

# Boca Quarry Expansion

16774 and 16616 Hinton Road  
Floriston, CA

APNs: 048-090-012; 048-200-003

U11-008; RP11-001; EIR11-001  
State Clearinghouse  
No. 2012022024



Project Planners: Tod Herman, Senior Planner-Ret.; Coleen Shade, Senior Planner

Nevada County Board of Supervisors  
October 8, 2019

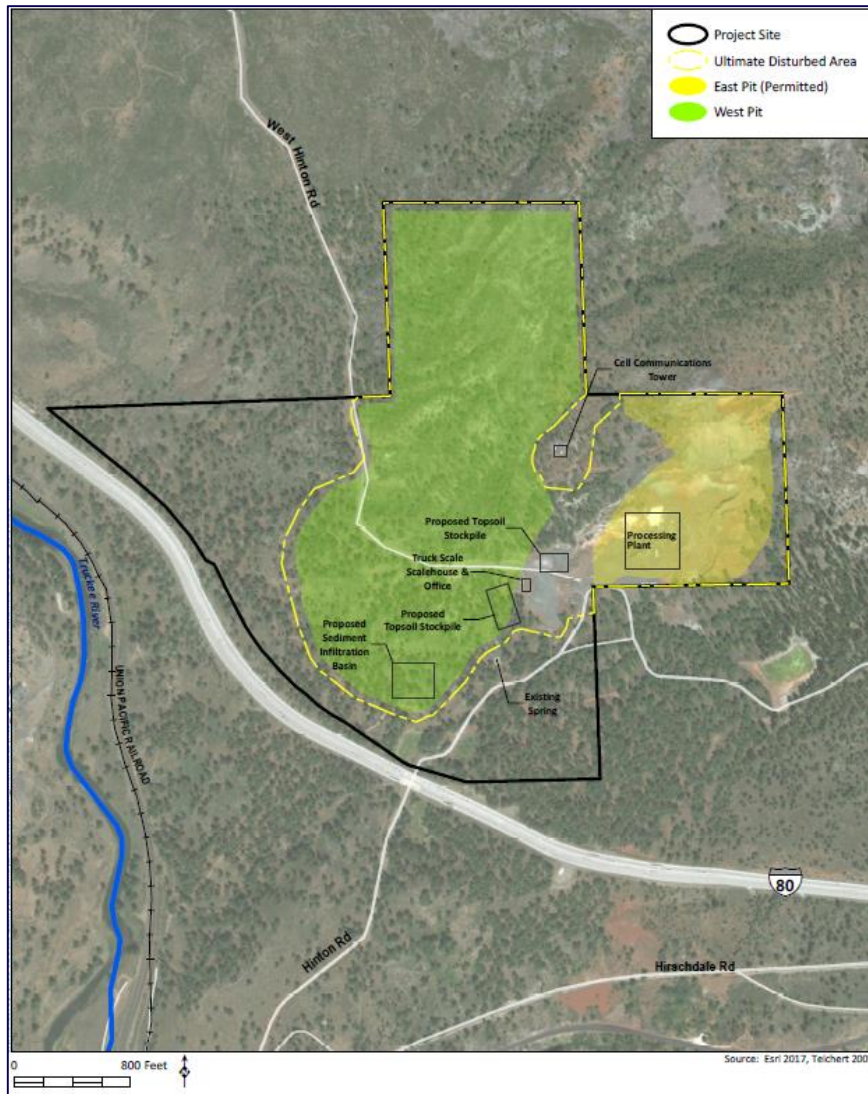
# Project History

- Source of Aggregate since 1950s
- 1983 (15-acres) First Use Permit/Reclamation Plan
- 2005 Mineral Extraction (ME) added to zoning, Teichert new operator
- 2006 Revised Permit to reflect existing footprint, revised access route & SMARA consistency
- 2010/2011 Use Permit





# Project Description



- Existing 40-Acre = East Pit
- 118-Acre Expansion = West Pit
- 158-Acre Extraction/Disturbed
- 1 Million tons annual cap
- 17 Million tons cap over permit life (30-years)
- 560 outgoing truckloads max. per day
- 1.2 miles of off-site pavement widening, shoulder and site-distance improvements

# Project Description



- Haul Route = W. Hinton Road
- Timber Harvest Plan for West Pit = 750 trees
- Excavation by dozers, scrapers, drill and blasting
- Processing plant retained in E. Pit
- Zero-discharge detention basin

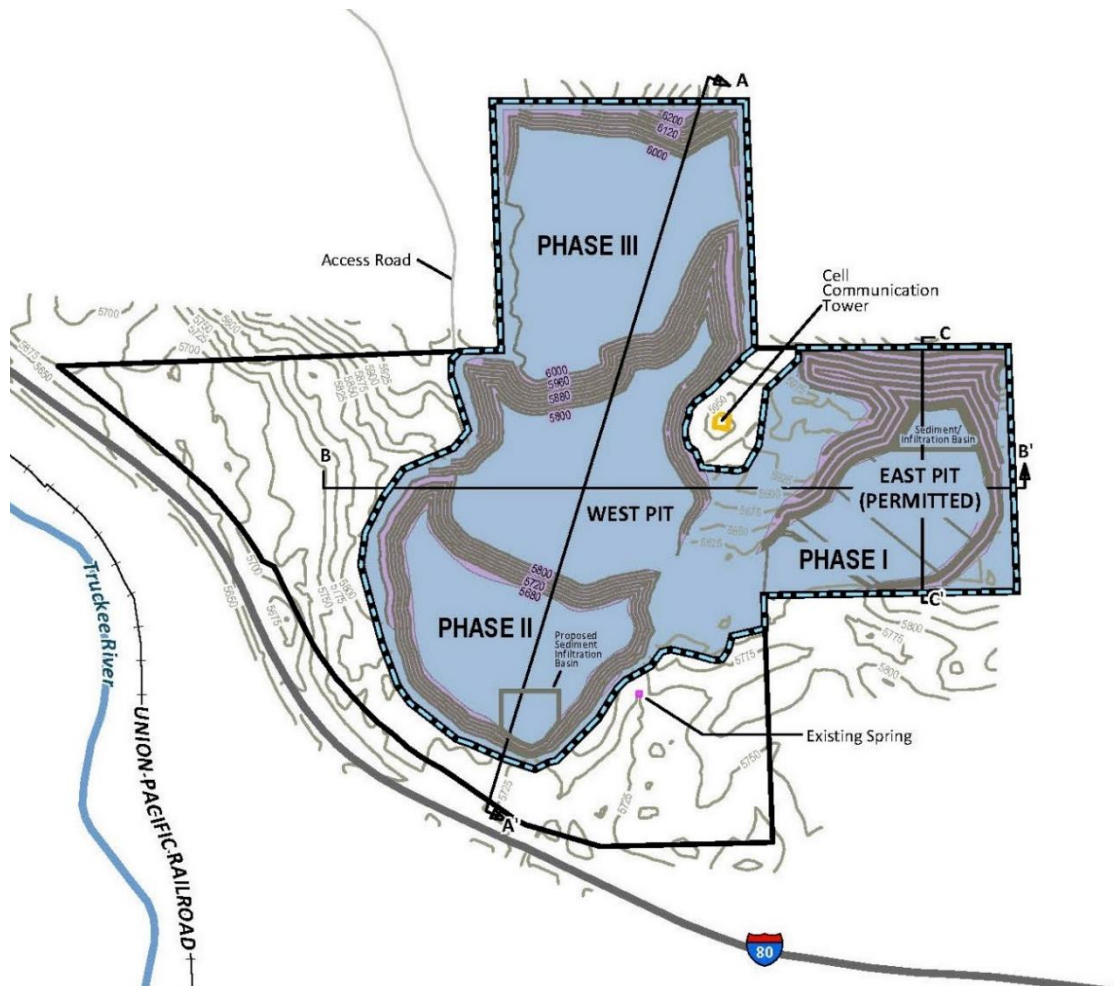
# Project Operating Schedule



- May 1 thru Oct. 31
- Mon – Fri. 6am to 6pm
- Sat. 7am to 4pm
- Occasionally 5am to 9pm based on market demand or operational needs
- Periodic 24-hour to service night roadway projects or emergencies. Material load out only.
- Blasting up to two times per week Mon. – Sat. 7am to 4pm



# Project Reclamation



- Reclamation Plan
  - Requires approval by Dept. of Conservation
  - Restored to conditions consistent with County Zoning FR
  - Phasing – mining and reclamation concurrent
  - On-going monitoring
  - Backfill, soils and stockpiling
  - Engineered slopes
  - Revegetation
- Financial Assurances for Reclamation

# Development Agreement

- Agreement between Teichert Aggregate, Inc., Pamela Dobbas and Nevada County
- Term of Agreement: 30-Years
- Includes existing entitlements and current project
- Public Benefits:
  - Off-site Roadway improvements: improved line-of-sight and pavement widening for bicycles
  - Provides a local source of aggregate
  - Reduces VMT associated with importation of aggregate
  - Mining valuable mineral resources
  - Generates sales tax revenue
  - Per Tonnage Fee between the Town/County



# Environmental Review

- Helix Environmental Planning, Inc.
- Draft Environmental Impact Report (EIR) May 22 to July 8, 2019
- Planning Commission Meeting, June 27, 2019
- All project impacts are mitigated to levels of less than significance except:
  - Aesthetics (Visual Character)
  - Transportation and Circulation (Conflicts with Bicyclists)
  - Air Quality (Exceeds NSAQMD Thresholds for NOx and PM10)
  - All three are also cumulatively consideration and significant and unavoidable.
- Project Alternatives
  - Proposed Project, No Project and Reduced Project
    - Reduced Daily Production Alternative
      - Extraction area, total extracted, and duration the same as the proposed project (158 acres, 17 million tons over 30 years)
      - 2,250-ton limit daily production
      - 250,000-ton limit annual production



# Statement of Overriding Considerations

- CEQA requires the lead agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when considering approval of a project.
- If the economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable”.

# Statement of Overriding Considerations

- **Project Overriding Considerations**
  - Consistent with the General Plan and Zoning Designation
  - Local source of aggregate
  - Reduction in aggregate transport vehicle miles traveled
  - Reduction in aggregate transport air pollutant emissions
  - Open space reclamation (with 5 years of monitoring)
  - Employment and sales tax revenue from aggregate sales
  - Support local economy by reducing costs
  - Site distance and bicyclist safety improvements
  - Roadway maintenance funding (Development Agreement)

# August 22, 2019 Planning Commission

- Public Comment
  - Truck traffic- Hirshdale/Railroad Crossing/Fire Safety
  - Noise Impacts- Blasting/Weekend/Emergency Work
  - Reduced Alternative
- Planning Commission Action
  - 4-0, 1 absent Recommended approval all project entitlements



# PC Recommendation

- I. Approve the attached Resolution certifying the Final Environmental Impact Report (EIR11-001) including adopting a Statement of Overriding Considerations and Mitigation and Monitoring Program for the Boca Quarry West Pit Expansion project making the CEQA Findings of Fact contained within the attached Resolution (*Attachment 2*).
- II. Introduce, waive further reading and adopt the attached Ordinance approving the Development Agreement between the County of Nevada, Pamela Dobbas and Teichert Aggregate, Inc. to the Board of Supervisors making Findings A-E contained within the attached Ordinance pursuant to Land Use and Development Code Section L-II 5.18.E (*Attachment 3*).
- III. Approve the attached Resolution approving the Use Permit (U11-008) and Reclamation Plan (RP11-001) for the Boca Quarry West Pit Expansion Project pursuant to LUDC Section L-II 5.5.2.C and L-II 3.22, subject to the conditions of approval and MMRP making findings A-U contained within the attached Resolution (*Attachment 4*).

# Project Objectives

- ❑ **Location.** Secure approvals to continue mining of known reserves in Nevada County, convenient to I-80;
- ❑ **Market Position.** Leading regional provider;
- ❑ **Production and Timeline.** Extract, crush, and sell approx. 17 million tons of high grade construction aggregate to meet local needs over a period of 30 yrs;
- ❑ **Employment.** Continual on-site employment;
- ❑ **Site Reclamation.** Continue to implement responsible and environmentally sound aggregate removal; and
- ❑ **Development Agreement.** Provide production assurances balanced with public benefits.

# Project Alternatives

## Proposed Project

## No Project Alternative

- Resume operations in East Pit under 2007 Use Permit (U06-012) and Reclamation Plan (RP06-001)
- No expansion

## Reduced Daily Production Alternative

- Extraction area, total extracted, and duration the same as the proposed project (158 acres, 17 million tons over 30 years)
- 2,250-ton limit daily production
- 250,000-ton limit annual production



# Topics Addressed in Detail in Draft EIR

**Public Review Period: May 22 – July 8, 2019**

- Geology and Soils (SM)
- Hydrology and Water Quality (SM)
- Biological Resources (SM)
- Aesthetics (SU)
- Traffic and Circulation (SU)
- Noise (SM)
- Air Quality (SU)
- Greenhouse Gas Emissions (LTS)
- Energy (LTS)
- Hazards and Hazardous Materials (SM)
- Cultural and Tribal Resources (SM) - *includes analysis of impacts to paleontological resources*
- Cumulative

# Less Than Significant with Mitigation

Resource	Potential Impact Less than Significant with Mitigation
Geology and Soils	Unstable manufactured slopes if design changes post project approval.
Hydrology and Water Quality	<ul style="list-style-type: none"> <li>• Increase in runoff volumes and velocities, potential erosion and sedimentation from changes in storm water detention basin design following project approval.</li> <li>• Groundwater supply and recharge at Dobbas Spring.</li> <li>• Impacts to groundwater quality from contamination of the detention basin.</li> </ul>
Biological Resources	<ul style="list-style-type: none"> <li>• Nesting birds during breeding season.</li> <li>• Impacts to wetlands in off-site roadway improvement area if avoidance isn't feasible.</li> <li>• Impacts on wildlife from contamination of the detention basin.</li> <li>• Impacts on wildlife from night lighting.</li> <li>• Impacts on vegetation from fugitive dust.</li> </ul>

## Less Than Significant with Mitigation (cont.)

Resource	Potential Impact Less than Significant with Mitigation
Traffic and Circulation	<ul style="list-style-type: none"> <li>• Traffic impacts during construction of the roadway improvements.</li> <li>• Failure to maintain authorized haul route and use of unauthorized haul route.</li> <li>• Increased hazards associated with inadequate site distance.</li> </ul>
Noise	<ul style="list-style-type: none"> <li>• Noise impacts from excavation and heavy trucks at future sensitive receptors (adjacent undeveloped properties).</li> <li>• Nighttime noise impacts during operation at receptors along Hirschdale Road.</li> <li>• Temporary noise impacts during roadway construction.</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• Exceedance of nonattainment criteria air pollutants from vegetation burning.</li> <li>• Exposure to asbestos during operation or roadway construction.</li> </ul>



## Less Than Significant with Mitigation (cont.)

Resource	Potential Impact Less than Significant with Mitigation
Hazards and Hazardous Materials	<ul style="list-style-type: none"> <li>• Storing hazardous materials on the site.</li> <li>• Accidental release of hazardous materials.</li> <li>• Risk of wildfire during construction of off-site improvements and during vegetation clearing and burning at the mine site.</li> </ul>
Cultural and Tribal Resources	<ul style="list-style-type: none"> <li>• Inadvertent discovery of cultural and tribal resources.</li> </ul>
Cumulative – Biological Resources	Cumulative impacts on mule deer foraging habitat.

# Significant and Unavoidable Impacts

## □ Aesthetic Resources – Visual Character

- Exposure of rock will cause of contrast to the surrounding surfaces.
- Mitigation to apply varnish to make exposed rock appear similar to surrounding weathered rock surfaces.
- Due to sensitivity of surrounding land uses with extended views (private properties), impacts remain significant and unavoidable.
- Also cumulatively considerable and significant and unavoidable.

# Visual Simulation



Existing Conditions. View of project site from Glenshire Drive. The existing quarry is visible.



Post Project. Visual simulation following all mining and assuming no concurrent reclamation. "Worst case" scenario for project-related aesthetic impacts.



Post Reclamation. Visual simulation following reclamation with no additional mitigation incorporated.

Simulations by Ecosynthesis.

## Significant and Unavoidable Impacts (cont.)

### □ Transportation and Circulation

- Potential for increased conflicts with bicyclists using Stampede Meadows Road (aggravation of existing condition).
- Project mitigation and the Development Agreement stipulate timing of off-site roadway improvements.
- Conditions will improve over existing; however, standard bicycle lanes are not feasible and impacts remain significant and unavoidable.
- Also cumulatively considerable and significant and unavoidable.

## Significant and Unavoidable Impacts (cont.)

### □ Air Quality

- NOx and PM10 emissions in excess of NSAQMD thresholds during operation.
- Mitigation includes obtaining burn permit, diesel and dust control measures.
- Mitigation is unable to reduce emissions to below compliance thresholds, impacts remain significant and unavoidable.
- Also cumulatively considerable and significant and unavoidable.

## Findings of Fact

- ❑ CEQA requires the lead agency to make written findings for each significant effect of the project prior to approving the project.
- ❑ **Project Findings**
  - Changes have been required in, or incorporated into the project that avoid or substantially lessen the significant environmental affect.
  - No mitigation measures identified in the EIR were rejected as infeasible.
  - Specific legal, social, technological, or other considerations make infeasible the project alternatives identified in the EIR.