can coexist when reclamation requirements are clearly defined and enforced. We have farmed the Cemex Ranch for several years and have found that the Cemex Company makes every effort to follow these best practices and they are committed to the reclamation process.

Supporting responsible gravel mining on prime ag land not only provides critical materials for infrastructure and local development but also ensures that the land remains an asset to the agricultural community for generations to come.

Thank you for your consideration.

Sincerely,

Neil Muller, partner

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, Next Level General Engineering Inc. respectfully requests you support Cemex's Cache Creek Mining Permit and Reclamation Plan Amendment project application.

Next Level General Engineering is a Class A, General Engineering Contractor in Yolo County and we strongly support all local aggregate facilities. The Cemex aggregate facility supplies critical materials for our road construction, commercial, housing and public works projects. By sourcing local materials we reduce transportation costs and emissions associated with importing materials from outside the region. For these reasons, I respectfully urge the Board of Supervisors to approve the mining permit.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's (project) has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

Sincerely,

OPERATING ENGINEERS
LOCAL 3
AFL-CIO
N. CALIFORNIA • N. NEVADA • HAWAII • UTAH

DISTRICT 80
3920 LENNANE DRIVE
SACRAMENTO, CA 95834
PHONE 916.993.2055
FAX 916.419.3491

Dear Chair and Members of the Board of Supervisors,

Operating Engineers Local 3 respectfully request the board supports the issuing the necessary permits for the continued operation of the CEMEX Aggregate Plant in Madison, California.

For decades, this facility has been a critical supplier of rock, sand, and gravel for construction and infrastructure projects throughout Yolo County and the surrounding region. As local development continues to grow, both now and in the future, having a reliable and local source of these materials is essential to ensure quality, and controlling construction costs. Approving this permit will help maintain an efficient local supply chain that benefits the public, contractors, and taxpayers alike.

Equally important, the continued operation of the CEMEX plant protects long-term union careers. The men and women who work at this facility earn a living wage, maintain strong health and retirement benefits and are able support their families and this community with careers that offer stability and dignity. Preserving this is vital to the community and will continue to offer long term employment opportunities while helping to maintain a strong local economy.

Issuing this permit is a reaffirmation in the board's commitment to investing in Yolo County's workforce, infrastructure, and long-term economic health. For these reasons, Operating Engineers Local 3 respectfully urges the Board of Supervisors to approve the request for the CEMEX Aggregate Plant to continue its operations in Madison.

Thank you for your time and consideration.

Sincerely,

John Rector
District Representative
Operating Engineers Local 3

Julie Dachtler

From: randpfoster@gmail.com
Sent: Monday, December 8, 2025 7:58 AM
To: Clerkoftheboard
Subject: Delay CEMEX proposal

We have hiked and fished Cache Creek for decades. We urge you to postpone any decisions about the CEMEX proposal until their has been adequate review.
This is a precious watershed. We urge restraint to avoid destroying parts of it.
Pat and Rob Foster
830 Malaga Ave
Davis CA
Sent from my iPhone

Julie Dachtler

From: Polly Harris <grlala80@gmail.com>
Sent: Monday, December 8, 2025 12:58 PM
To: Clerkoftheboard
Subject: Postponement of December 9th vote on CEMEX's application

Please postpone the scheduled December 9th vote on CEMEX's application to extend the their surface sand and gravel mining permit until which time the public can weigh in and staff has had a chance to review the application in further detail.

Cordially,
Polly Harris

R.J. GORDON
CONSTRUCTION, INC.

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, R.J. Gordon Construction, Inc. respectfully requests you support Cemex's Cache Creek Mining Permit and Reclamation Plan Amendment project application.

R.J. Gordon Construction, Inc. has been utilizing the Cemex Cache Creek Facility for at least a decade for the construction of many public works projects in and around the Yolo County area. The Cache Creek Facility has been especially critical to several projects at the Yolo County Central Landfill for construction of the landfill liner drainage system that R.J. Gordon Construction, Inc. has been contracted to construct for the Yolo County Central Landfill. The Cemex Cache Creek Facility is vital for both providing the specialty materials as well as maintaining competitive pricing in the region, which is especially advantageous to public works projects in the area.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's (project) has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

California License No. 616851
PO Box 23204, Pleasant Hill, CA 94523
Phone (925) 680-8660 FAX (925) 680-8670

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

Sincerely,

Nic Algra

Treasurer
R.J. Gordon Construction, Inc.
916-751-9444

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, Dixon Landscape Materials respectfully requests you support Cemex's Cache Creek Mining Permit and Reclamation Plan Amendment project application.

We are a retail landscape supplier in Dixon. We provide sand, gravel, and other landscape supplies to homeowners and small contractors. Having quarries nearby helps us keep the cost down. It's been very difficult in recent years to have a few quarries shut down or provide limited supplies. Having to go farther for sand and gravel will drive the cost higher therefore loss in sales and potentially loss of jobs.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's (project) has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

Sincerely,

Raj Hansra

RAJ HANSRA

12/5/2025

Julie Dachtler

From: Reilly Smith <rory4337@gmail.com>
Sent: Monday, December 8, 2025 9:41 PM
To: Clerkoftheboard
Subject: CEMEX Statement for Meeting Tomorrow

Cache Creek is Wintun land. Why not let the Wintun people decide its fate?

CEMEX has already shown us how they treat indigenous peoples and their ancestral lands. In August of this year, the EPA settled with CEMEX over Clean Water Act violation claims at its sand and gravel mine, located on the Pyramid Lake Paiute Tribe Reservation in Nevada. CEMEX paid $310,000 in penalties and work to restore floodplain and habitat within the Truckee River Watershed.

The EPA found CEMEX violated federal law by discharging mine pit wastewater and industrial stormwater into the Truckee River without a National Pollutant Discharge Elimination System (NPDES) permit.

Clearly, CEMEX has no business starting a gravel mine on Wintun land.

Julie Dachtler

From: Roberta L Millstein <roberta.millstein@rlm.net>
Sent: Sunday, December 7, 2025 8:55 AM
To: Clerkoftheboard
Subject: Please POSTPONE your Dec 9 vote on CEMEX

Dear Yolo County Board of Supervisors,

I am writing to urge you to POSTPONE your scheduled December 9th vote on CEMEX's application to extend the their surface sand and gravel mining permit another 20 years.

This will allow the time to secure a reclamation plan that prioritizes habitat and restore a healthy ecosystem in Cache Creek instead of depleted farmlands and habitat and contaminated impoundment pits. What we are doing now isn't working and we can do better -- if we take the time to do it right.

Sincerely,

Roberta Millstein
Davis citizen
Former member and Chair of Davis's Open Space and Habitat Commission

Author of _The Land Is Our Community: Aldo Leopold's Environmental Ethic for the New Millennium_, published by University of Chicago Press

Julie Dachtler

From: Robin Eyal <leeyal@ucdavis.edu>
Sent: Sunday, December 7, 2025 7:06 PM
To: Clerkoftheboard
Subject: Tuesday's CEMEX mining decision

Dear Yolo County Board of Supervisors,

My name is Robin Eyal. I am a Wildlife Biology student at UC Davis (in District 2) and I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining.

Cache Creek represents a haven for a variety of native riparian and wetland species in the Sacramento valley which has lost nearly all of its historical fresh water habitats. Not only will continued mining threaten wildlife but it will result in the release of even more methyl mercury into the Delta which will make its way into our crops and drinking water. This contamination will affect not only Yolo county but every downstream ecosystem and farm that relies on water from Cache Creek. The proposed mining will dig pits under the water table which will deplete our groundwater reserves. This is an unacceptable risk in an increasingly unpredictable climate with more frequent droughts. In 2020 the Yolo County Board declared a climate emergency and developed an action plan. Approving the destruction of this key wetland which naturally filters our water and sequesters our carbon would be in direct opposition to this declaration. It's time to show that you truly care about our climate and that this was not empty talk.

If you genuinely care about the people and land of Yolo county, California and the planet please vote against the proposal to extend CEMEX mining in Cache Creek this upcoming Tuesday.

Thank you,
Robin Eyal (District 2)

Julie Dachtler

From: Saklani Kent <saklani2@gmail.com>
Sent: Saturday, December 6, 2025 1:37 AM
To: Clerkoftheboard
Subject: DO NOT extend CEMEX's Surface Sand and Gravel Mining Permit

To Whom It May Concern:

After 30 years, CEMEX has FAILED to meet their required mitigation and restoration of habitat and farmland they have destroyed or deeply damaged during sand and gravel mining. That ANY consideration of extending their permit is being considered without first forcing CEMEX to make good on all of their promises is wrong for Cache Creek and Yolo County.

At this point, they want permission to EXPAND and further destroy the area, as well as evaporate more precious groundwater and continue to FAIL at mitigating or repairing their damage.

The answer is a CLEAR NO unless Yolo County forces them to FIRST prove they can repair the damage caused by their activities and/or PAY for all of the damage they have done. The little bit of short term money they bring to the county is NOT WORTH the long term damage to the county and its resources.

There is an existing solution in the County Plan, which specifies coordination of individual surface mining reclamation plans so that an expanded riparian habitat corridor along Cache Creek can be achieved.

If you cannot allow yourself to vote against the project outright, at least postpone the vote and make sure to fully research the proposal and add to any permit an independent objective engineering analysis to be performed.

Thank you,

Robin Kent
Citizen of Davis, CA

SACRAMENTO CENTRAL LABOR COUNCIL AFL - CIO

Embracing Amador, El Dorado, Nevada, Placer, Yolo and Sacramento Counties

December 8, 2025

Dear Chair and Members of the Board of Supervisors,

The Sacramento Central Labor Council, AFL-CIO consists of over 100 union affiliates representing over 180,000 union members in Yolo, Sacramento, El Dorado, Placer, Amador and Nevada counties. We respectfully request the board supports the issuing the necessary permits for the continued operation of the CEMEX Aggregate Plant in Madison, California.

For decades, this facility has been a critical supplier of rock, sand, and gravel for construction and infrastructure projects throughout Yolo County and the surrounding region. As local development continues to grow, both now and in the future, having a reliable and local source of these materials is essential to ensure quality, and controlling construction costs. Approving this permit will help maintain an efficient local supply chain that benefits the public, contractors, and taxpayers alike.

Equally important, the continued operation of the CEMEX plant protects long-term union careers. The men and women who work at this facility earn a living wage, maintain strong health and retirement benefits and are able support their families and this community with careers that offer stability and dignity. Preserving this is vital to the community and will continue to offer long term employment opportunities while helping to maintain a strong local economy.

Issuing this permit is a reaffirmation in the board's commitment to investing in Yolo County's workforce, infrastructure, and long-term economic health. For these reasons, The Sacramento Central Labor Council, AFL-CIO respectfully urges the Board of Supervisors to approve the request for the CEMEX Aggregate Plant to continue its operations in Madison.

Thank you for your time and consideration.

Sincerely,

Fabrizio Sasso
Executive Director

2617 K St, Suite 175 • Sacramento, California 95816
Telephone: (916) 927-9772 • Fax: (916) 927-1643

FGS:CFT8004/AFL-CIO

SSBCTC

SACRAMENTO-SIERRA'S BUILDING & CONSTRUCTION TRADES COUNCIL

Representing over 25,000 union construction workers in Sacramento, Yolo, Placer, El Dorado, Amador, Nevada & Sierra Counties

Dear Chair and Members of the Board of Supervisors,

The **Sacramento-Sierra's Building & Construction Trades Council** respectfully request the board supports the issuing necessary permits for the continued operation of the CEMEX Aggregate Plant in Madison, California.

For decades, this facility has been a critical supplier of rock, sand, and gravel for construction and infrastructure projects throughout Yolo County and the surrounding region. As local development continues to grow, both now and in the future, having a reliable and local source of these materials is essential to ensure quality, and controlling construction costs. Approving this permit will help maintain an efficient local supply chain that benefits the public, contractors, and taxpayers alike.

Equally important, the continued operation of the CEMEX plant protects long-term union careers. The men and women who work at this facility earn a living wage, maintain strong health and retirement benefits and are able support their families and this community with careers that offer stability and dignity. Preserving this is vital to the community and will continue to offer long term employment opportunities while helping to maintain a strong local economy.

Issuing this permit is a reaffirmation in the board's commitment to investing in Yolo County's workforce, infrastructure, and long-term economic health. For these reasons, Operating Engineers Local 3 respectfully urges the Board of Supervisors to approve the request for the CEMEX Aggregate Plant to continue its operations in Madison.

Thank you for your time and consideration.

Sincerely,

Kevin Ferreira
Executive Director

1600 SACRAMENTO INN WAY, SUITE 132, SACRAMENTO, CA 95815 | TEL 916/924-0424 | SSBCTC.ORG

Julie Dachtler

From: Sarah Mayhew <slmayhew77@gmail.com>
Sent: Friday, December 5, 2025 8:15 PM
To: Clerkoftheboard

To Whom it May Concern,

I am asking the Yolo County supervisors to delay the December 9th vote on CEMEX's application to extend their surface sand and gravel mining permit another 20 years until independent objective engineering analysis is performed. It appears that reclaiming the ag land and restoring the habitat has gone very poorly and proposed recreational lakes unsuccessful due to stagnation and high levels of methyl mercury.

This must stop. It seems that CEMEX is specifying what they want without critical staff or independent engineering oversight. Postponing the vote to extend Cemex's permit will allow the time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek instead of depleted farmlands and habitat and contaminated impoundment pits.

Respectfully,
Sarah Mayhew

--

http://sarahmayhewphotography.zenfolio.com/

Paula Hugi

From: Savanna Rochette <savannarochette@gmail.com>
Sent: Thursday, December 4, 2025 8:39 PM
To: Clerkoftheboard
Subject: Stopping the gravel mining and replacing the pits with wetlands

Dear Yolo County Board of Supervisors,

My name is Savanna Rochette and I will be talking about stopping gravel mining and replacing the pits with wetlands. If you want to stop gravel mining you want to build a strong community of people that have the same point of view in order to have a stronger bond. Having a strong bond will help your community not only grow stronger but be able to save the environment in different ways. You do want to be able to hear other opinions though in order to build a stronger bond. You can also stop the gravel mining by organizing fundraisers that will build a stronger community and be able to get money to replace the gravel mining with pits in the wetlands. You can organize events such as a 5k or even like a fill the pit type of fundraiser. You can do so many other types of fundraisers in order to replace the gravel mining with pits in the Wetlands. Thank you so much for your time!

Sincerely,

Savanna Rochette

Paula Hugi

From: Savanna Rochette <savannarochette@gmail.com>
Sent: Thursday, December 4, 2025 8:39 PM
To: Clerkoftheboard
Subject: Stopping the gravel mining and replacing the pits with wetlands

Dear Yolo County Board of Supervisors,

My name is Savanna Rochette and I will be talking about stopping gravel mining and replacing the pits with wetlands. If you want to stop gravel mining you want to build a strong community of people that have the same point of view in order to have a stronger bond. Having a strong bond will help your community not only grow stronger but be able to save the environment in different ways. You do want to be able to hear other opinions though in order to build a stronger bond. You can also stop the gravel mining by organizing fundraisers that will build a stronger community and be able to get money to replace the gravel mining with pits in the wetlands. You can organize events such as a 5k or even like a fill the pit type of fundraiser. You can do so many other types of fundraisers in order to replace the gravel mining with pits in the Wetlands. Thank you so much for your time!

Sincerely,

Savanna Rochette

Julie Dachtler

From: Clerk-Recorder
Sent: Monday, December 8, 2025 4:16 PM
To: Clerkoftheboard
Subject: FW: Approving CEMEX production limits is inconsistent with the County Strategic Plan

Hi ladies – I think they meant to forward this to you and not the Clerk-Recorder's office. Thanks!

Katharine Campos | Deputy Clerk-Recorder
Yolo County Assessor • Clerk-Recorder • Elections
(Desk) 530.666.8132 • katharine.campos@yolocounty.gov

From: Scott Steward <scottsteward@posteo.net>
Sent: Monday, December 8, 2025 3:59 PM
To: Clerk-Recorder <Clerk-Recorder@yolocounty.gov>; Sheila Allen <Sheila.Allen@yolocounty.gov>
Cc: Oliver Snow <Oliver.Snow@yolocounty.gov>
Subject: Approving CEMEX production limits is inconsistent with the County Strategic Plan

RE: Item 43
43. Hold a public hearing to consider a recommendation from the Planning Commission to approve the CEM Environmental Impact Report (SCH #20211020487)

Dear Supervisors,

Thank you for upholding the democratic process to the best of your abilities. The extension of the CEMEX mining permit is a lethal blow to the GHG reductions of the county and the plant diversity and habitat in the region. The mine is unearthing the most vital indigenous watershed in the region!

The agreement to continue treating the Cache Creek water regeneration system as a mining quarry is irresponsible. Yes, 30 years ago we had chaotic, wild excavation in Cache Creek and created the Cache Creek Area Plan, but now we are facing the most severe heat and dry weather on record. That aggregate that protects the aquifer from evaporation should not be removed. The decision to provide 30 years of mining rights for millions of tons of aggregate is extreme and needs to be brought back for public review.

The following request is in environmental devastation and not in the community's best interest, and is inconsistent with the County's Strategic Plan.

Mining plans (Attachment C) associated with Mining Permit No. ZF #95-093;

- Allow mining to continue on ±383 acres (Phases 4 through 6) for an additional 20 years through the year 2047;

- Approve revised Mining Plan sheets reflecting modified mining phase boundaries, elimination of Phase 7 mining, increased acreage that can be simultaneously disturbed, and increased acreage that can be used for processing;
- Approve increased total production limit from 32,170,000 tons mined (26,700,000 tons sold) over the term of the permit to 53,536,426 tons mined (46,636,119 tons sold);
- Modify various Conditions of Approval (Attachment F) to reflect the final approved changes;
- Require operation to be consistent with revised Mining Plans, subject to (and as modified by) revised Conditions of Approval; and,
- Require excavated materials to be processed at the CEMEX processing plant facilities, which plant(s) shall be subject to the same maximum term and conditions of approval.

Please start working with the unions and industry to create solutions to retool and reclaim the water, land and air system that will regenerate our systems

Paula Hugi

From: Sharon Strauss <systrauss@ucdavis.edu>
Sent: Friday, December 5, 2025 11:53 AM
To: Clerkoftheboard
Subject: Delay vote on Cemex

Please do not vote on Cache Creek until an independent engineering assessment can be conducted!

Delay the vote!

Sharon Strauss
Elendil Lane,
Davis, CA

Sent from 'The Oracle'

Julie Dachtler

From: Sheila Pratt <pratt@CacheCreekConservancy.org>
Sent: Thursday, December 4, 2025 3:15 PM
To: Clerkoftheboard
Subject: CEMEX upcoming vote

Dear Clerk of the board,

As the Executive Director of the Cache Creek Conservancy (CCC), I represent the diverse residents and visitors from across the county who utilize this vital county property. Our programs engage all walks of life, affirming our role as stewards for the entire community that benefits from these lands.

The Conservancy stands as a premier example of successful post-mining restoration: a robust, vibrant ecological landscape promoting health and wellbeing for Yolo County's plant, animal, and human life. This lush environment is a direct result of aggregate mining paired with the effective Cache Creek Resource Management Plan (CCRMP), which mandates and facilitates the restoration of these mined sites.

The "gravel wars" of the past are settled; we have an effective, working plan. We maintain a consensus that a thriving society requires local, sustainably sourced sand, gravel, and cement. Sourcing these materials locally significantly reduces the environmental impact and carbon footprint associated with long-distance hauling.

We strongly support the existing CCRMP, and the Cache Creek Area Plan. We support the responsible CEMEX mining and all subsequent post-mining restoration efforts.

Thank you.

Sheila Pratt
Executive Director
34199 County Road 20
Woodland, CA 95695
PO Box 8249
Woodland, CA 95776
www.cachecreekconservancy.org
(530) 661-1070
Cache Creek Conservancy

Paula Hugi

From: Sherri Venezia <sher@omsoft.com>
Sent: Friday, December 5, 2025 1:08 PM
To: Clerkoftheboard
Subject: Cache Creek mining proposal

DEAR BOARD OF SUPERVISORS

POSTPONE THE CEMEX PERMIT VOTE!
The County needs to require the aggregate industry to fix what the mining companies broke. Postponing the vote to extend Cemex's permit will allow the time to secure a reclamation plan prioritizing habitat and restore a healthy ecosystem in Cache Creek instead of depleted farmlands and habitat and contaminated impoundment pits.

Sherri Venezia
39618 Barry Rd.
Davis, Calif. 95616

Sent from my iPhone

Paula Hugi

From: Sherrill Futrell <safutrell@ucdavis.edu>
Sent: Thursday, December 4, 2025 9:14 PM
To: Clerkoftheboard
Subject: NO on Lousy Cemex Plan to Profit at our expense

Cemex' reclamation plan favors restoring agriculture and two large "lakes"rather than a climate-resilient floodplain. Why on earth would we not want a resilient floodplain? We already know from history what happens when we don't.

Native cultural practitioners have managed the forests around Cache Creek for thousands of years, and they have decades of experience in restoring the gravel pit at the Nature Preserve. Why not listen to them for direction in restoring the riparian forests around the creek? Why not follow the many counties and states around the nation in listening to the indigenous peoples, who've developed wisdom in dealing with nature over the millennia?

Thank you,

Sherrill Futrell
Davis

Julie Dachtler

From: SCHA President <president@schadavis.org>
Sent: Monday, December 8, 2025 3:29 PM
To: Clerkoftheboard
Subject: Please Protect Cache Creek

Dear Yolo County Board of Supervisors,

I am Leslie Olmos, and I am the president of a nonprofit organization that's established in District 2 named Solar Community Housing Association. As president of a housing nonprofit, I am in strong opposition to the continued gravel mining in Cache Creek that is to be carried out by CEMEX if the board passes this motion on Tuesday morning. Continued mining would have negative impacts on groundwater sustainability and increase the threat of mosquitos, along with creating methylmercury contamination in our wildlife and food. The food we proudly grow and buy locally would be contaminated. Scientists have made it clear that the creek will not be able to sustain further mining and that the extension of gravel mining would put the creek, its wildlife, and all of us in danger. Yolo County declared a climate emergency in 2022, passing this bill will only continue climate change. What side of history would you like to be on?
This creek holds incredible ecological, cultural, and spiritual importance, and the science demonstrates that the wetland ecosystem will not be able to sustain further gravel mining. Thank you for your time.

Best regards,
Leslie Olmos, District 2
President of Solar Community Housing Association, Davis, California

Julie Dachtler

From: Stevie Jepson <sjmarie20@yahoo.com>
Sent: Thursday, December 4, 2025 12:23 PM
To: Clerkoftheboard
Subject: No to CEMEX permit

Hello,

As a resident of Yolo County, I am writing to urge you to vote no on the CEMEX permit at your upcoming vote on December 9. One of the things I love most about Northern California is it's abundant nature. Allowing gravel mining in Cache Creek puts that nature at risk. If we want to continue to live in this beautiful place, we must commit to maintaining our natural resources. Letting corporate greed and urban sprawl come before protecting our delicate ecosystem is abhorrent.

Regards,
Stevie Jepson

FOLEY PRODUCTS COMPANY

December 5, 2025

Dear Honorable Chair Vixie Sandy,

To protect our jobs, the stability of the supply chain for construction aggregates and keep project costs down for public and private projects in the Yolo County region, Foley Products Company, LLC respectfully requests you support Cemex's Cache Mining Permit and Reclamation Plan Amendment project application.

Foley Products manufactures reinforced concrete pipe at its site in American Canyon. The aggregates we buy from the Cache Creek mine are critical to our manufacturing process as aggregates make up approximately 75% of the materials we use in our products. Our products are critical to the economic growth of the area as our products are used in the site work for all new businesses. In addition, we know that the current infrastructure of our cites are in need of replacement and our products are a major part of this replacement. The proximity of this mine to our plant is especially important to us.

The impact of not supporting this project application would be more than shutting down an aggregate facility. For over three generations the quarry has helped build sustainable businesses who rely both directly and indirectly on the quarry's operation and contributes to economic security for hundreds of families who live and work in the Yolo County, Solano County and Sacramento County region.

Since 2018, Cemex's project has been undergoing extensive environmental review and has invited public comments. The California Environmental Quality Act (CEQA) is designed for local decision-makers to identify potential environmental concerns and mitigations to address them. The project EIR thoroughly addressed these requirements.

Key benefits of approving this project application include extending the operational permit for another 20 years providing jobs and tax revenue to the County, the Cache Creek Conservancy, and a valuable source of reliable and affordable construction aggregate to support housing and infrastructure. Additionally, Cemex plans to preserve and restore agricultural land, preserve and restore over 170 acres of habitat areas, provide a trail connection along the Creek for the community to enjoy, and dedicate a significant amount of land to Yolo County for future community generations to explore. Cemex has committed to implementing these reclamation activities concurrent with mining operations.

Essentially, Cemex has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all while being mindful of being a good corporate citizen and responsible neighbor. Thank you for recognizing the benefits of keeping this quarry operating in our local community.

We support the efforts of Cemex 100% to extend the permitting for this mine.

Sincerely,

Hugh Sorrell

Hugh Sorrell
Vice President

Post Office Box 2447 • Columbus, Georgia 31902-2447
Phone 706.563.7882 • Fax 706.563.1869

Julie Dachtler

From: Thomas Suter <tssuter@ucdavis.edu>
Sent: Thursday, December 4, 2025 12:40 PM
To: Clerkoftheboard
Subject: CEMEX mining permit

Hello,

My name is Tommy Suter, and I am one of your constituents as a student at UC Davis. I would like to voice my concern about renewing the permit to continue extracting gravel from the Cache Creek. CEMEX is one of the world's largest cement producers and climate polluters allowing them to continue extracting unsustainably is unfair to future generations and our local ecosystem. The plan to 'delay' the reclamation & instead of restoring the riparian flood plains adding lake features is disgusting and unethical. We cannot wait to stop the climate crisis, allowing CEMEX to continue for twenty more years is a crime against nature and all of your descendants. The mining is taking place underneath the water table and thus giving anaerobic mercury producing bacteria chances to thrive, this mercury surely will seep into local water, poisoning us and the fish that live in the surrounding bodies of water. Moreover, the reclaimed farmland has proven to be under pre mining standards, with much of the topsoil removed and left to sit for years. This delay of reclamation will also affect the farmers that feed us. Local Cache Creek residents are calling for the mined-out area along the creek to be incorporated into an expanded floodplain rather than returned to agriculture with dubious results. This alternative was not evaluated in the recent EIR despite the significant environmental benefits it would bring. The Yolo Subbasin Groundwater Sustainability plan calls for the protection of groundwater-dependent ecosystems along Cache Creek. Protections are needed to ensure the availability of groundwater for local farming and domestic needs. Many farmers had their wells dry up during the last drought. The wetland at the Cache Creek Nature Preserve also went dry. As the late Yolo County Supervisor Gary Sandy stated during the approval of the Teichert-Shiffler mine in 2022, it is “reckless” to approve a thirsty mining project that will permanently impact the aquifer. Say YES to wetlands and NO to dangerous unsustainable mining. Voting yes is a crime against future generations and the local ecosystem that we all benefit from, do not let your grandchildren down!

Paula Hugi

From: Trish Odenthal <trish@tolighting.com>
Sent: Friday, December 5, 2025 10:21 AM
To: Clerkoftheboard
Subject: Please Protect Cache Creek

Dear Yolo County Board of Supervisors,

Please reject the CEMEX permit to mine the boundaries of Cache Creek.

This is the opposite of climate-smart, adaptive management and should be rejected until adequate environmental safeguards are put in place and local community members are meaningfully engaged in planning the future of Cache Creek.

The gravel industry in Yolo County has an enormous carbon footprint and yet it is excluded from the county emissions inventory as a stand alone source of emissions. We need be clear on the impact and to search for less environmentally critical locations if gravel mining is necessary, and not allow more destruction of Cache Creek.

Best Regards,

Trish Odenthal 805-705-5295
107 Full Circle, Davis CA 95618
www.tolighting.com

Julie Dachtler

From: Valarie Gulyash <vgul12345@comcast.net>
Sent: Thursday, December 4, 2025 3:26 PM
To: Clerkoftheboard
Subject: Cache creek

Request for the board of supervisors to postpone the vote for Cemex permit so the board can review and discuss the reclamation of Cache Creek

Thank you
Valarie Gulyash
Sent from my iPad

Julie Dachtler

From: Zoe Wood <zmakepeacew@gmail.com>
Sent: Tuesday, December 9, 2025 4:24 PM
To: Clerkoftheboard
Subject: comment on CEMEX mine

Dear Yolo county Board of Supervisors,

I strongly urge you to vote "No" on the proposed CEMEX gravel mine. This would represent a major and irreparable loss for wildlife, and impose setbacks on recent environmental conservation and restoration efforts. Additionally, mining below groundwater levels would release neurotoxins and directly threaten the health of Californians for several generations to come. It's not worth our health.

Thank you,
Zoe Wood
Graduate Student and Resident of Davis, California