NEVADA COUNTY PLANNING COMMISSION
STAFF REPORT

HEARING DATE: August 22, 2019

FILE NO: U11-008, RP11-001 & EIR11-001

APPLICANT: Teichert Aggregate, Inc **OWNER(s):** Pamela Dobbas

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PROJECT: The proposed project is located on a 230-acre site, which includes the existing 40-acre permitted quarry operation (East Pit) and the proposed 118-acre expansion area (West Pit). The proposed project would increase the allowable extraction disturbance area by approximately 118-acres in the area referred to as the West Pit for a total area of 158-acres that would increase the maximum annual production from 100,000 tons to one million tons. The actual yearly production would vary and would depend on the market demand. The proposed Conditional Use Permit (U11-008) would establish a maximum extraction of 17 million tons of material in three phases over a 30-year period.

LOCATION: 16744 West Hinton Road, Floristan CA. The 230-acre project site is located in Nevada County, approximately one mile northeast of the community of Hirschdale and about eight miles east of the center of the Town of Truckee, and five miles west of the California/Nevada state line (see Figure 1, Regional location, and Figure 2, Site location). The Town of Truckee limits are approximately 0.6 miles west of the project site. The project site is directly north of Interstate-80 in Sections 26 and 27 of Township 18 North, Range 17 East, shown on the Boca California 7.5 U.S. Geological Service topographic map.

ASSESSOR'S PARCEL NO.: 048-090-012 & 048-200-003

PROJECT PLANNER: Coleen Shade, Senior Planner

Region:	Rural	**Water:**	Well
General Plan:	Forest 160	**Sewage:**	Septic
Zoning:	Forest 160-ME	**Fire:**	Truckee Fire Protection Dist.
Flood Zone:	FEMA Panel #275B Zone X	**Schools:**	Tahoe Truckee Unified
ZDM #:	142	**Recreation:**	Truckee Donner Park & Rec
Sup. Dist.:	Richard Anderson, District V		
Planning Com.:	Hardy Bullock, District V		
Parcel Size:	230 Acres		

Prev. File No(s): U83-036; U87-010; U97-042; U02-001; AP04-005; Z04-17; MIN05-013; U06-012; RP06-001; MIN06-003

Date Filed: January 04, 2012 **Receipt #:** 61000016096

ATTACHMENTS:

1. ~~Recirculated Final Environmental Impact Report (Planning Commissioners Only. Available via https://www.mynevadacounty.com/512/Planning-Department)~~
2. ~~Resolution to Certify the Adequacy of the Boca Quarry Expansion Project Recirculated Final EIR (EIR11-001)~~
   - ~~Exhibit A – Findings of Fact and Statement of Overriding Considerations~~
   - ~~Exhibit B – Mitigation Measures and Reporting Program~~

3. ~~Ordinance to adopt Draft Development Agreement and Exhibits~~
   - ~~Exhibit A – Property Description~~
   - ~~Exhibit B – Map of Property~~
   - ~~Exhibit C – U06-012~~
   - ~~Exhibit D – East Pit E: West Pit~~
   - ~~Exhibit F – U11-008~~
   - ~~Exhibit G – RP11-001~~
   - ~~Exhibit H – DA Ordinance~~
   - ~~Exhibit I – Cents per Ton table~~
   - ~~Exhibit J – Indemnification Agreement~~

4. ~~Resolution to Approve the Boca Quarry Expansion Project Use Permit (U11-008) & Reclamation Plan (RP11-001)~~
   - ~~Exhibit A – Conditions of Approval with Integrated MMRP~~
   - ~~Exhibit B – Site Map, East and West Pits~~
   - ~~Exhibit C – Reclamation Plan Modification~~

RECOMMENDATION:

I. Recommend to the Board of Supervisors adoption of the Findings of Fact and Statement of Overriding Considerations and the Mitigation and Monitoring Program (MMRP) for the Boca Quarry Expansion Project Recirculated Environmental Impact Report (*Attachment #2 Exhibit A and B*) followed by a recommendation to certify the Recirculated Final Environmental Impact Report (EIR11-001) (*Attachment #1).*

II. Recommend approval of the Development Agreement (*Attachment #3 and Exhibits A-J)* between Nevada County, Pamela Dobbas and Teichert Aggregate, Inc. to the Board of Supervisors making Findings A through D pursuant to LUDC Section L-II 5.18.E.

III. Recommend to the Board of Supervisors approval of the Conditional Use Permit (U11-008) for the Mapped Area (Attachment #4, *Exhibit B*) with Conditions of Approval incorporating the Mitigation Monitoring and Reporting Plan (MMRP) (*Attachment* #4, *Exhibit A*), making Findings A through L pursuant to LUDC Section L-II 5.5.2.C. and Recommend Approval to the Board of Supervisors the Teichert Aggregates Boca Quarry Reclamation Plan (RP11-001) and Financial Assurance (Attachment #4, Exhibit C) in accordance with the requirements of the California Surface Mining and Reclamation Act (SMARA) found in Public Resource Code (PRC) Section 2710 et seq., Title 14 of the California Code of Regulations (CCR) Section 3700 et seq. and Nevada County's implementing ordinance as specified in the Nevada County Land Use Code (Chapter L-II

3.22, Surface Mining Permits and Reclamation Plans) to address reclamation standards and to guide site development, operations and monitoring which have been incorporated into the EIR and the Conditional Use Permit, making the Findings A through I pursuant to LUDC Section L-II 3.22 J.1 and L-II 3.22 J.2.a through J.2.i.

BACKGROUND:

The Boca Quarry is an approximately 230-acre site located in eastern Nevada County. It is an active quarry that operates under a Conditional Use Permit (U83-036) and Reclamation Plan, approved in 1983 and modified in 2007 (U06-012 and RP06-001). The existing Conditional Use Permit allows mining in an approximately 40-acre area. The quarry has been idle since the 2008 operating year. The site has been used as a source of aggregate since the 1950s and in 1983, the County approved the first Use Permit (U83-036) and Reclamation Plan for the Hirschdale Cinder Quarry at the site. The 1983 Use Permit authorized a 15-acre quarry (extraction area) within a 162.4-acre site. The quarry was initially planned as a relatively small-scale operation with an annual production range between 75,000 and 150,000 cubic yards. The estimated total production of the quarry at that time was approximately 1,500,000 cubic yards over an approximately 20-year lifespan. The 1983 Use Permit, however, did not place any annual or project-life production limitations on the operation.

In late 2004, Teichert Aggregates, Inc. (the current project applicant) inquired about leasing the Hirschdale Cinder Quarry. The project applicant had the property flown in order to obtain aerial photos of the mining limits, which indicated that the prior operator had mined beyond the quarry limits of the 1983 Use Permit. The property owner, project applicant, and the County coordinated to develop a plan for bringing the site back into conformance, which included plans to expand the existing quarry. On May 24, 2005, the Board of Supervisors approved a rezone application adding the Mineral Extraction (ME) combining district to the Forest (FR) base zoning for the original quarry parcel (APN 048-090-012) as well as an adjacent parcel (APN 048-200-003). The ME combining district recognizes the existing mineral resources and mining operation on the site and serves to legislatively notify others of the County's protection of those mineral resources. This was approximately the time that the project applicant became the new operator of the Hirschdale Cinder Quarry and subsequently renamed it Boca Quarry.

In June of 2006, the project applicant applied for an Amended Use Permit (U06-012) and Amended Reclamation Plan (RP06-001), which proposed to bring the quarry into conformance with the existing Conditional Use Permit (U83-036) and Reclamation Plan, and to expand the quarry from a 15-acre extraction area to a 105-acre extraction area (plus the processing area). The proposal generated a number of concerns that were primarily in regard to the associated truck traffic because the proposed haul route to the south of the site, which relied upon old bridges on Hirschdale Road for access also passed through the Hirschdale Community. During this same time period, the project applicant was utilizing the rock from the Boca Quarry (rather than from their Martis Valley Quarry and Asphalt Plant) and the associated truck traffic significantly increased well beyond any historical use.

Due to the number of substantial issues raised by the Hirschdale Community in response to the proposal, the project applicant and members of the Hirschdale Community coordinated to

identify a feasible alternative route and to address the concerns of the Community. Through further investigation, an alternate route to I-80 was identified which would bypass the Hirschdale Community by using West Hinton Road northwest of the site, and which would provide access to I-80 via Stampede Meadows Road. The project applicant subsequently revised the project application to address the number of substantial issues raised by the June 2006 proposal.

The revisions focused on bringing the operation back into conformance with the quarry's Use Permit and SMARA, as well as restricting the quarry limits to the basic footprint of the current pit (40 acres). The revised Use Permit application also included the revised access route which would bypass the Hirschdale Community. Use of the route required improving an existing logging road through a property northwest of the site that is also owned by a subsidiary of the applicant to connect to West Hinton Road. West Hinton Road passes to the quarry almost entirely through U.S. Forest Service Road (USFS) lands. On July 26, 2007, the Planning Commission approved the Amended Use Permit (U06-012) and associated Reclamation Plan (RP06-001; 2007 Reclamation Plan). The approved permit included mitigation requiring development of the revised access route to bypass the Hirschdale Community, and that if the identified route was found to be infeasible, another route to I-80 would be identified and a cap on the volume of truck trips would be required. Pursuant to the conditions of the permit, use of the route through the Hirschdale Community by the quarry was limited to employee use, limited off-season use, and emergency use. The applicant obtained a Special Use Permit from the USFS for the use of West Hinton Road through USFS lands, and the following spring (2008), work began on the West Hinton Road access route. Upon completion of the new haul route, the prior haul route over the two bridges south of the project site and through the Hirschdale Community was no longer allowed for use by haul trucks pursuant to U06-012 Use Permit Condition of Approval A.6.b.

In February 2010, the project applicant applied to expand the mining operations at Boca Quarry under the authority of an Amended Use Permit (U10-001) and associated Reclamation Plan (RP10-001; 2010 Reclamation Plan). The 2010 Amended Use Permit proposed to expand the size of the quarry and increase the maximum levels of extraction from the site to one million tons of aggregate per year for 30 years. The 2010 Reclamation Plan would bring the new extraction area into compliance with Nevada County Codes and SMARA. A Mitigated Negative Declaration (MND) was prepared for the proposed project by the County and circulated for public review in December 2010. On February 10, 2011, the Planning Commission approved the proposed project and MND; however, those approvals were appealed on February 22, 2011, based on concerns regarding aesthetics, air quality, greenhouse gases, water supply, and transportation and circulation.

The applicant withdrew the 2010 application and in July 2011, the project applicant applied to expand the mining operations at Boca Quarry under the authority of a revised application, Amended Use Permit (U11-008) and associated Reclamation Plan (RP11-001; 2011 Reclamation Plan). The 2011 application maintained the expansion proposed in the 2010 application (158-acre extraction area) but was revised to address the previously described concerns noted in the appeal. A Notice of Preparation (NOP) was posted on February 8, 2012 and a public scoping meeting was held on March 8, 2012 to to receive comments from the public to inform the environemental document's scope. The Draft EIR was circulated for public review in September

2012 (SCH No. 2012022024). A public hearing to receive comments on the draft environmental document was held on October 11, 2012.

A total of six comment letters were received during public circulation, and two verbal comments were received during the public hearing on the Draft EIR. The comment topicsincluded evaluation of a timber harvest plan, water supply, air quality, noise, transportation and circulation, and the local mule deer herd. (The commenting agencies, organizations, and individuals and the comments received are summarized and provided in Appendix A of the recently Recirculated Draf EIR). A Final EIR was prepared and submitted to the County for an internal review in February 2013, and the Final EIR was scheduled for approval by the Planning Commission. Late comments were received which included concerns about potentially hazardous conditions for bicyclists using Stampede Meadows Road with the addition of quarry truck trips for the expanded mine. In addition, a number of comments were received by the Hirschdale Community in response to the revisions in the Final EIR. Due to the scope of comments received and newly identified potentially significant impacts. The County and applicant elected to revise the previously circulated Draft EIR to address the newly identified potentially significant impacts. In addition, the project applicant wanted to consider a Development Agreement with the County for the project. This Recirculated Draft EIR is being recirculated in accordance with State CEQA Guidelines Section 15088.5. Amended Use Permit (U11-008) and 2011 Reclamation Plan Modification (RP11-001) is the proposed project analyzed in this Recirculated Draft EIR. The 2011 Reclamation Plan is included in *Attachment #4, Appendix C*.

LOCATION, EXISTING SITE CONDITIONS AND SURROUNDING LAND USES:

The 230-acre project site is located at 16744 West Hinton Road, east of Donner Summit in Nevada County, California. The project site is approximately one mile northeast of the community of Hirschdale, approximately eight miles east of the Town of Truckee center, and five miles west of the California/Nevada state line (Figure 1, Regional/Project Location and Off-Site Road Improvements). The Town of Truckee limits are approximately 0.6 miles west of the project site. The project site is directly north of Interstate-80 in Sections 26 and 27 of Township 18 North, Range 17 East, shown on the Boca California 7.5 U.S. Geological Service topographic map. (Figure #1 Regional and Project Area Location and Off-Site Improvement).

The project site is located in the Sierra Nevada east of Donner Summit. The Parcels directly north and east of the project site are within and managed by the United States Forest Service, Tahoe National Forest (USFS). A privately-owned, undeveloped parcel is located approximately 0.5 mile east of the project site beyond the USFS land, at elevations of approximately 6,200 to 6,760 feet. The ownership of the parcels to the west and south are privately-owned, public right-of-way for Interstate-80, a subsidiary of the applicant and Sierra Pacific Power Company. The residential communities of Hirschdale and the Town of Truckee are approximately 1.0 to 1.5 miles, respectively, southwest of the project site.

The project site is located north of Interstate-80, the Truckee River and the Union Pacific Rail Road tracks, and approximately 1.6 miles southeast of Boca Reservoir. The Reservoir is one of several in the area that provides irrigation water, flood control, wildlife habitat and recreation opportunities including fishing, boating, and camping. Interstate-80 provides the primary

regional travel route to the from the project area.

West Hinton Road is a generally east/west, unpaved road that provides access to the site from the north. It intersects Stampede Meadows Road approximately 1.1 miles north of the I-80 interchange with Stampede Meadows Road/Hirschdale Road. West Hinton Road passes to the project site almost entirely through USFS lands. The project applicant has a Special Use Permit from the USFS for the use of West Hinton Road through USFS lands. The permit is renewed

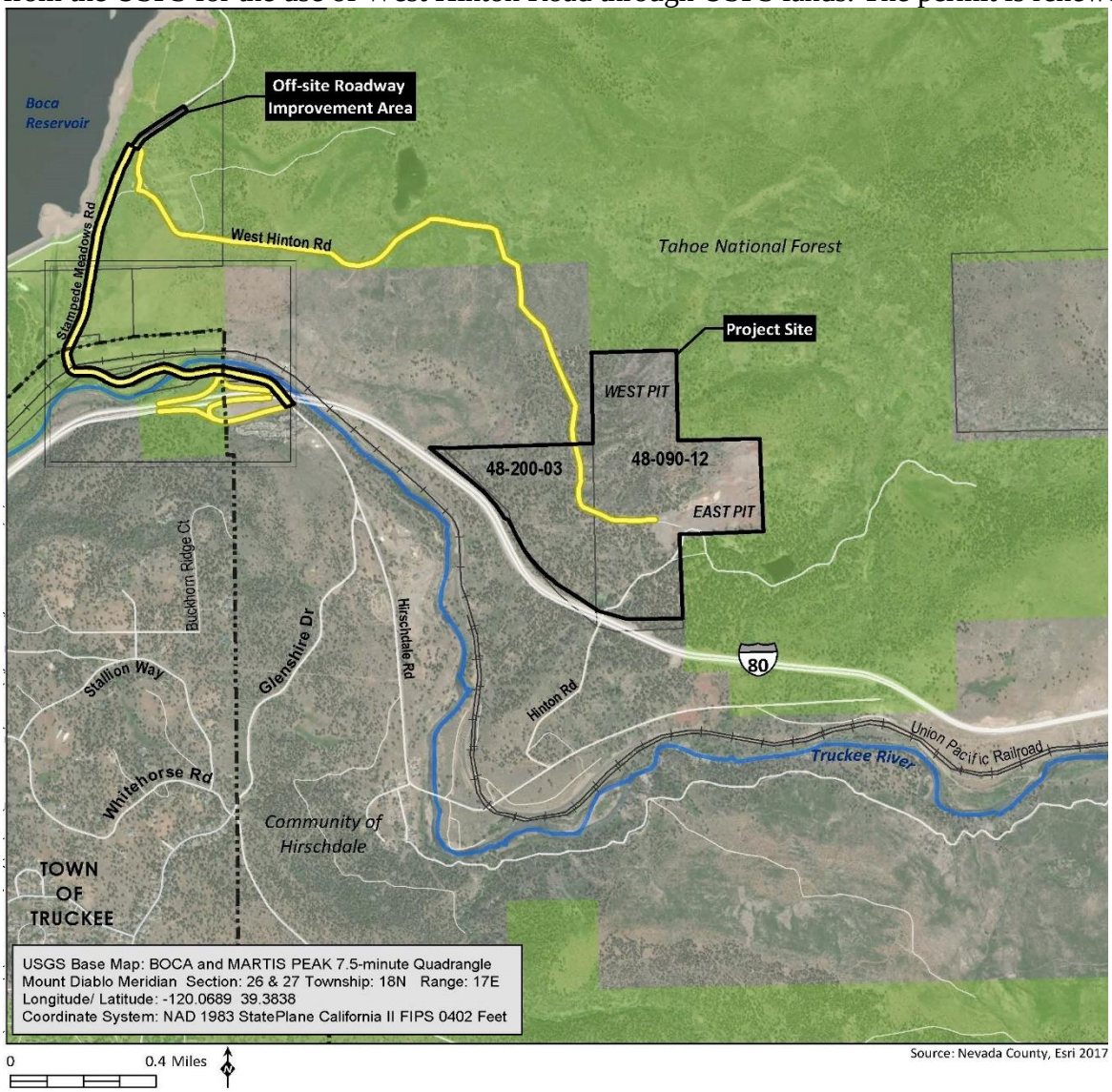

Figure 1. Regional and Project Area Location and Off-Site Road Improvements

annually. Hinton Road is a generally north/south road that accesses the project site from the south and is a paved County-maintained road that intersects Hirschdale Road approximately 0.5 mile south of the project site. The Hinton Road access to the project site – which accesses from the south and intersects Hirschdale Road, is not currently a permitted haul route and is not proposed as a haul route.

The project site is located in the west and southwest facing slopes of a hillside in the Truckee River Valley. Elevations range from approximately 5,700 feet at the southern edge of the site to approximately 6,250 feet at the northernmost site boundary. The project applicant is currently authorized to mine, process and transport rock from the Boca Quarry to off-site markets. The currently permitted operations (East Pit) includes an excavated slope and quarry floor, an aggregate processing area, truck scale, and office surrounded by relatively steep topography. As previously described, the East Pit has been idle since 2008; however, because the East Pit is permitted and operations may resume at any time, the baseline conditions analyzed in this EIR assume the site is operational. Refer to Figure 2, for an aerial map of the project site. The map shows the location of the proposed West Pit in relation to the East Pit.

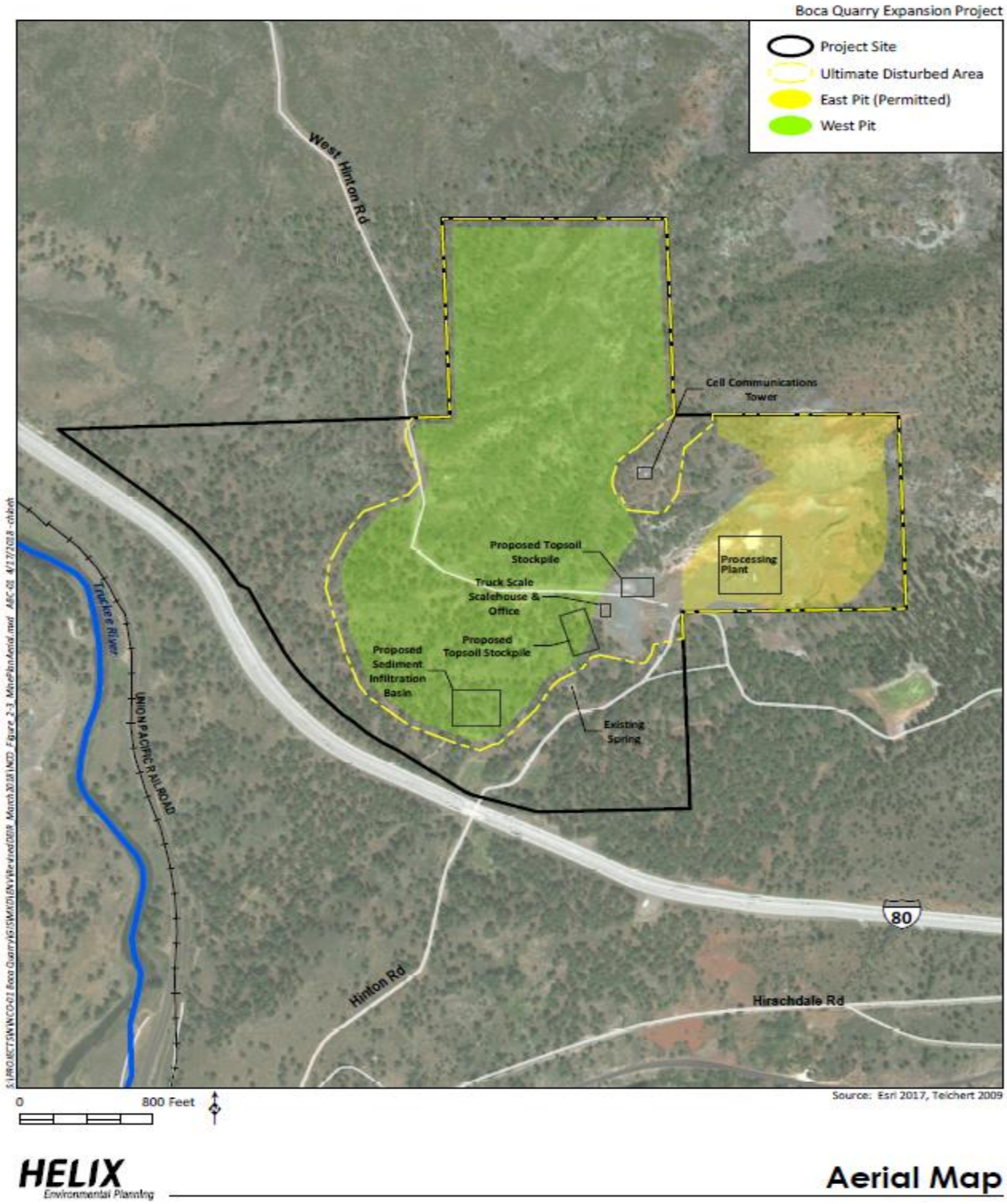

Figure 2. Project Area: East Pit (in yellow) and West Pit (in green)

A spring (Dobbas Spring) and associated water catchment pond are located in the southern portion of the project site, outside the footprint of the proposed expansion (ultimate disturbed

area). The spring features existing improvements that allow for economic use of the water and is intermittently utilized by the property owner for a commercial water bottling operation, as well as for dust control in association with the permitted mining operation in the East Pit. A cellular antenna is in the northern portion of the site, between the two pits. An existing caretaker residence with an associated domestic well is located in the southern portion of the site, west of Hinton Road.

The majority of the off-site roadway improvement area falls within the Nevada County planning area, while a portion of the off-site roadway improvement area falls with the Town of Truckee planning area. The project site (APNs 048-090-012 and 048-200-003) and APN 048-160-006 in the off-site roadway improvement area have a Nevada County General Plan designation of Forest with a 160-acre minimum parcel size (FOR-160). The other off-site roadway parcels are under the jurisdiction of USFS and the Town of Truckee as reflected in Figures 3, General Plan Land Use Designations. The Union Pacific Railroad corridor passes through the off-site project area.

The project site is zoned Forest with a Mining (ME) combining district, while the off-site improvement area is zoned Forest (FR) (APNs 48-160-03, 48-160-06, and 048-070-028), Resource Conservation (RC) (APNs 048-160-008, 048-160-010, 048-160-011, 048-160-012 and 048-160-016), and Open Space/Resource Conservation (OS/RC; APN 048-090-002) (Refer to Figure 4 for the zoning designations and those areas that fall under the jurisdiction of the Town of Truckee). The FR zoning designation provides for production, protection, and management of timber (and support uses), equipment storage, temporary offices, low intensity recreational uses, and open space. The ME zoning designation allows for surface mining and is intended to provide public awareness of the potential for surface mining to occur where adequate information indicates that significant mineral deposits are likely present. The Nevada County Zoning Code (Land Use and Development Code Chapter II, Section L-11 3.22, Surface Mining Permits and Reclamation Plan) allows surface mining operations within an FR zone when an ME combining district overlay is in place, along with an approved Conditional Use Permit and Reclamation Plan with financial assurances.

The APNs with the zoning designation RC and OS/RC fall within the Town of Truckee. The Town of Truckee Zoning Code (Truckee Municipal Code Title 18) identifies the RC zoning district for areas appropriate for protection as open space because of significant environmental resources, where limited development may be allowed. The OS zoning district is applied to designated areas for permanent protection of areas with natural resources and areas suitable for passive recreational uses.

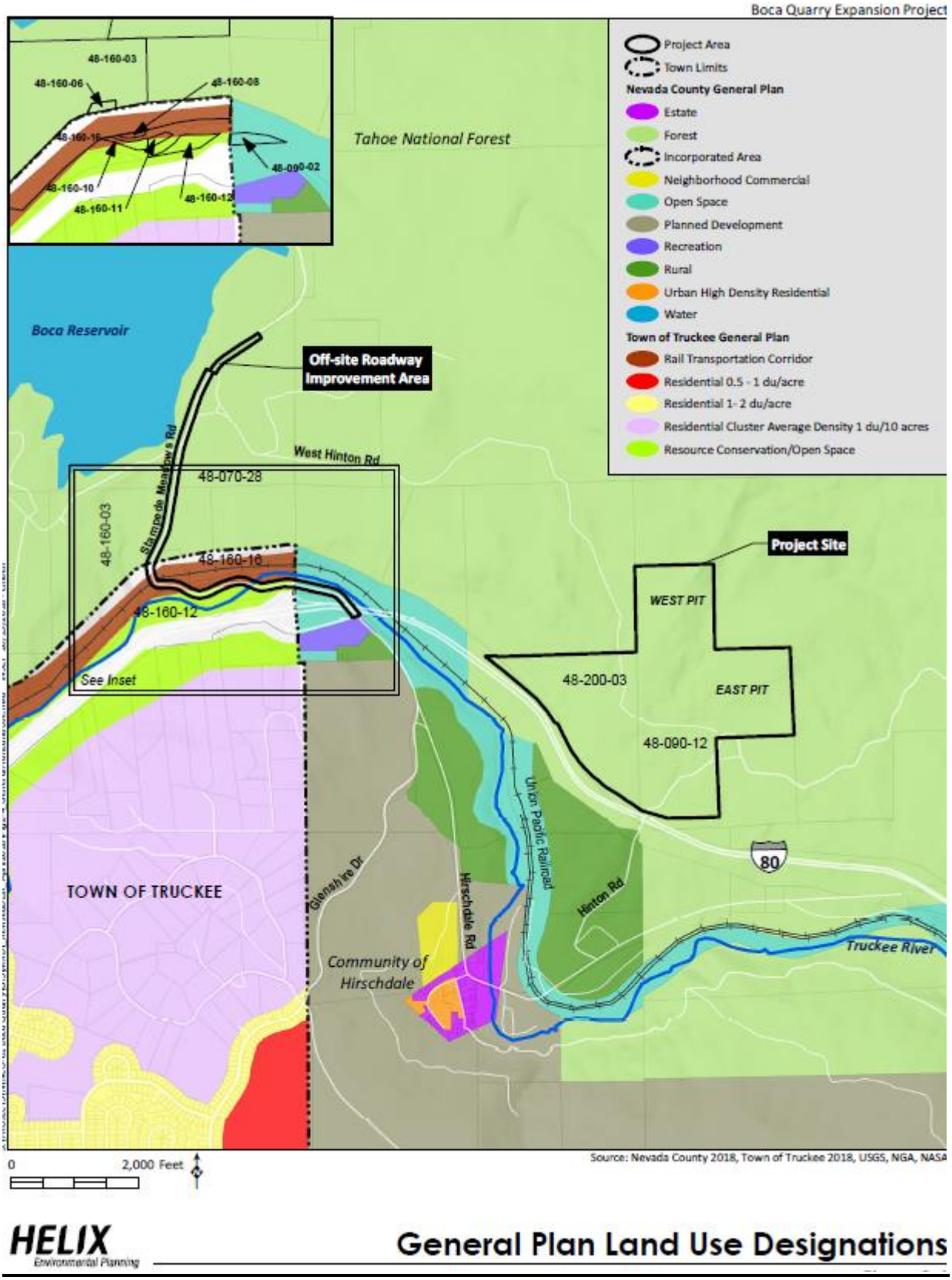

Figure 3. General Plan Land Use Designations

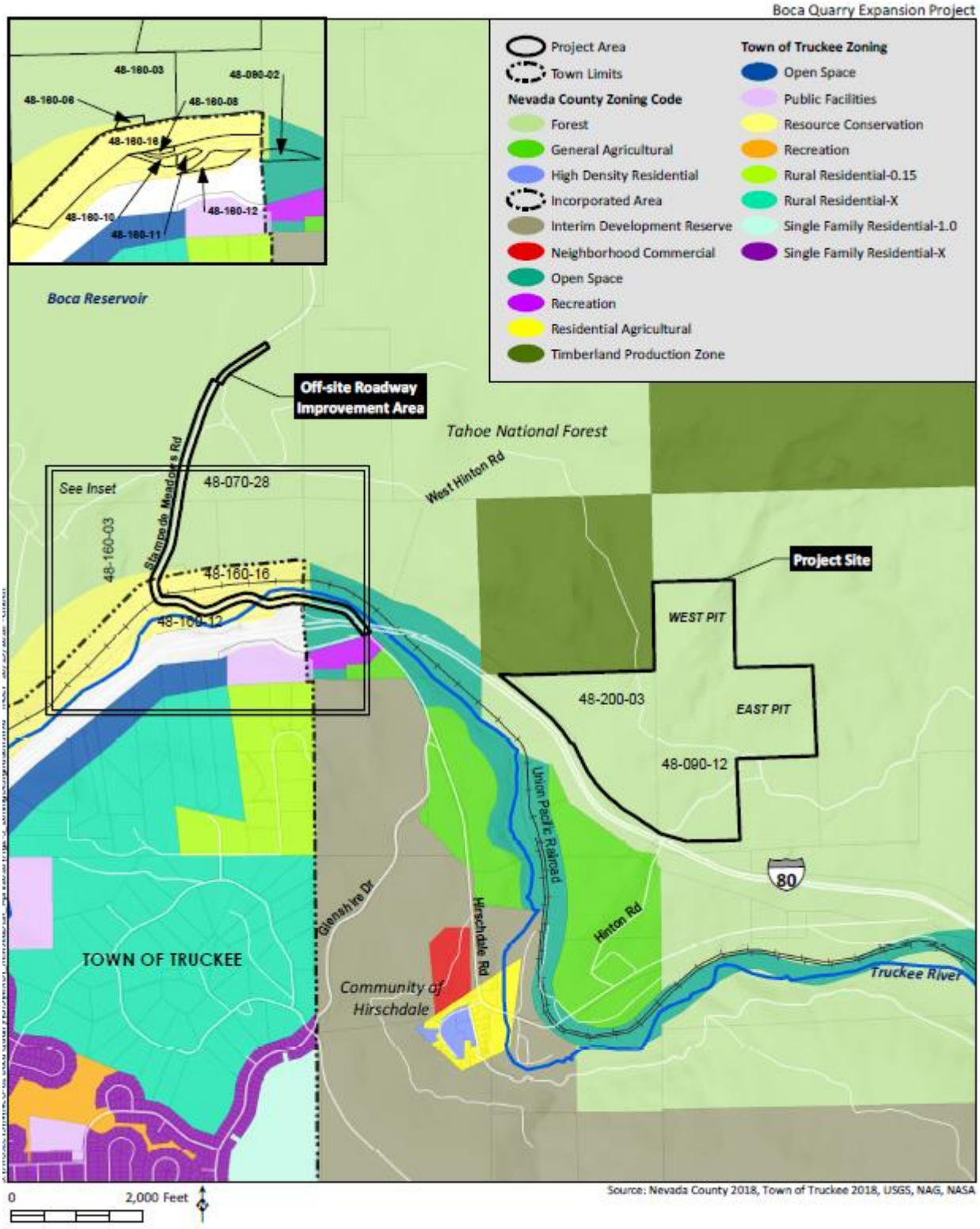

Figure 4. Zoning Designations

PROJECT DESCRIPTION:

The proposed project is located within a 230-acre site that includes the existing 40-acre permitted quarry operation (East Pit, U06-012) and the proposed 118-acre expansion area. The proposed project would increase the allowable extraction/disturbance area by approximately 118-acres in the area referred to as the West Pit for a total area of 158-acres. The extraction limits would increase from a production limit of approximately 300,000 tons sold per year to one million tons sold per year. Annual production would vary directly dependent on the market demand. In other words, some years may have an extraction total of 100,000 tons, other years may be closer to one million tons of material. The proposed Conditional Use Permit (U11-008) would cap the overall extraction limit at 17 million tons of material in three phases over a 30-year period.

The proposed expanded quarry operation will be required, as it is currently, to use the existing haul route for the permitted quarry operations. The haul route includes West Hinton Road from the Quarry to Stampede Meadows Road, and Stampede south to I-80. Haul trucks are prohibited from using Hirschdale Road through the Hirschdale Community to access the project site.

The off-site roadway improvements would occur along an approximately 1.3-mile long segment of Stampede Meadows Road (see Figure 1, Regional/Project Location and Off-Site Road Improvements). The improvements would include: 1) pavement widening and shoulder improvements along the Stampede Meadow Road segment; and 2) improvements at the Stampede Meadows Road and West Hinton Road intersections to provide adequate driver sight distance. Pavement widening, striping and site distance improvements would be designed to address bicyclist safety, a concern that was expressed as a result of the circulated 2012 Draft Environmental Impact Report

BOCA QUARRY EXPANSION PROJECT CHARACTERISTICS

Design/Operating Characteristics	Description/Parameters/Assumptions[1]
Operational Activities	
Timber Harvest	Harvest approximately 750 trees
Mining	Excavation using dozers, scrapers, and excavators with occasional use or a drill rig and blasting.
Processing	Aggregate processing plant, screens, and conveyors
Reclamation	Place soil on 3:1 and gentler slopes. Revegetate with species common to the area.
Mine and Reclamation Plan Data	
Acreages	
Project Site	230 acres
Off-site Roadway Improvement Area	22 acres
Acreage to be Disturbed	118 acres (West Pit); 13.2 acres (Off-site Roadway Improvement Area)
Acreage to be Reclaimed	114 acres
Volume[2]	
Annual Mine Production	1 million tons maximum; approximately 570,000 tons average
Total (Maximum) Mine Production	Up to 17 million tons (approximately 13 million cubic yards)
Operation Period[3]	
Mining	30 years (maximum)
Reclamation	Concurrent as slopes are completed. Final reclamation five years after completion of mining.

BOCA QUARRY EXPANSION PROJECT CHARACTERISTICS (cont.)

Design/Operating Characteristics	Description/Parameters/Assumptions[1]
Mine Excavation Area Dimensions – West Pit	
Approximate Maximum Length[4]	3,500 feet
Approximate Maximum Width[4]	1,700 feet
Vertical Extent of Mining	<200 feet
Operating Schedule and Workforce	
Typical Operating Schedule[5]	May 1 through October 31 Monday – Friday: 6:00 a.m. – 6:00 p.m. Saturday: 7:00 a.m. – 4:00 p.m.
Blasting	Up to two times per week Monday – Saturday: 7:00 a.m. – 4:00 p.m.
Employment	6 – 15 employees
Reclamation	
Annual Backfill Import	250,000 tons maximum
Open Space	114 acres would be revegetated; some areas would remain as highwalls/talus slopes due to their steepness rendering them unsuitable for revegetation.

Notes:
1. All values are approximate.
2. Quantity based on current maximum production, and foreseeable demand. Actual demand would fluctuate based on economic conditions and regional growth requiring construction aggregate.
3. Total construction aggregates for the planned 30-year life of the permit. Mining and reclamation may be completed within a shorter timeframe depending on the market demand for the product.
4. Measured at the longest and widest points.
5. Occasionally operating hours may be 5 a.m. to 9 p.m. as a result of customer demand and/or operational considerations. The project may also periodically operate 24 hours per day, 7 days per week for limited durations to service nighttime and road improvement projects. The only operation allowed after 9 p.m. and before 6:00 a.m. is material loadout. Operating season is typically May 1 – October 31; opening and closing dates may occasionally be earlier or later, but not exceeding 180 operating days per year.

Table 1. Project Characteristics

Prepping, Phasing and Reclamation

The proposed expansion would be primarily a side hill quarry operation, involving excavation of the West Pit floor to a depth of between 40 and 60 feet below the rim formed by the surrounding land surface. The maximum depth of mining below existing grade would be 200 feet.

Prior to initiation of mining activities in the West Pit, all trees within the footprint of the area to be mined would be removed using both heavy equipment and hand tools. The removal of trees and wood products would be handled and disposed of in accordance with the Z'berg-Nejedly Forest Practice Act of 1973. Accordingly, a Timberland Conversion Permit (14 CCR Section 1105) would be obtained from the California Department of Forestry and Fire Protection, which includes approval of a Timber Harvest Plan. A total of approximately 750 commercially viable trees would be harvested. The existing vegetation would not be removed until work is imminent. Once the area is cleared of vegetation, the uppermost layer of soil would be salvaged using dozers and/or scrapers and the available soil would be stockpiled for use in future reclamation activities. As described in the 2011 Reclamation Plan for the project, slash and brush derived from clearing and grubbing of the new mining areas would be burned on top of the topsoil stockpiles to incorporate mineral nutrients and to stimulate the germination of desirable native species. Site preparation may occur all at once or in phases which would be determined based on the mining pit phasing and areas being accessed based on market demand.

Mining for the proposed project would occur in three phases reflected in Figure 5., Mining Phases and Reclamation Plan Map. Under Phase I, the existing permitted mining operations in the East Pit (which is nearly complete) would continue and Phases II and III would involve mining the West Pit. During Phase II, the lower (southern) portion of the West Pit would be mined to its maximum width and depth. The upper ridge of the West Pit would then be mined (Phase III), and the overburden from the ridge would be moved to the lower area to be used as backfill in the lower pit, which would allow concurrent, partial reclamation of the lowest bench in the Phase II area.

An amendment to the current Reclamation Plan (RP06-001 & MIN06-003) to include the reclamation of the West Pit is required in order to authorize the proposed expansion into the West Pit in accordance with Nevada County Codes and the Surface Mining and Recovery Act of 1975 (SMARA). Under the amended Reclamation Plan the project area, under a phased approach, would be restored to a natural condition (Figure 6 reflects Reclamation Cross Sections) which will allow the site to be readily adapted to alternative and beneficial land uses consistent with the existing County Zoning Code designation of Forest (FR).

Overburden above the construction-grade aggregate will be removed, followed by removal of hardrock aggregate (product) from the geologic formation through a multi-step process including drilling, blasting, and excavation using heavy equipment. Due to the nature of the hard rock product on the site, drilling and blasting will be required to loosen the aggregate from the host rock formation. This is typically accomplished by drilling holes in a grid pattern over a portion of the formation. The design of shot configurations (i.e., drill hole patterns, diameter, depth, quantity, and delay) depends on the site rock conditions and the specific purpose of each shot. Blasting would be conducted by a licensed explosives contractor. An emulsion of ammonium nitrate and fuel oil will be mixed in the drill holes. These components are only explosive once combined and mixed; thus, in-hole mixing minimizes the potential for hazardous conditions during transport, storage and use. Blasts will be detonated with a delay system to limit the quantity of explosive detonated in each delay period and to provide control over detonation. Blasting activities will occur up to two times per week Monday through Saturday during the hours of 7:00 a.m. and 4:00 p.m. The Nevada County Sheriff's Department and the Town of Truckee Police will be given a 24-hour notice prior to each blast.

No release of surface water from the mining pits will occur. During operation, all runoff from disturbed surfaces will be collected by temporary diversion ditches and carried to a temporary zero-discharge detention basin that will be maintained at the lowest elevation of the operations in the West Pit. The pattern of drainage will be modified during operation as the configuration of the surrounding areas are mined; therefore, the location of the basin will change during operation in accordance with the location and extent of mining activities. SMARA requires that storm water facilities be designed for a 20-year, 1-hour storm event, however, a zero-discharge basin is based on a more conservative criterion. The final storm water detention basins for this project are conservatively designed to contain two 100-year, 24 hour-hour precipitation events occurring within seven days without surface water discharge.

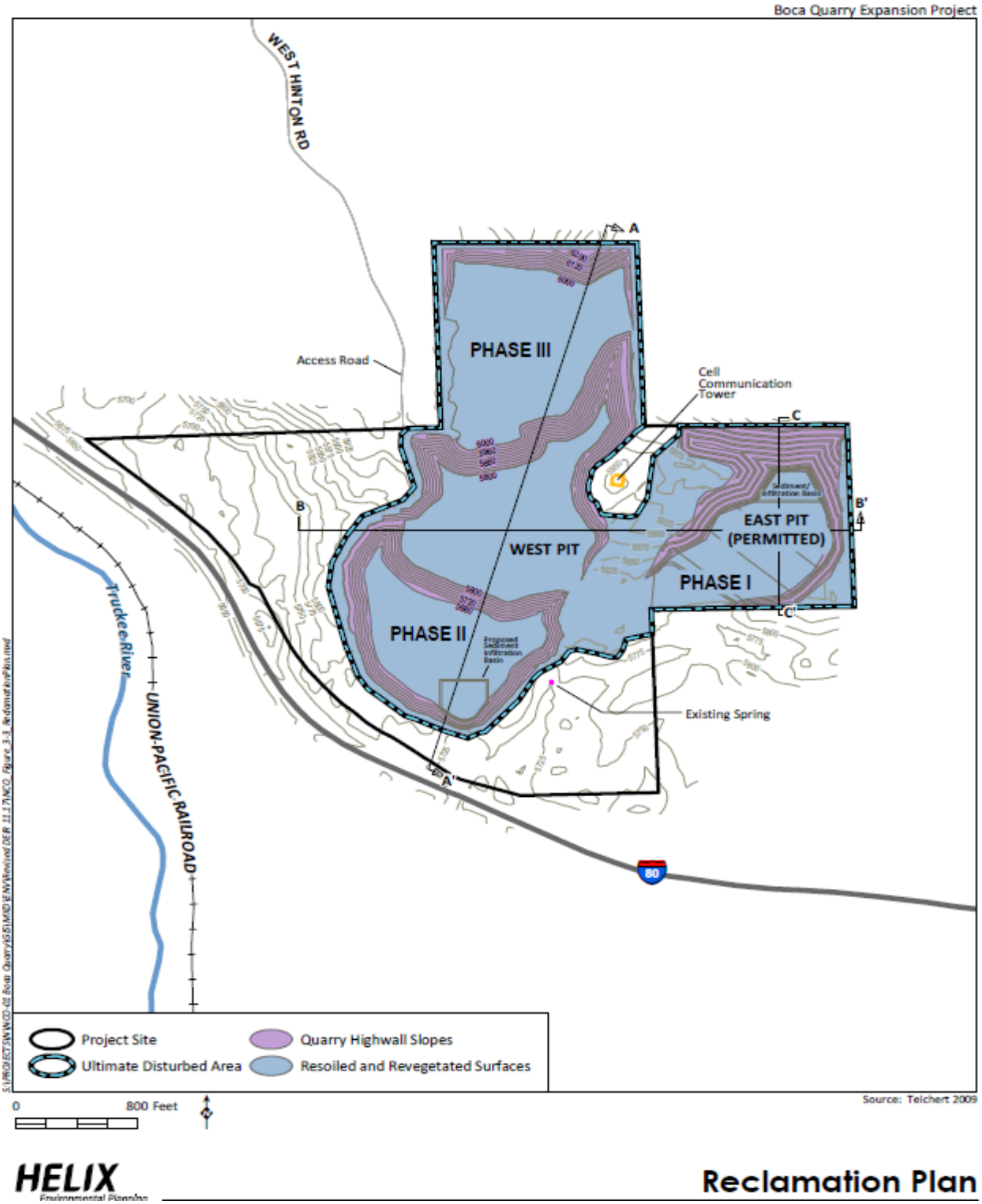

Figure 5. Mining Phases and Reclamation Plan Map

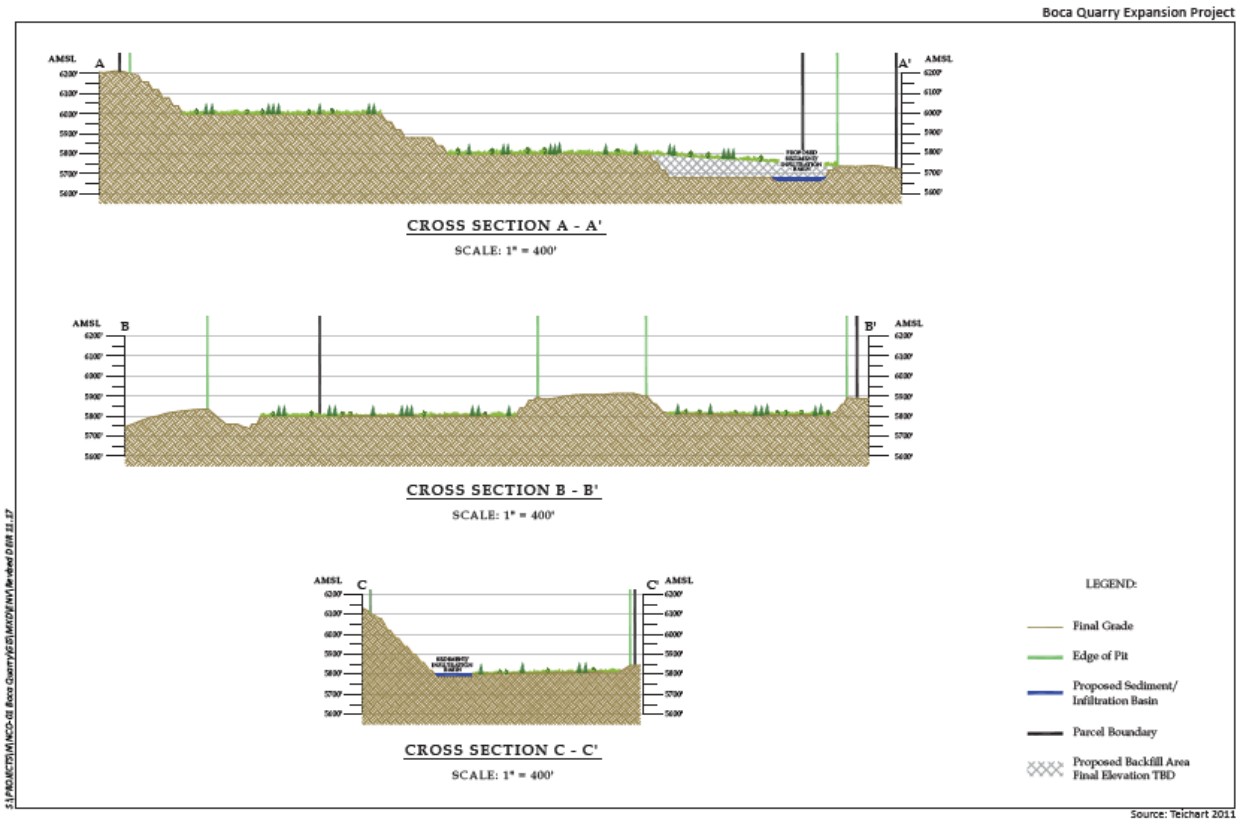

Figure 6. Reclamation Plan Cross Sections

Development Agreement

As part of the proposed project, the applicant proposes to enter into a Development Agreement with the County and the property owner (Attachment 5). The Development Agreement would establish a framework for: 1) how the current Use Permit (U06-012) and Reclamation Plan (RP06-001) and the amended Use Permit (U11-008) and 2011 Reclamation Plan (RP11-001) would apply to the mining and reclamation phasing of the project; and, 2) costs and timing for the payment of a cost per ton fee to the County and the Town of the Truckee for roadway maintenance and the scope of those activities. The costs are based on two scenarios: (1) a standard maintenance schedule due to full quarry activities (152,250 to one million tons hauled per year); and (2) a maintenance schedule based on limited operation (less than 152,250 tons hauled per year). For Scenario 1 the County and Town of Truckee would be responsible for conducting biannual patching and maintenance work and a full overlay in year seven of operation. For Scenario 2 the County and Town of Truckee would be responsible for conducting chip seal and patch and crack seal during operational years 7 and 14 with a full overlay in year 21 of operation.

The Development Agreement would assure, for Teichert Aggregate, Inc., Pamela Dobbas and Nevada County, that the Project can proceed consistent with the Nevada County's General Plan,

Nevada County Land Use and Development Code Section L-II 5.18 Development Agreements, Government Code sections 65867, *et. seq*., and all other applicable ordinances, plans, policies and regulations of Nevada County without disruption caused by a future change in County planning and development policies and requirements over the life of the Boca Quarry Use Permit, which assurance will thereby reduce the actual or perceived risk of planning, financing and proceeding with the Project.

The proposed DA includes an extended development timeline of 30 years with the potential for a one-time, 10-year extension. Benefits to the public provided by the DA include the following:

- Construction of sight-distance improvements at the intersection of Stampede Meadow Road and West Hinton Road;
- Improve Stampede Road through the widening and striping of the roadway to reduce conflicts and improve bicyclist safety through the mitigation measures identified in the EIR and incorporated into U11-008, prior to the commencement of sales of aggregate material mined from the West Pit
- Provide a local source of aggregate to keep infrastructure construction and maintenance costs down;
- Implementation of the County's General Plan goals and policies by reducing future vehicle miles traveled (VMT) and associated traffic, air quality, and noise impacts associated with the importation of aggregate from outside of the region;
- Support mining of valuable mineral resources recognized by the State and County (as reflected by the State Department of Conservation's MRZ and County's ME designations); and
- Generation of sales tax revenue for the County.

STAFF COMMENT:

The following discussion is a summary of the Recirculated EIR's identification of potentially significant impacts. In addition to the documentation of the baseline condition for the CEQA analysis, the resources discussion below identifies: 1) the resource areas that have no potential to be impacted; 2) resource areas with less than significant impacts due to the implementation of mitigation measures; and 3) resources found to be impacted and mitigation will not reduce the impact to a less than significant level and for which a Statement of Overriding Consideration is required. The resources that were not evaluated because there could be no effect or evaluated and no significant effect was identified are:, agriculture and forestry, energy, greenhouse gas emissions, land use and planning, mineral resources, population and housing, public services, recreation, and utility and service systems. The summary below will focus on the following resources: geology and soils; hydrology and water quality; biological resources; aesthetics; traffic and circulation; noise; air quality; hazards and hazardous materials; cultural and Tribal resources. A summary of potential impacts and mitigation measures is provided below.

There were no comments from agencies received by Nevada County or the State of California Clearinghouse as a result of the circulation of the Recirculated Draft Environmental Impact Report (RDEIR). The representative of the project applicant submitted comments mainly addressing minor edits with the exception of their comment suggesting that a further clarification of the correlation of individual health effects to emissions. A letter from a member of the Hirschdale community highlighted concerns regarding haul trucks that might travel through her

community, hours of operations, recreation traffic, and alternatives analyzed. At the Planning Commission public hearing to receive comments on the RDEIR, no one from the public spoke and one Planning Commissioner provided a comment on the installation of signage to "share the road" with bicyclists.

Baseline

According to CEQA guidelines Section 15125(a); "An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published, or if no NOP is published, at the time environmental analysis is commenced." This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The baseline condition analyzed in the Recirculated DEIR is of the conditions of the site at the time the Draft EIR, Notice of Preparation (NOP issued February 8, 2012) was prepared which included the permitted East Pit, and the existing facilities which may become operational at any time.

CEQA's definition of existing (or baseline) conditions includes circumstances where recent actions have changed the environmental conditions for a project that is about to undergo review under CEQA and is supported by published CEQA case law. In *Creed-21 v. City of San Diego* (2015) 234 Cal. App. 4th 488, the court determined that the City of San Diego used the proper baseline condition for a revegetation project when it treated an emergency storm drain repair as part of the existing conditions rather than the pre-storm drain repair condition. In *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 234 Cal.App.4th 214 (183 Cal.Rptr.3d 736), the Fourth Appellate District upheld the baseline conditions and ruled that the baseline condition must reflect the physical conditions at the time the environmental analysis begins even if the current conditions include unauthorized and even environmentally harmful conditions that never received environmental review. Other published court decisions that support this interpretation of CEQA include *Riverwatch v. County of San Diego* (1999) 76 Cal.App4th 1428 (91 Cal.Rptr. 2d 322) and *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270 (119 Cal.Rptr.2d 402). Thus, the baseline for this environmental review analysis is the current permitted operating conditions of the Boca Quarry.

Potential Impacts and Mitigation Measure Summary

Geology and Soils: The proposed project would potentially result in significant impacts related to manufactured slope instability if site specific conditions vary from the conditions evaluate in the Stability Evaluation for the project, impacts related to the manufactured slope instability would be potentially significant. The implementation of the following mitigation measures would ensure that any potential adverse impacts from project related manufactured slope instability would be reduced to less than significance.

Mitigation Measure GEO-1

Final design of manufactured slopes in the proposed West Pit shall incorporate all available geologic/geotechnical data, with slope heights/grades and other applicable project features to reflect these data and include any applicable deviations from the recommendations provided in the August 2010 project Stability Evaluation.

Mitigation Measure GEO -2
Annual inspections and documentation by a qualified geotechnical engineer during mining operations. The annual inspections and reports shall be used to update or provide more appropriate FOS calculations and are to be incorporated into the design and operation of mining activities within both Pits.

Hydrology and Water Quality: There are three potential impacts identified under this resource category. They are the potential for significant impacts related to storm water runoff, ground water supplies and recharge at Dobbas Springs, and groundwater contamination due to contamination of detention basin during operations. All could be potentially significant. The implementation of the following mitigation measures would ensure that any potential adverse impacts from project related water quality and hydrologic impacts would be reduced to less than significance.

Mitigation Measure HYD-1
In accordance with SMARA, the applicant shall adhere to all erosion and sediment control measures as identified in the Storm Water Management Plan (SWMP) and 2011 Reclamation Plan (ESRS 2011) for the project. Any revisions to the storm water management design for the project after project approval shall be prepared by a qualified registered engineer and shall be provided to the County for review and approval. The revised storm water management system shall be designed to prevent discharge of storm water from the project site. As required, the applicant shall update the SWMP based on the revised design or if required, shall file a Notice of Intent to comply with the Industrial General Permit from the RWQCB. The applicant shall provide the County Planning Department with an updated SWMP every seven years that will also be tracked through the annual review of the Development Agreement.

Mitigation Measure HYD-2
The project applicant and/or operator shall monitor precipitation levels at the project site and flows at Dobbas Spring on a monthly and annual basis. The results of this monitoring shall be documented and submitted to the County on an annual basis (with the Annual Development Agreement review), along with a summary description of the resultant water balance (i.e., spring flow versus project-related use). If the current or projected water demand equals or exceeds the flows of Dobbas Spring, Quarry production or water supply source shall be adjusted accordingly.

Mitigation Measure HYD-3
Avoidance and minimization measures have been listed in the Mitigation, Monitoring and Reporting Plan (MMRP). Such measures using only clean fill material for backfill; vehicles, equipment and project impact areas regularly inspected and maintained to prevent or identify the spill or leakage of contaminants; appropriate containment and disposal of pollutants and solid waste, regular employee trainings; and the taking and keeping of detailed records including inspections, maintenance activities, corrective actions, testing/sampling, spills and responses.

Biological Resources: The EIR uses several resources (U.S. Fish and Wildlife Services, California Fish and Wildlife's Natural Diversity Database, California Native Plant Society, U.S. Forest Service, and academic institutions) to identify and evaluate flora and fauna species that may be found recently or historically within the project area or in the vicinity. There are five (5) potential types of impacts identified for biological resources. They include impacts to nesting

birds during the clearing and grubbing for the West Pit; impacts to wetlands for the off-site improvements; water quality impacts on wildlife; effects of night lighting, and effects of fugitive dust on vegetation. The following mitigation measures have been identified to reduce the potential impacts on biological resources to less than significant.

Mitigation Measure BIO-1
Nesting birds are to be avoided. This mitigation requires a combination of observing seasonal activity constraints that avoid activities such as tree and shrub removal during the nesting season (January 15 to October 15), to carrying out surveys for presence and absence of nesting birds/fledglings, to the applicable employment of non-disturbance buffers around nest sites.

Mitigation Measure BIO-2
The project has been designed to avoid wetlands. To assure this goal is achieved, prior to the issuance of a grading for the roadway improvements the applicant shall demonstrate to the County that aquatic habitats are being sufficiently avoided or the appropriate permits have been obtained for Waters of the U.S. and State and through the California Department of Fish and Wildlife.

Mitigation Measure BIO-3
Impacts on water quality that potentially could have an effect on wildlife are addressed in HYD-1 and HYD-3.

Mitigation Measure BIO-4
No new lighting is proposed for the project area. In addition, all lighting adjacent to undisturbed areas shall be of the lowest illumination allowed for human safety, selectively placed, shielded and directed away from the undisturbed areas. All lighting shall be manual on/off and shall be turned on only when the site is in operation.

Mitigation Measure BIO-5
Air Quality mitigation measure AQ-3 addresses dust control measures. The list of strategies includes ensuring no dust emissions occur beyond the property lines, ensure there is no track-out from the property, employ a dust control supervisor, watering to maintain soil moisture at 12% on active unpaved surfaces, limit the area subject to blasting, mining and other operational activity at any one time.

Aesthetic Resources: Visual simulations were prepared for the project from key viewsheds; Interstate 80, Glenshire Drive in the Town of Truckee and from private residences near the eastern limits of the Town of Truckee. The first two views are fleeting due to either the speed of travel (Interstate 80) or the intervening topography and vegetation (Glenshire Drive). The private residences have a clear and mostly unobstructed view of the walls of the quarry. All three viewsheds will present a greater contrast to the surrounding vegetation compared to the existing view. This is considered a significant impact.

Mitigation Measure AES-1
To offset the visual impacts of the newly exposed grey-blue rock, rock varnish such as Nantina or Permeon or other functional equivalent will be sprayed on the cut face slopes immediately following the completion of each phase of mining to blend visually with the undisturbed rock

face and talus. Implementation of Mitigation Measure AES-1 would lessen the aesthetic impacts at the key views, but would not reduce the potentially significant impact to visual quality. This visual change at the key views would be considered significant and unavoidable impact.

Traffic and Circulation: The analysis of traffic and circulation impacts identified three potentially significant project-specific impacts related to: 1) traffic impacts during construction of the off-site roadway improvements; 2) roadway integrity; and 3) roadway hazards associated with the sight distance and bicyclist safety. Implementation of TRANS-1 thru TRANS-3 will result in the reducing potential impacts to less than significant. While the implementation of TRANS-4 and TRANS-5 will reduce the severity of the project impacts related to bicyclist safety and improve road conditions over existing conditions, it is not possible to achieve the improved conditions along the entire length of road segment due to topography and wetlands, therefore impacts to bicyclist safety remains potentially significant and unavoidable.

Mitigation Measure TRANS-1
Prior to issuance of encroachment permit for off-site road improvements, the contractor shall submit for approval that allows traffic flow through the roadway improvement segment for the duration of the roadway improvement construction.

Mitigation Measure TRANS-2
To assure the use of West Hinton Road as the main access to the quarry and the only haul route, the applicant shall maintain the Special Use Permit for the road use across the USFS land with the USFS for the duration of operation of the quarry. Documentation of the USFS permit shall be provided to the County prior to operation of the West Pit and then thereafter with the Development Agreement annual review.

Mitigation Measure TRANS-3
The authorized haul route for the operation of the quarry is along Stampede Meadow Road and West Hinton Road. The Applicant shall not alter the haul route without prior authorization from the Nevada County Board of Supervisors. Signage to prevent inadvertent haul trucks from using the southern entrance (Hinton Road) shall be placed and maintained during operations at the Interstate-80 and Hirschdale Road interchange.

Mitigation Measure TRANS-4
The off-site road improvements shall be reviewed and approved by Nevada County Department of Public Works and the roadway improvements including intersection improvements and road widening shall be complete and functional prior to operations associated with the West Pit.

Mitigation Measure TRANS-5
The final design for the roadway widening along Stampede Meadow Road shall include smooth pavement transition where West Hinton Road meets Stampede Meadows Road. The design of the intersection shall be incorporated into the roadway widening plans to create a smooth transition where there are current grade changes.

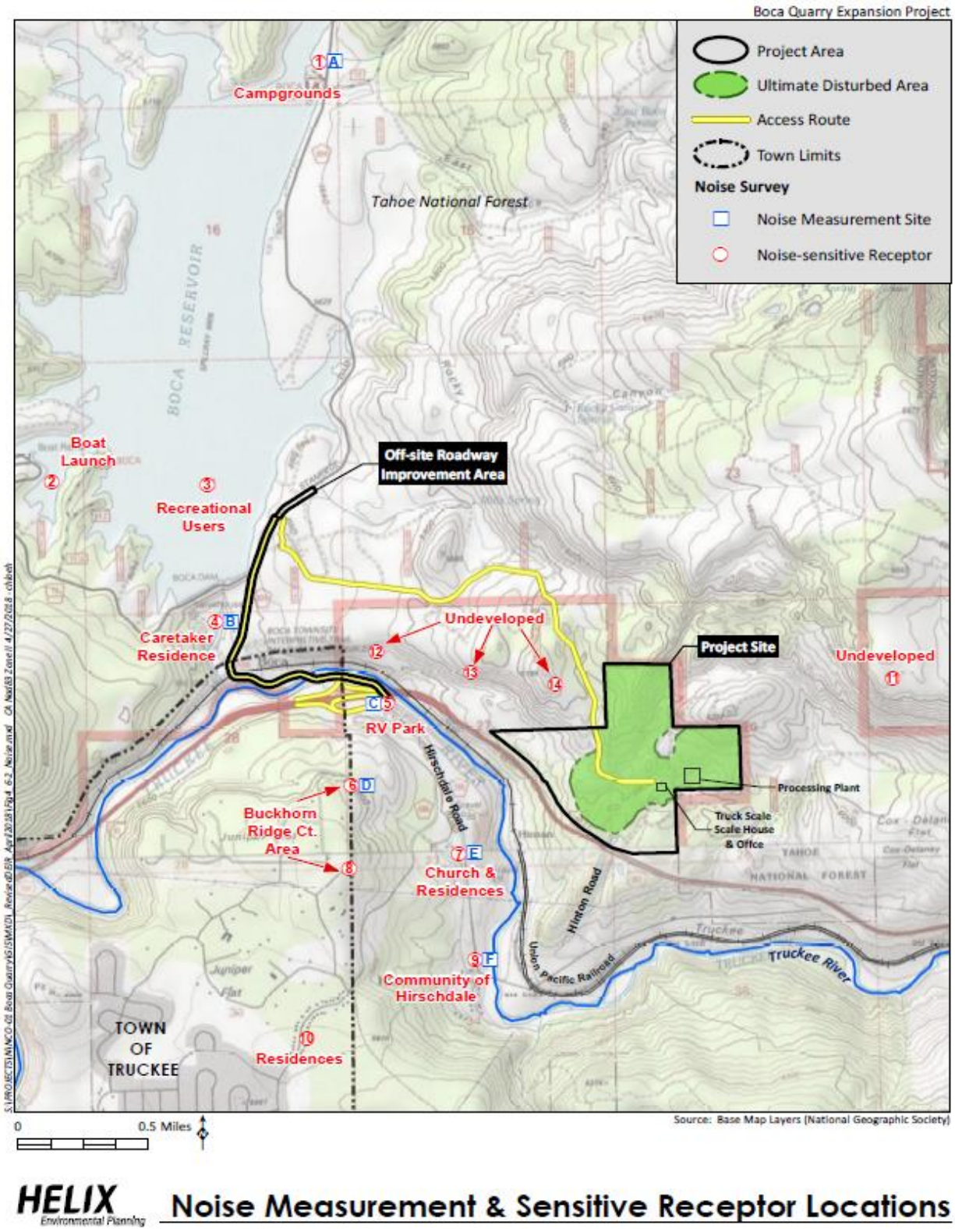

Figure 7. Noise-Sensitive Receptors

Noise: Analyses were conducted for potential noise and vibration impacts associated with the proposed project against those standards established by Nevada County (See below, Table 2. Nevada County Noise Standards – Exterior Noise Limits). Project area noise sources and noise-sensitive receptors were identified and evaluated. Project noise sources include rock crushing and screening, excavation work, backfill and load-out, heavy truck traffic, truck passby on cyclists, blasting, heavy earthmoving equipment vibration, and combined noise from all project sources. Figure 7 (previous page), Noise-Sensitive Receptors, identifies the sensitive receptors in the vicinity and their locations, which include:

- recreational users of the Boca Reservoir;
- the Boca Reservoir's caretaker residence located on Stampede Meadow Road south of the dam;
- an RV park on the south side of the Interstate-80/Hirschdale interchange;
- existing residences on the south side of Interstate-80 in the Town of Truckee; and
- undeveloped privately owned properties near the project site and haul route (identified as potential future noise-sensitive receptors because these properties are undeveloped).

EXTERIOR NOISE LIMITS – NEVADA COUNTY NOISE ELEMENT

Land Use Category	Zoning Districts	Time Period	Noise Level Limits (dBA)	
			L_{EQ}	L_{MAX}
Rural	A1, TPZ, AE, OS, FR, IDR	7:00 a.m. to 7:00 p.m.	55	75
		7:00 p.m. to 10:00 p.m.	50	65
		10:00 p.m. to 7:00 a.m.	40	55
Residential and Public	RA, R2, R1, R3, P	7:00 a.m. to 7:00 p.m.	55	75
		7:00 p.m. to 10:00 p.m.	50	65
		10:00 p.m. to 7:00 a.m.	45	60
Commercial and Recreation	C1, CH, CS, C2, C3, OP, REC	7:00 a.m. to 7:00 p.m.	70	90
		7:00 p.m. to 7:00 a.m.	65	75
Business Park	BP	7:00 a.m. to 7:00 p.m.	65	85
		7:00 p.m. to 7:00 a.m.	60	70
Industrial	M1, M2	Anytime	80	90

Source: Nevada County 1995

Table 2. Nevada County Noise Standards – Exterior Noise Limits

To determine the existing ambient noise environment at the receptors, continuous noise level measurements were conducted at six locations that are representative of ambient noise conditions at 10 of the 14 noise-sensitive receptors. Short-term noise monitoring was conducted at a site adjacent to Boca Reservoir to determine heavy truck pass-by single-event noise levels. No monitoring was conducted in the general vicinity of noise-sensitive receptors 11 through 14 (private, undeveloped properties). Noise measurements were taken over a 48-hour period from May 14 to 15, 2013 and updated in September 20 to 22, 2017. Monitoring included two complete daytime and nighttime periods because nighttime operations would occur at the site when local or regional construction projects require delivery of aggregate during nighttime hours. Based on both project specific noise sources and noise levels at noise-sensitive receptors the analysis found that there are potential significant impacts for Receptors 7 and 11 through 14. However, with the implementation of the mitigation measures listed below, there are no significant unavoidable impacts that would result with the implementation of the proposed project.

Mitigation Measure NOI-1
Future residential development proposed at any nearby parcels shall not be exposed to operational noise levels exceeding 55 dBA (L_{EQ}) or 65 dBA (L_{MAX}) during daytime hours, or 50 dBA (L_{EQ}) or 65 dBA (L_{MAX}) during evening hours, or 50 dBA (L_{EQ}) or 60 (L_{MAX}) during nighttime hours. Residential development within 1,250 feet of the ultimate disturbed area may be exposed to elevated noise levels. If a residence is proposed within this setback, an acoustical analysis shall be provided paid for by the applicant or the current operator of the facility, and if needed, identify noise control measures to be incorporated into the project operations.

Mitigation Measure NOI-2
Future residential development proposed at any nearby parcels shall not be exposed to heavy traffic noise levels exceeding 55 dBA (L_{EQ}) during daytime hours, or 50 dBA (L_{EQ}) during evening or nighttime hours. Future residences shall not be exposed to noise levels exceeding 65 dBA LMAX during daytime hours or evening hours, or 60 dBA L_{MAX} during nighttime hours. Residential development proposed within 300 feet of the haul route may be exposed to elevated noise levels. If a residence is proposed within these setbacks, an acoustical analysis shall be provided and paid for by the applicant or the current operator of the project. The analysis shall include an ambient noise survey to quantify baseline conditions at a future residence which shall then be used to develop offsets to the Nevada County noise standards, as appropriate.

Mitigation Measure NOI-3
Noise levels from operation of the mine shall not exceed the adjusted evening and nighttime County noise standard of 48 dBA L_{EQ} at Receptor 7. Mining activities other than the occasional haul out shall be prohibited between the hours of 9 p.m. and 6 a.m. Operational activities (e.g., excavation and processing) associated with the West Pit shall be limited to between the hours of 7 a.m. and 7 p.m. unless operational noise monitoring demonstrates that nighttime quarry operation does not exceed the adjusted evening and nighttime County noise standard at Receptor 7 (see Mitigation Measure NOI-2).

Mitigation Measure NOI-4
Once the West Pit is operational, additional noise monitoring may be performed at Receptor 7 at the operator's expense. If this monitoring can confirm, to the satisfaction of the Nevada County Planning Department, that operational noise levels do not exceed the evening and nighttime noise standard of 48 dBA L_{EQ} at Receptor 7, then the County may extend the operating timeframe (including excavation and processing) to between 6 a.m. and 9 p.m. If the intervening topography and vegetation effectively reduces the operational noise limits to at or below the nighttime 40 dBA L_{EQ} standard, then this measure shall replace Mitigation Measure NOI-1. If applicable, any operations that extend between 10 p.m. and 7 a.m. shall be limited to truck loading and unloading only. Adherence to this mitigation measure will reduce the project's nighttime noise impacts to less than significant.

Mitigation Measure NOI-5
The hours of operation for off-site roadway improvement construction activities, including grading, roadway construction and vegetation clearance, shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Grading and improvement plans shall reflect the limited hours of operation.

Air Quality: Based on the air quality analysis there is a potential for air quality impacts due four main sources. They include the burning of cleared vegetation (pile burning during the clearing and grubbing phase for the West Pit); diesel emissions; dust (including PM_{10} and $PM_{2.5}$**)** from both vehicle travel on unpaved surfaces and soil disturbances from operations like blasting, drilling and processing; and asbestos containing native rock.

The incorporation of mitigation measure AQ-1, the following of all applicable Northern Sierra Air Quality Management District's (NSAQMD) open burning regulations would reduce impacts resulting from vegetation burning to a less than significant impact. The implementation of mitigation measure AQ-4, addresses exposure of naturally occurring asbestos and reduces impacts associated to a less than significant level.

Diesel Particulate Matter (DPM) is not included as a criteria pollutant; however, is recognized by the State of California as containing carcinogenic compounds. Risks are associated with effects typically evaluated based over a lifetime of exposure. California Air Resources Guidance document recommends that sources of hazardous emissions be separated from sensitive receptor land uses (residential, schools, medical facilities, etc.). An assessment of sensitive receptors within a quarter mile (1,330 feet) of a project site is required. Currently no residences are located within a quarter mile of the portion of the haul route along West Hinton Road. Recreational users near the southern edge of Boca Reservoir and visitors staying at the Truckee River RV Park would be temporarily exposed to DPM from passing haul trucks utilizing Stampede Meadows Road and the Interstate-80 interchange with the Hirschdale Road. Therefore, due to the short-term nature of recreational visits and the temporary exposure from passing haul trucks, impacts to recreational reservoir users and Truckee River RV Park users are less than significant.

The Boca Reservoir's caretaker residence would also be exposed to DPM from haul trucks driving on Stampede Meadows Road just south of the dam, however, haul trucks would only operate 180 days per year and would be well below the threshold of 365 days of exposure. Therefore, because project activity would only occur fifty percent of the year and sensitive receptors would be only temporarily exposed to the DPM produced by passing haul trucks, the potential project impacts from DPM would be less than significant and no mitigation is required.

Mitigation Measure AQ-1
Prior to any open burning of vegetation, the Project Applicant shall obtain a burn permit in accordance with the NSAQMD Regulation III, Open Burning. All applicable requirements established for obtainment of a burn permit, notification of the air district or other entities, and execution of burning authorized by the permit shall be followed in accordance with NSAQMD Rules.

Mitigation Measure AQ-2
Inclusion in contract specifications and implementation of diesel control measures shall include but are not limited to properly tuned heavy duty equipment and maintenance log kept, reduction of unnecessary idling, haul trucks shall shut off engines while queuing for loading and unloading, verified diesel emission control systems fitted to off-road diesel equipment and alternative fuel options to be utilized to the extent it is reasonable and economical.

Mitigation Measure AQ-3
NSAQMD Rule 226, Dust Control, requires feasible dust control measures. The control measures include but are not limited to ensuring no dust emissions occur beyond the property lines, ensure there is no track-out from the property, employ a dust control supervisor, watering to maintain soil moisture at 12% on active unpaved surfaces, limit the area subject to blasting, mining and other operational activity at any one time.

Mitigation Measure AQ-4
Prior to issuance of the encroachment permit for the off-site roadway improvements and prior to commencing operations in the West Pit, the work area shall be evaluated by a qualified individual to determine the presence/absence of asbestos containing materials. The results of the analyses shall be provided to the NCDEH and CUPA. If naturally occurring asbestos is found at the project site, the applicant will be responsible for the preparation of an Asbestos Health and Safety Program and a n Asbestos Dust Control Plan for approval by CUPA.

The implementation of mitigation measures AQ-1 would reduce the impacts resulting from vegetation burning and the implementation of mitigation measure AQ-4 associated with the exposure to naturally occurring asbestos, would reduce impacts to a less than significant level.

Incorporation of AQ-2 and AQ-3 would reduce the project impacts related to operation air quality emissions. However, a significant and unavoidable impact associated with NOx and PM_{10} emissions from operation of the project would occur. Cumulative, significant, and unavoidable impacts associated with NOX, and PM_{10} emissions would also occur.

Hazards and Hazardous Materials: The project site has been inactive since 2008 and no hazardous materials are currently stored on-site. Fuel, hydraulic fluid, coolant, lubricants, compressed gases (oxygen, carbon dioxide, nitrogen and acetylene), and other heavy equipment service materials used for the currently permitted activities in the East Pit are stored at the Martis Valley Quarry. Similarly, all blasting materials are stored in a secure magazine at the Martis Valley Quarry. As part of the hazards review California Department of Toxic Substances Control and the State Water Resources Control Board databases were researched for any existing or past hazardous materials incidents at the project site or at the off-site roadway improvement area. The records indicated there were no hazardous materials incidents. The project would result in less than significant impacts associated with: 1) hazardous materials in the vicinity of schools; 2) listed as a hazardous material site; 3) hazards associated with a public or private airport/airstrip; and 4) interfering with an emergency response/evacuation plan.

Potential impacts from hazards and hazardous materials include hazardous materials spilled or released during routine transport; release of hazardous materials if not correctly stored and with proper authorization and exposure; and wildfire risk. With the implementation of mitigations measures HAZ-1 through HAZ-4 impacts are reduced to less than significant levels

Mitigation Measure HAZ-1
Should the hazardous materials used for operation of the mine be relocated and stored on the project site, the applicant must adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in the California

Health and Safety Code Sections 25500 – 25519 and 25100 – 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). The applicant shall apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from NCDEH CUPA. The operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations

Mitigation Measure HAZ-2
In order to protect the public from potential release of hazardous materials, the project applicant shall prepare and implement an Hazardous Materials Business Plan (HMBP) in accordance with the requirements of the County Public Health Department Environmental Services Division and the Hazardous Materials Release Response Plan and Inventory Act of 1985.

Any accidental release of small quantities of hazardous materials shall be promptly contained and abated in accordance with applicable regulatory requirements and reported to the Environmental Health Services Division. As the Certified Unified Program Agency for the County, the Environmental Health Services Division of the County Public Health Department is responsible for implementation and enforcement of HMBPs.

Mitigation Measure HAZ-3
Construction contractors and/or the site operator shall ensure that during construction and/or during vegetation clearing of the mine, all areas of the construction site and/or the mine in which spark-producing equipment and vehicles may operate, shall be cleared of dried vegetation or other materials that could serve as fuel for combustion. This includes parking areas, staging areas, and the construction zone. The contractor shall keep these areas clear of combustible materials for the duration of construction.

Mitigation Measure HAZ-4
Construction contractors and/or the site operator shall ensure that all equipment with internal combustible engines will be equipped with a spark arrester that shall be maintained in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

Cultural and Tribal Resources: Based on the analysis conducted for cultural and tribal resources the proposed project would result in potentially significant project-specific impacts related to: (1) undiscovered cultural resources, including historical resources; (2) unique archaeological resources, (3) paleontological resources, (4) human remains, and (5) tribal cultural resources.

Assembly Bill (AB) 52, signed by Governor Edmund G. Brown, Jr., in September of 2014, establishes a new class of resources under CEQA: "tribal cultural resources" (TCRs). AB 52, (PRC Sections 21080.3.4, 21080.3.2, and 21082.3) requires that lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation once the lead agency determines that the application for the project is complete, prior to the issuance of an NOP of an EIR or notice of intent to adopt a negative declaration or mitigated negative declaration.

In compliance with AB 52, Nevada County sent letters to the Washoe Tribe of Nevada and California and the United Auburn Indian Community. Both tribal organizations replied they were unaware of any cultural resources within the project area. They had no further need to consult on

the Boca Quarry project, however, they asked to be contacted should there be any discoveries of tribal resources during the preparation or operations of the West Pit.

With the proper implementation of the following four mitigation measures, all potentially significant impacts would be reduced to below a level of significance, and no significant, unavoidable adverse impacts to cultural or tribal resources would result from the proposed project.

Mitigation Measure CUL-1
It is possible that ground-disturbing activities during construction may uncover previously unknown resources that meet the criteria of historical resources under CEQA. In the event that buried cultural resources are discovered during construction, operations shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to determine whether the resource is potentially eligible for listing. The Washoe Tribe shall also be notified of the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.

Mitigation Measure CUL-2
In the event that buried cultural resources are discovered during construction, mitigation measure CUL-1 shall first be applied. If the qualified archaeologist determines that the find does not meet the criteria of a historical resource under CEQA, the criteria of a unique archaeological resource described in PRC Section 21083.2(g) shall be applied.

Mitigation Measure CUL-3
In the event a fossil is discovered during preparation for the project or during normal operations of the Quarry, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examine by a qualified paleontologist in accordance with the Society of Vertebrate Paleontology standards. If the find is determined to be significant, and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.

Mitigation Measure CUL-4
In the event of the accidental discovery or recognition of any human remains, State CEQA Guidelines Section 15064.5; Health And Safety Code Section 7050.5; PRC Section 5097.94 and Section 5097.98 must be followed.

Cumulative Impacts
The RDEIR evaluated cumulative impacts for the proposed quarry expansion project. The analysis considered the impacts associated with the mining and reclamation activities along with other projects that would contribute to impacts on the same environmental resources, infrastructure, or public services and facilities. The analysis includes projects located outside the Lead Agency's jurisdiction (projects under the Lead of the Town of Truckee), as well as those under the jurisdiction of Nevada County. Figure 8. below, reflects a list of projects in the eastern portion of Nevada County that for evaluated for cumulative effects.

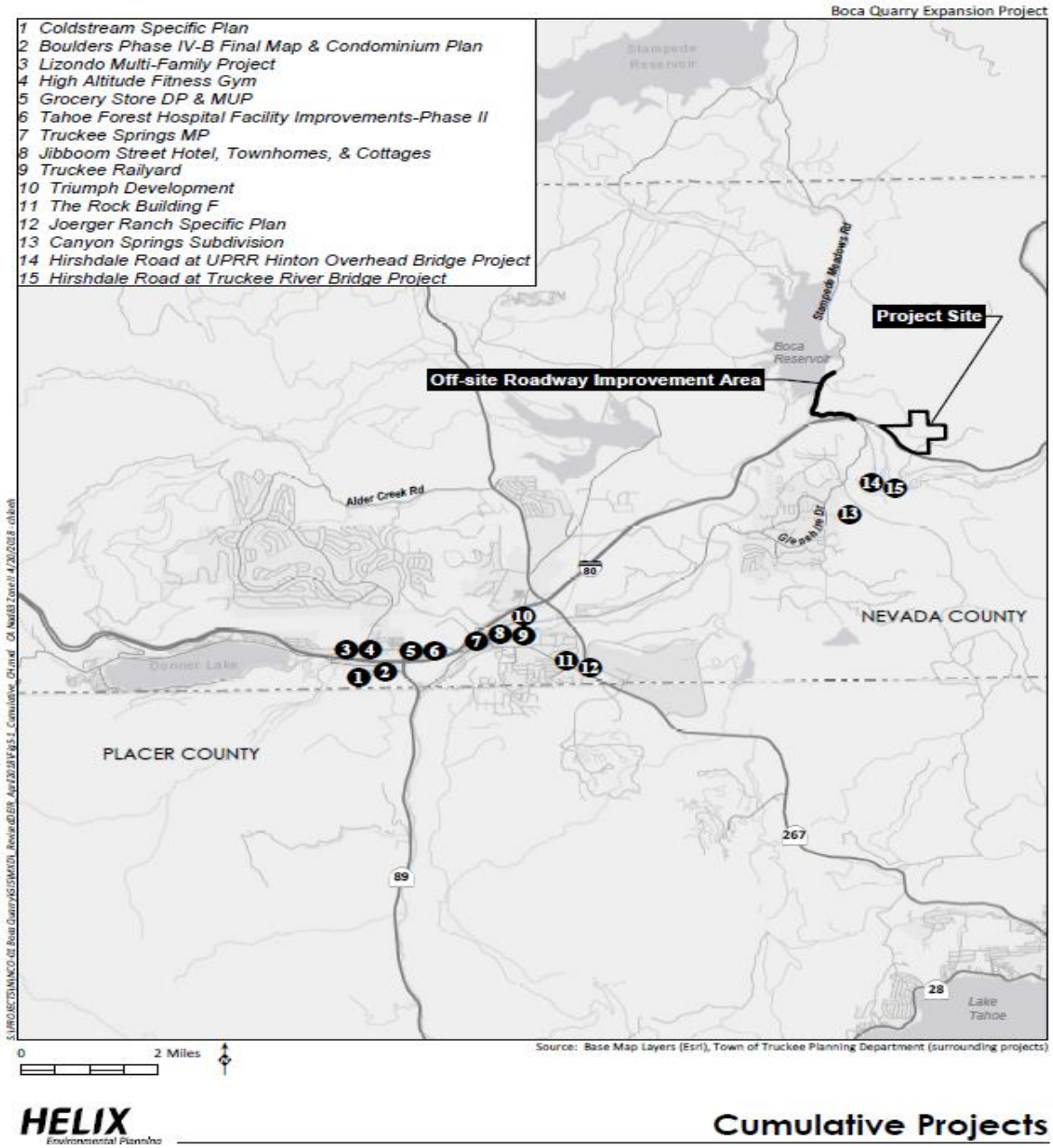

Figure 8. East County Projects – Cumulative Analysis

The proposed project has the potential to contribute to cumulative impacts associated with ongoing development in and around the Town of Truckee and unincorporated Nevada County. The RDEIR analysis of the resulting cumulative impacts associated with regional issues (e.g., biological resources, air quality, traffic and circulation, aesthetics and noise) were based primarily on regional plans and policies such as the General Plans of both Nevada County and the Town of Truckee.

Cumulative Impacts Biological Resources: The analysis of impacts to mule deer migration in the Recirculated Draft EIR concluded that at the project level, potential impacts to mule deer

migratory corridor would be less than significant. The finding is based on the low value of the ultimate disturbed area for migration and foraging habitat. However, in the context of the great expanses of almost entirely undisturbed habitat surrounding the project site, including large undeveloped areas south of I-80, the project may contribute to cumulative regional loss of the integrity of previously undisturbed migratory corridors (whether major, minor, or unmapped). In the case of most of the regional mule deer habitat loss due to development projects, the impact upon migratory corridors is permanent and extends the year-round presence of humans, off-road vehicles, and dogs into areas where they are rare or non-existent at present. The proposed project would contribute to a cumulatively considerable impact on mule deer migration. With implementation of the proposed Mitigation Measures CUM-1A and 1B, the project's contribution to cumulative impacts on mule deer migration would be less than significant.

Mitigation Measure CUM-1A
To offset cumulatively considerable impacts on mule deer migration and foraging habitat, the applicant shall incorporate reclamation planning objectives and specifications to include re-vegetation with species known to be used as browse or herbaceous forage by migrating or summer-resident mule deer into the Reclamation Plan for the project. The species incorporated into the Plan shall be prepared or reviewed by a qualified biologist and approved by the County.

Mitigation Measure CUM-1B
The Reclamation Plan for the project shall identify the following phasing: Prior to commencement of year five of the operation within Phase 2, the Phase 1 quarry area (excluding the processing and stockpile areas) reclamation and re-vegetation activities shall be fully installed. This mitigation would allow the re-vegetation in Phase 1 to establish itself before encroachment into the Phase 3 area begins, thereby providing new habitat, as required in mitigation measure CUM – 1A, for the local mule deer herd. Prior to commencement of operations in the West Pit, the applicant shall submit to the County a monitoring plan for monitoring the success of the revegetation efforts as they relate to the mule deer. The monitoring plan shall include provisions for monitoring and annual reporting (to coincide with the Development Agreement annual review) to the County and shall include provisions for adjusting the reclamation efforts as needed, before the end of the active mining activities.

Cumulative Impacts; Aesthetic Resources, Traffic and Circulation, and Noise: These three resources have all been found to be impacted by the project and/or its operations to a level that is significant and despite mitigation measures, the significance is unavoidable. However, the cumulative analysis found that within these three resource areas, the cumulative effect would be less than significant only for Traffic and Circulation (road traffic conflicts with bicyclists).

Cumulative Impacts Air Quality: In analyzing cumulative air quality impacts from a proposed project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the NSAQMD is listed as "non-attainment" for the State ambient air quality standards. A project that has a significant impact on air quality with regard to emissions of ROG, NOx (precursors to O3), PM_{10}, and $PM_{2.5}$, as determined by the screening criteria outlined in Section 4.7, of the RDEIR would have a significant cumulative effect. According to the State CEQA Guidelines, if a project would individually have a significant air quality impact, the project would also be considered to have a significant cumulative air quality impact. With regard to past and present projects, the background ambient air quality, as measured at the

monitoring stations maintained and operated by the NSAQMD, measures the concentrations of pollutants from existing sources. Existing project impacts are therefore included in the background ambient air quality data. As shown in the emissions evaluation in Section 4.7, of the RDEIR, the proposed project production volumes are expected to result in a significant incremental increase in air pollutant NOX and PM_{10} emissions upon implementation of the project. As stated in the discussion of cumulative impacts in Section 4.7.5, of the RDEIR, any project resulting in a significant impact on air quality at the project level would also be considered to result in a significant cumulative air quality impact. Incorporation of project-level mitigation measures (AQ-1, AQ-2 and AQ-3) would reduce, but not eliminate, the project's contribution to cumulative NOX and PM_{10} emissions. Therefore, a cumulatively considerable, significant and unavoidable impact related to NOX and PM_{10} emissions would occur. As a result, the project's contribution to cumulative air quality impacts would be cumulatively considerable and significant and unavoidable.

Cumulative Impacts Aesthetics: The project site is not designated as a scenic vista, nor is it located within a designated scenic roadway corridor nor is it identified by the Town of Truckee. However, the project's contribution to cumulatively considerable impacts associated with visual character and quality of the surrounding area would be substantially minimized and somewhat temporary. Implementation of the mine reclamation plan and the proposed mitigation measure ("Natina" spray to assist with blending and matching the color of the recently unearthed rock to that of surrounding already weathered rock) would lessen the visual impacts for all of the key views. However the visual change would still be considered significant and unavoidable.

AGENCY AND PUBLIC COMMENT:

Nevada County nor the State of California Clearinghouse are in receipt of comments on the Draft Recirculated Draft Environmental Impact Report (RDEIR) from any local, State or Federal agency as a result of the 45-day circulation of the RDEIR. The representative of the project applicant submitted comments mainly addressing minor edits with the exception of their comment suggesting that a further clarification of the correlation of individual health effects to emissions. A letter from a member of the Hirschdale community highlighted concerns regarding haul trucks that might travel through her community, hours of operations, recreation traffic, and alternatives analyzed. At the Planning Commission public hearing to receive comments on the RDEIR, no one from the public spoke and one Planning Commissioner provided a comment on the installation of signage to "share the road" with bicyclists.

The Recirculated Draft EIR was sent and received by the California Department of Conservation Division of Mine Reclamation in 2011 for their review and evaluation of the documents compliance with SMARA. In a phone conversation (Carol Atkins, August 5, 2019) planning staff was informed that as long as the aggregate mining expansion project had not change, there would be no need for the Division of Mine Reclamation to review the Reclamation Plan document again. The Department of Conservation also received notice of the Recirculated Draft EIR and did not have any comments (personal phone conversation, Tim McCrink, Supervising Engineering Geologist, Dept. of Conservation).

ENVIRONMENTAL REVIEW:

The NOP for the preparation of the Draft EIR was issued February 08, 2012, and a public scoping meeting was held March 8, 2012 to solicit feedback from the public and public agencies

on the scope of the environmental document. The Draft EIR was made available for a 45-day review and public comment period. The public hearing to receive comments on the adequacy of the Draft EIR was held on October 11, 2012 before the Planning Commission. A total of six (6) comment letters were received during the comment period and two verbal comments were received at the public hearing. A Final EIR was prepared and contained responses to each project specific comment (February 2013). Prior to the final hearing before the Planning Commission, late comments were received after the publishing of the Final EIR and included concerns about potentially hazardous conditions for bicyclists using Stampede Meadows Road with the addition of quarry truck trips. The Hirschdale community also submitted comments in response to the Final EIR. Due to the scope of the comments containing newly identified potentially significant impacts, the Final EIR needed to be revised and recirculated. During 2013 and 2014, the County, its EIR consultant, and other technical consultants worked to prepare the necessary studies to recirculate the EIR for the Project. However, due to economic factors, the Project was put on hold during 2015 and 2016. The EIR recirculation process was resumed Spring, 2017.

In accordance with Public Resources Code Section 21091(a) and State CEQA Guidelines Section 15088.5, the Recirculated Draft EIR was released (recirculated) for a 45-day public review period which began on May 22, 2019 and concluded on July 8, 2019. The Recirculated Draft EIR was submitted to the State Clearinghouse for distribution to reviewing agencies along with the required Notice of Completion and summary form (SCH# 2012022024), posted to the County's website, and hardcopies of the Recirculated Draft EIR were available at the Nevada County Planning Department and at the Nevada County Truckee Library. Notices of Availability of the Recirculated Draft EIR were published in the Sierra Sun on May 17, 2019, and on the County's website, and mailed to adjacent property owners and interested parties. A public hearing was held before the Planning Commission to receive comments on the adequacy of the environmental document on June 27, 2019 in the Town of Truckee Council Chambers. During the Recirculation of the Draft EIR, two commenters provided written comment (the applicant and a member of the Hirschdale community) and no comments were received from the public or any agency at the June 27, 2019 public hearing.

Alternatives Evaluated

CEQA requires an EIR to assess a reasonable range of alternatives in addition to the proposed project alternative. The range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The State CEQA Guidelines provide several factors that should be considered in regard to the feasibility of an alternative; those factors include: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries (projects with a reasonably significant impact should consider the regional context; and (7) whether the project applicant can reasonably acquire, control or otherwise have access to an alternative site.

A total of four alternatives to the proposed project were considered: 1) Other Quarry Locations; 2) No Project Alternative: No Development; 3) No Project Alternative: Existing Plan Alternative; and 4) Reduced Daily Production Alternative. The first two listed alternatives (Other Quarry Locations and No Project Alternative: No Development) were determined to be infeasible because they did not meet the project objectives and were rejected from further study. Below is a listed summary of the project objectives.

1. Location. Secure approvals to continue the mining of known reserves on site, which is located within the eastern portion of Nevada County and convenient to the Interstate-80 corridor.

2. Market Position. Maintain current company position and market share as a leading regional provider.

3. Production and Timeframe. Extract, crush, and sell approximately 17 million tons of high-grade construction aggregate to meet local needs over a period of up to 30 years.

4. Employment. Provide for continued on-site employment of between six and 15 people. Related employment also would be generated by the transport of product to construction sites, construction projects using the supplied aggregate and secondary expenditures for goods and services.

5. Site Reclamation. Continue to implement responsible and environmentally sound aggregate removal…Provide an economically feasible and responsible reclamation plan that would result in a beneficial end use, in accordance with the requirements of SMARA.

6. Development Agreement. Adhere to the Development Agreement so that operation of the mine may proceed and site reclamation, implementation of the off-site roadway improvements, and maintenance fees owned to Nevada County and the Town of Truckee are implemented at the appropriate time.

The Boca Quarry Expansion Project Recirculated EIR evaluated two alternatives to the proposed project. In addition to the Reduced Daily Production Alternative, CEQA requires the inclusion of a "No Project" Alternative. The No Project Alternative would only allow the Boca Quarry to continue operations as they are permitted in the existing permit (U06-012).

The No Project Alternative would not fulfill any of the project objectives past the operational life-span of the East Pit. Existing demand and any future increase in demand for aggregate material would likely have to be supplied from out-of-Count sources with could result in an increase in cost due to increased haul routes and increased impacts from materials transportation.

Under the Reduced Daily Production Alternative, operations in the East Pit would be allowed to resume under the currently approved 2007 Reclamation Plan (RP06-001) and Use Permit (U06-012). Under this alternative, the total footprint of the mine would be the same as the proposed project – the extraction area would be expanded to include the West Pit for an ultimate disturbed area of 158 acres – and the total maximum extraction from the mine would remain the same as under the proposed project (17 million tons). The daily production would be limited to approximately 2,520 tons per day (approximately 0.25 of the maximum daily production). As such, annual production would be limited to 250,000 tons per year, approximately 0.25 of the maximum annual production of the proposed project (1 million tons per year). The annual production of 2,520 tons per day would result in approximately 280 daily one-way truck trips

(approximately 0.25 of the 1,120 trips that would be generated by the proposed project). Because the total allowable production from the mine would remain the same, reducing the maximum annual production of the quarry would extend the life of the mine when compared with the proposed project because the aggregate reserve would be removed at a slower rate. Reducing the annual and daily production could also reduce the daily hours of operations, and could avoid the need for nighttime operations.

The Reduced Daily Production Alternative would not fulfill the project objectives for Market Position, and Production and Timeframe because it would not allow the project applicant to maximize production on the site in response to regional demand. If the demand for aggregate material in the Tahoe/Truckee area exceeded the 250,000 tons per year allowable under the Reduce Daily Production Alternative, the remaining supply would likely have to be sourced from out-of-County.

Based on CEQA criteria and the Recirculated EIR, the project has the potential to create significant and unavoidable impacts for the following resources:

Aesthetics*	Visual Character
Transportation and Circulation*	Conflicts with Bicyclists
Air Quality*	Exceeds Thresholds for NOX and PM_{10} established by the Northern Sierra Air Quality Management District

*Aesthetics, Transportation and Air Quality impacts identified are also both cumulatively considerable and significant and unavoidable.

In order to certify the Recirculated FEIR with the potential to cause significant and unavoidable impacts to visual character, bicyclist on Stampede Meadow Road, NOX and PM_{10} threshold; the Findings of Fact and Statement of Overriding Considerations have been prepared to comply with the requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.).

CEQA guidelines allows for the Board of Supervisors in its decision-making responsibility to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide benefits, of the proposed project and find that these other considerations outweigh the unavoidable adverse environmental effects. With the Board of Supervisor's adoption of the Finding of Facts and Statement of Overriding Considerations, the adverse environmental effects are considered acceptable. The findings provide the written analysis, conclusions and documentation of the Board regarding the Projects' environmental impacts, mitigation measures and alternatives to the Project.

Should the Planning Commission elect to recommend the Recirculated FEIR and recommend the approval of the Boca Quarry Expansion project, the Planning Commission will be required to first recommend to the Board of Supervisors adoption of the Findings of Fact and Statement of Overriding (Attachment #2, *Exhibit A*). Following the consideration for the Findings of Fact and Statement of Overriding, the Planning Commission may recommend adoption of the Boca Quarry Expansion Project MMRP (Attachment #2, *Exhibit B*) and certify the Recirculated FEIR (*Attachment #1*) pursuant to CEQA Guidelines Section 15091.

Other Discretionary Approvals

The Project requires the approval of a Conditional Use Permit, Reclamation Plan, and Development Agreement from the County of Nevada. In addition, the project may require other local, state, and federal entitlements:

- National Pollutant Discharge Elimination System (NPDES) General Construction Permit administered by the State Water Resources Control Board (SWRCB) and an associated Stormwater Pollution Prevention Plan (SWPPP) for the roadway improvements.
- Timberland Conversion and Timber Harvest Plan would need to be filed with the California Department of Forestry and Fire Protection, and a Timberland Conversion Permit obtained.
- Transportation Permit application with the specific route(s) for the shipper to follow from origin to destination if any oversized loads (i.e., large equipment) would need to be submitted to the State of California Department of Transportation (Caltrans).
- Encroachment permit from the County for improvements to Stampede Meadows Road involving County right-of-way.
- Encroachment permits from the USFS for improvements to Stampede Meadows Road in areas under their jurisdiction (where there is no existing County right-of-way).
- Encroachment permit from the Town of Truckee for improvements to Stampede Meadows Road in areas under their jurisdiction.
- Burn Permit in accordance with the NSAQMD Regulation III, Open Burning.
- A permit for the storage of hazardous materials and/or the generation of hazardous wastes is required from the Nevada County Department of Environmental Health's (NCDEH) CUPA prior to storing or generating hazardous wastes.
- The County approved Final EIR, Reclamation Plan and Development Agreement will be submitted to the State Department of Conservation for their final review.

ZONING AND GENERAL PLAN CONSISTENCY:

With the certification of the proposed Environmental Impact Report, approval of the Reclamation Plan and approval of the Conditional Use Permit, the use of the project site will continue to be consistent with the existing zoning districts and the General Plan land use designation FR-160-ME.

Regarding the General Plan, the project furthers several of the goals and policies of the County's General Plan, some of which are provided below:

Land Use Element Goals and Policies: Policy 1.3.1 which directs the County to maintain land use patterns compatible with preservation of character, environmental values and constraints and the form of orderly development of Rural Places. The objective of the project is to secure approvals to continue the mining of known reserves on site, which is located within the eastern portion of Nevada County and convenient to the Interstate-80 corridor.

Mineral Management Element Goals and Policies: Goal 17.1 directs the County to recognize and protect valuable mineral resources for current and future generations in a manner that does not create land use conflicts. Objective 17.1 guides the protection of valuable mineral deposits through the promotion of proper management activities that minimize the impact of extraction and processing on neighboring activities and the environment in general. Policy17.15 directs conditional permitting to those areas in the County that have been found to be compatible with

mining and mining operations and thereby include the combining zoning designation of ME. The Board of Supervisors approved a zoning amendment May 25, 2005 to add the Combing District Mineral Extraction (ME) to the existing zoning district FR-160, for the project area. The purpose for the ME combining district is to allow for surface mining and to provide for public awareness of the potential for surface mining to occur where adequate information indicates that significant mineral deposits are likely present.

Soils Element: Goal 12.1 directs the County to minimize adverse impacts of grading activities, loss of soils and soils productivity through policies that enforce erosion control that include installation, maintenance and performance of Best Management Practices. The project includes the adoption of a Reclamation Plan that is in full compliance with Nevada County's policies and ordinances as well as State law, Surface Mining and Recovery Act of 1975 (SMARA).

Recreation Element Goals and Policies: Goal 5.1 directs the County to provide a variety of active and passive recreational opportunities. The project has been found to not degrade existing recreational experiences at and around the Boca Reservoir and enhances road cycling with the widening of the road thereby decreasing vehicle/bicyclists conflicts.

Water Element Policy: Policy 11.6A which requires that new development minimizes the discharge of pollutants into surface water drainages. The project will be held to this standard through the application of the County's Grading Ordinance, the zero-discharge design of the onsite drainage facilities, and through the approval of the State Water Quality Control Board.

Wildlife and Vegetation Element Objective and Policy: Goal 13.1 directs the County to identify and manage significant areas to achieve sustainable habitat. The project and the project Development Agreement include the reclamation and restoration that supports naturally occurring native vegetation to support wildlife species.

Air Quality Element Policy: Policy 14.1 that encourages the County to cooperate with the Air Quality Management District during the review of development proposals to address cumulative and long-term air quality impacts. This project is consistent with this policy as the County has consulted with the Northern Sierra Air Quality Management District (NSAQMD) and has incorporated specific mitigation into the project's environmental document based on the consultation comments provided to the County by NSAQMD. However, despite the implementation of mitigation measures, the project will still have a significant and unavoidable impact due to project level and cumulative levels of NOX and PM_{10}.

With the adherence to proposed conditions of approval and mitigation measures, the project has been found to be compliant with both the Zoning Regulations and the County General Plan.

SUMMARY:

Teichert Aggregate, Inc., has proposed a Use Permit (U11-008), as is required for the new development or significant expansion of an existing surface mining operation. As is also required, the project includes the consideration of a Reclamation Plan (RP11-001) to evaluate and identify reclamation phasing and procedures in accordance with Nevada County Codes and the SMARA. Under the amended Reclamation Plan the project area, under a phased approach, would be restored to a natural condition which would allow the site to be readily adapted to

alternative and beneficial land uses consistent with the existing County Zoning Code designation of Forest (FR).

This project has been reviewed for potential environmental impacts through a Recirculated Environmental Impact Report (EIR11-001) and it has been determined that all project potential impacts are mitigated to less than significant levels with the exception of Aesthetics AIS-1 (visual quality for project level and cumulative); TRANS-4&5 (conflicts with bicyclists at the project level); and AQ-2&3 (increase in NOX and PM_{10} for project level and cumulative) disclosed as significant and unavoidable, which requires the adoption of Overriding Consideration. Should the Planning Commission elect to approve this project, the Planning Commission must make CEQA Findings of Fact and a Statement of Overriding Considerations for the Boca Quarry Expansion Project provided in *Attachment #2, Exhibit A.*

The project as proposed is consistent with the Land Use designation and Zoning Districts. Construction activity is required to comply with proposed mitigation measures and County grading standards to protect biological resources, soil, water quality and air quality. Further, the project has been found to be consistent with several of the goals and policies of the General Plan. Therefore, staff recommends that the Planning Commission after reviewing and considering the proposed project and taking public testimony, approve the project specific environmental document (with Findings of Fact and Overriding Considerations and the MMRP)(*Attachment #1 & 2*), Development Agreement (*Attachment #3*), and Reclamation Plan and Conditional Use Permit (*Attachment #4*).

The Development Agreement meets the criteria set forth in Land Use and Development Code (LUDC) Sec. L-II 5.18, which requires that specific information in the Development Agreement pertaining to the duration of the agreement; the permitted uses of the property; specification of size/dimensions of the project; provisions for a tiered amendment review procedure for minor and major changes; provide for the possibility of subsequent discovery of health and safety issues; director sign-off for minor changes; Commission sign-off for large changes; and major amendments by the Board of Supervisors.

The required findings can be made for the Development Agreement, which include that it is consistent with and complies with the goals, objectives, policies and applicable land use designations of the Nevada County General Plan; is in the public interest to enter into the Development Agreement; and that it will not adversely affect the persons residing or working in the surrounding area. The Development Agreement is therefore supportable and staff recommends its approval.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

I. Recommend to the Board of Supervisors adoption of the Findings of Fact and Statement of Overriding Considerations and the Mitigation and Monitoring Program (MMRP) for

the Boca Quarry Expansion Project Recirculated Final Environmental Impact Report (Attachment #2 Exhibit A and B) followed by certification of the Recirculated Final Environmental Impact Report (EIR11-001) (Attachment #1).

II. Recommend approval of the Development Agreement (Attachment #3 and Exhibits A-J) between Nevada County, Pamela Dobbas and Teichert Aggregate, Inc. to the Board of Supervisors making Findings A through D pursuant to LUDC Section L-II 5.18.E.

A. The development agreement is consistent with the goals, objectives, policies and applicable land use designations of the Nevada County General Plan;

B. The development agreement complies with all of the provisions of the Nevada County Land Use and Development Code;

C. The development agreement is consistent with the public convenience, general welfare and good land use practice, making it in the public interest to enter into the development agreement with the applicant; and

D. The development agreement will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area;
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site;
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
4. Adversely affect the orderly development of property or the preservation of property values.

III. Recommend to the Board of Supervisors approval of the Conditional Use Permit (U11-008) for the Mapped Area (Attachment #4, *Exhibit B*) with Conditions of Approval incorporating the Mitigation Monitoring and Reporting Plan (*Attachment* #4, *Exhibit A*), making Findings A through L pursuant to LUDC Section L-II 5.5.2.C. and recommend approval to the Board of Supervisors the Teichert Aggregates Boca Quarry Reclamation Plan (RP11-001) and Financial Assurance (Attachment #4, Exhibit C) in accordance with the requirements of the California Surface Mining and Reclamation Act (SMARA) found in Public Resource Code (PRC) Section 2710 et seq., Title 14 of the California Code of Regulations (CCR) Section 3700 et seq. and Nevada County's implementing ordinance as specified in the Nevada County Land Use Code (Chapter L-II 3.22, Surface Mining Permits and Reclamation Plans) to address reclamation standards and to guide site development, operations and monitoring which have been incorporated into the EIR and the Conditional Use Permit, making the Findings 1A, and A through H pursuant to LUDC Section L-II 3.22 J.1 and L-II 3.22 J.2.a through J.2.h.

Conditional Use Permit - Findings A-L LUDC Section L-II 5.5.2.C

A. This project as conditioned and mitigated is consistent with the General Plan goals, objectives and policies applicable to this project site;

B. The proposed use is allowed within and is consistent with the purpose of the FR - 160-ME zoning district within which the project is located. Grading is allowed with an approved Conditional Use Permit;

C. The proposed use and any facilities, as conditioned, will meet all applicable provisions of the Land Use and Development Code;

D. The design of any facilities for the proposed use are consistent with the intent of the design goals, standards and elements of this Chapter and will be compatible with the design of existing and anticipated future on-site uses and the uses of the nearby surrounding uses;

E. The site for the proposed use is adequate in size, shape and location to accommodate the proposed use and all facilities needed for that use and will be compatible with the design of existing and anticipated future on-site uses and the uses of the nearby surrounding area compromising site development standards;

F. The proposed use and facilities are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding neighborhood;

G. Adequate provisions exist for water and sanitation for the proposed use;

H. Interstate-80, a federal highway, Stampede Meadow Road a County and Town of Truckee maintained Minor Collector road, and West Hinton Road a USFS and Privately maintained road are adequate in size, width, and surface type to carry the quantity and kinds of traffic generated by this project;

I. Adequate provisions exist for emergency access to the site;

J. Adequate public facilities and public services exist within the project area which will be available to serve the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare;

K. All feasible mitigation measures have been imposed upon the project; and

L. The conditions listed are the minimum necessary to protect the public's health, safety and general welfare.

Reclamation Plan – Findings LUDC Section L-II.22 J.1 and L-II 3.22 J.2.a through J.2.h

1. Use Permits

A. The project with the certification of the EIR, implementation of Conditions of Approval and the approval of the Reclamation Plan complies with the provisions of SMARA and State regulations.

2. **Reclamation Plan**

A. The Plan and potential use of reclaimed land pursuant to the Plan are consistent with the General Plan and the provisions of Section L-II 3.22 J;

B. The Plan complies with SMARA Sections 2772 and 2773, applicable requirements of State regulations (CCR §3500-3505, and §3700-3713), and any other applicable provisions;

C. The Plan has been reviewed pursuant to CEQA and the County's environmental review guidelines, and all significant adverse impacts from reclamation of the surface mining operations are mitigated to the maximum extent feasible;

D. The Plan minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations;

E. The Plan restores the mined lands to a usable condition that is readily adaptable for alternative land uses;

F. The Plan restores the mined lands to a condition that creates no danger to public health or safety;

G. The land and/or resources such as water bodies to be reclaimed will be restored to a condition that is compatible with, and blends in with, the surrounding natural environment, topography, and other resources; and

H. The Plan will restore the mined lands to a usable condition that is readily adaptable for alternative land uses consistent with the General Plan.

Respectfully submitted,

ORIGINAL SIGNED

BRIAN FOSS
Planning Director

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COMMUNITY DEVELOPMENT AGENCY
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Sean Powers
Community Development Agency Director

Brian Foss
Planning Director

August 22, 2019

TO: **Planning Commission**

FROM: **Coleen Shade, Senior Planner**

HEARING DATE: **August 22, 2019**

SUBJECT: **Boca Quarry Expansion Project U11-008; RP11-001; EIR11-001: Additional Comment Letter From Cheryl Andreson**

ATTACHED: **Additional Public Comment Letter**

Dear Commissioners,

After the completion of the project staff report and distribution of said staff report, the attached letter (Part One, Response letter to Planning Commissioners August 2019) and attached materials (Part Two Attachments to Response letter to Planning Commissioners August 2019) were provided to the Planning Department via email by Ms Cheryl Andreson. She requested that these two emails be included in the public record for the Planning Commission's consideration during the Boca Quarry Expansion Project public hearing.

Comment Letter
The emailed letter from Ms Andreson was received August 21, 2019. The comments included in the letter have not identified any new potential impact that has not been previously addressed in the Recirculated Draft EIR, the Recirculated Final EIR or any of the other supporting documents that are part of the public record. County staff and the County's environmental consultant, Helix Environmental, is prepared to respond and provide context to the letter, if needed.

Planning Commissioners,

These are the topics we would like to discuss today.

The Hirschdale Community Supports the Reduced Alternative as it seems to look out mostly for the safety, health and welfare of not only our community but the overall Town of Truckee for all of the following reasons as pointed out in the Environmental Study

1) Reduce hours of operation so nighttime mining could be avoided
2) Reduce production of materials from 1 million to 250,000 tons
3) 2,520 tons a day which would reduce truck traffic to 280 one trips a day compared to 1,120 one trips a day decrease truck traffic on roadway system
4) Noise levels would be reduced reducing hours of operation and nighttime mining
5) **air quality impacts to less than significant**
6) All pollutants emissions would be below the NSAQMD Northern Sierra Air Quality Management District thresholds below significant impact
7) Unavoidable impacts Aesthetics, Transportation and Circulation, Air Quality, Visual Character, Conflicts with Bicyclists, will Exceed Threshold for NOX and PM10 established by Northern Sierra Air Quality Management District they will all be unavoidable impacts. Aesthetics, Transportation and Air Quality impacts are also identified as cumulatively considerably significant and unavoidable. Page 34 Staff Report

8) It is stated on page 100 of Staff Report Overall, this alternative would result in reduced impacts to the traffic and circulation in the area when compared to the proposed project. (RDEIR, pp 6-8 to 6-9)

9) It is stated the Reduced Daily Production Alternative would not fulfill the project objectives for Market Position because of regional demand, but in turn would diminish, air quality impacts, less traffic impacts, public service impacts, noise, fire protection, and traffic circulation. The alternative providers would use the freeway, which would be less of an impact, as they would not be exiting and circulating at this volume at our interchange. The product would be processed at a lesser volume reducing many impacts.

10) **RAILROAD DELAYS** Exits off freeway are both ingress egress two lane roadways
There has not been any mention of traffic being stopped because of a train going over the railroad tracks. This would back up traffic. This back up with large trucks could cause an issue on roadways. It seems the impacts studied were more for that of bicycle traffic rather than regular vehicle traffic. There are many whom enter this freeway to commute to work from Glenshire and Hirschdale to Reno and Truckee. Emergency response, school buses to pick up students in Glenshire. Emergency response, school bus services, the normal on my way to work commute traffic could be compromised. Section 4.5 for an analysis of project-related impacts on level of service which could affect emergency response and school bus times;

11) **HOURS OF OPERATION**
Hours of operation should be determined after a decision has been made as to the Findings of Fact and Statement of Overriding Considerations and if the Reduced Alternative is decided as this could change the hours of operations and not necessitate night-time

operations. The current permit has hours of operation from 7:00 a.m. to 6 p.m., Monday through Saturday

Proposed hours of operation to be 6:00 a.m. – 6:00 p.m. Monday thru Friday and 7:00 a.m. to 4:00 p.m. on Saturdays. This is also considering extended hours of Operating from 5:00 a.m. and ending as late as 9:00 p.m. and considering nighttime operations Load out could be 24 hours per day and up to seven days per week to service projects which is not specific to emergency

12) **EMERGENCIES**
The current permit as a Condition of Approval has 6c stating "Emergency use shall be defined as periods when weather related acts of nature require the aggregate material to protect property or public resources, and when such emergencies occur. Any such emergencies shall only be declared by a State, County, or local public agency, and the Office of Emergency Services.

We would like to see this same Mitigation Measure implemented in the new permit

13) **DUST CONTROL** The current conditional use permit requires a dust control measure of watering trucks before they leave the facility, the new conditional use permit only speaks of watering the roadway once a day for dust control. It is also stated they have one water truck and this water truck is to water the roads and is available for fire suppression. Mitigation Measure on permit U06-012 requires trucks to be sprayed with water for dust control. Watering twice daily for adequate dust control. Mitigation Measures 5C, 5D, 5E, 5F, 5H all are for dust control and should be implemented in this current permit. This permit expires 2027 will this permit stay in force until this time or does the current permit being approved then become the current permit that is enforceable?

During operation of the quarry, water would be used for dust suppression (no water would be needed for the on-site aggregate processing operation). Water used for dust suppression would be provided by the existing Dobbas Spring in the southern portion of the project site (see Figure 3-1 for the location of the spring). The spring is the water source for the currently permitted mining operation in the East Pit

14) **AIR QUALITY**- G-26 states: Please refer to Section 4.7 Air Quality. As outlined in Mitigation Measure AQ-1, the project Applicant shall work with the County and NSAQMD to identify an acceptable location to install an air quality monitoring station. Said station shall be used for the on-site monitoring program that will help establish and monitor the most affective Dust Control Measures and Particulate Matter Emissions Control Measures. The monitoring on-site will provide a maximum reading of emissions that will diminish moving away from source.

15) **HAUL ROUTE**
Mitigation Measure Trans-3
The authorized haul route for the operation of the quarry is along Stampede Meadows Road and West Hinton Road. The Applicant shall not alter the haul route without prior authorization from the Nevada County Board of Supervisors. It has been stated numerous times that the haul route for operations of this mine is that of Stampede Meadows Road

and West Hinton. Why does this state "shall not alter the haul route without prior authorization of the County Board of Supervisors"? This haul route should not at any time be altered.

Mitigation Measure Trans-2 states To assure the use of West Hinton Road is the main access to the quarry and the only haul route, the applicant shall maintain the Special Use Permit for the road use across the USFS land with the USFS for the duration of operation of the quarry. Documentation of the USFS permit shall be provided to the County prior to operation of the West Pit and then thereafter with the Development Agreement annual review. Seems Trans-3 could be illuminated and the signage portion could be added at the end of this mitigation.

TWO TRUCK PER HOUR LIMITATION
CURRENT PERMIT MITIGATION MEASURE 8a WHICH THE HIRSCHDALE COMMUNITY AND PLANNING COMMISSIONERS ESTABLISHED TO PROTECT THE HIRSCHDALE COMMUNITY FROM HEAVY TRUCK TRAFFIC FOR THE LIFETIME OF THIS PERMIT.

IT READS: IN THE EVENT THAT ALTERNATIVE ACCESS IS UNAVAILABLE (STAMPEDE MEADOWS/WEST HINTON) THEN THE USE OF HIRSCHDALE ROAD SHALL BE LIMITIED (AS THE SOLE ACCESS TO THIS SITE) TO TWO LOADED GRAVEL TRUCKS PER HOUR. THE HOURS OF OPERATION SHALL BE RESTRICTED TO 9:00 A.M. TO 5:00 P.M. ON WEEKDAYS ONLY. NO WEEKEND GRAVEL HAULING IS PERMITTED DURING PERIODS WHEN HIRSCHDALE ROAD IS THE ONLY ACESS TO THIS SITE.

We would like to see as a condition of this permit U11-008 for the lifetime of permit stating Hirschdale Road from the south will never be used as a haul route in the future.

Hinton Road accesses the project site from the south, and the route to I-80 is along Hirschdale Road through the Hirschdale Community. Use of this site entrance for quarry operations is not allowed under the current Use Permit (U06-012) and would not be allowed under the proposed project. Access from the south would be allowable for only emergency situations and occasional use by employees outside of the annual operational timeframe of May 1 through October 31. Use of the Hinton Road access by haul trucks would be prohibited. (From EIR)

Comment: Will this be a condition of this permit? Or a mitigation measure to this permit?

Upon completion of the new haul route, the prior haul route over the two bridges south of the project site and through the Hirschdale Community was no longer available for use by haul trucks pursuant to U06-012 Use Permit Condition of Approval A6b.

16) WILDFIRE We requested water tanks to be required at each phase of mining for fire suppression It is stated in the EIR they have one water truck which also is to keep the roadways at 12@% moisture according to permit. Photos of the Boca gravesite were provided in our response letter.

Comprehensive updates to the State CEQA Guidelines went into effect on December 28, 2018. The updates included reorganization and clarification the analysis of a number of

environmental issue areas. The structure of analysis of this EIR closely follows the Environmental Checklist in Appendix G of the State CEQA Guidelines. Updates to the checklist included: narrowing the scope of aesthetic impacts to focus on impacts at public viewpoints (as opposed to private), moving the analysis of impacts to paleontological resources from the cultural resources section to the geology section; creating a separate section for analysis of wildfire-related impacts.

17) **SECONDARY ESCAPE ROUTE** We have had multiple fires in our small little area of Hirschdale. Hirschdale is in a bowl. Fire is an extreme concern for many. We addressed this issue with the Board of Supervisors this last meeting for the Hirschdale bridges that we would like a secondary route to exit Hirschdale. We discussed the use of Hinton to Stampede Meadows road if necessary. I have provided pictures of the Boca fire near the grave site. Having an escape route established for both the mine and the Hirschdale community would be something to consider. It is stated on page 187 as draft Conditional Use Permit Part B Building Department #2 Emergency ingress and egress to be constructed? Where is this emergency ingress egress being constructed?

18) **NEW HAUL ROUTE:** The segment of Stampede Meadows Road in the off-site roadway improvement area includes portions under jurisdiction of the Town of Truckee, CPUC, the County and USFS. As previously mentioned, the UPRR corridor is under jurisdiction of the CPUC. In addition, the segment of road north of the UPRR corridor is located entirely within Tahoe National Forest (USFS lands) but has been granted to the County maintenance record pursuant to Board of Supervisors Resolution 74-24.

Does this mean this section of roadway will be part of the County maintained mileage system? Is this new segment implemented to be paved?

19) **MAXIMUM TRUCK TRIPS** Staff report page 53 states "The maximum annual mining rate of the proposed project is on million tons; thus, the project could result in a maximum of 55,556 truck trips removing aggregate in such a year, plus a maximum of 13,900 truck trips delivering clean backfill. The estimated maximum number of trips that can be processed per day is 560; or 15,120 trucks per month. With an additional 15 round trips per day for employees and one for maintenance truck for a total of 576 vehicle round trips (maximum) per day, equating to 15,552 per month maximum for all uses. (RDEIR, p 3-8.) This permit is for a 30-year time period. This obviously would diminish the life of the quarry as stated on page 54 of Staff report "Thus if annual production averaged in excess of 570,000 tons per year, the life of the quarry would decrease accordingly. (RDEIR, p. 3-8) This is on a May 1 until October 31, six days per week total of 158 operating days minis any holidays.

The daily number of haul truck trips is based on the rate at which trucks can be loaded, weighed, and charged. The estimated maximum number of truck loads that can be processed per day is 560 loads. As each truck load involves an empty truck entering the site and a full truck existing the site, the total number of one-way trips per day generated by aggregate exporting trucks would be 1,120 trips.

The amount of clean fill delivery correlates generally with aggregate demand, so years of lower aggregate production are also years of lower backfill acceptance.

The backfill trucks are estimated to haul at most one-quarter of the amount hauled by aggregate exporting trucks, or a total of 2,520 tons per day. With an average of 18 tons per truck, this would generate approximately 140 round trips, or 280 one-way trips.

The actual amount of truck traffic between the Hirschdale Road/I-80 interchange and the site where aggregate is delivered for use in construction or maintenance projects would be determined by regional aggregate demand. This regional aggregate demand and associated local truck traffic would not change regardless of whether aggregate is mined at the project site or at the nearest alternative sources in the Reno/Sparks area, but the truck lengths and vehicle miles traveled would differ.

20) **REGIONAL DEMAND**

It is clear this is a mine for the use of regional demand. (Regional Map was attached to our response) The regional map clearly shows the region that this mine would supply with the eastern side of Truckee dealing with this truck traffic volumes. Our little town of Truckee is being inundated with traffic from all directions as the Town of Truckee continues to grow. **Based on the applicant's experience at the Martis Valley Quarry, the maximum amount of backfill to be delivered to the Boca Quarry in any one year would be approximately 250,000 tons, or less in years with lower construction activity.**

(historically, the mine has averaged approximately 250,000 tons of material per year). Therefore, while the traffic volumes presented in the Recirculated Draft EIR may occasionally occur.

If needs in the past have not been over that of 250,000 tons why would you not consider the Reduced Alternative as this meets past demands.

21) **PROJECT OBJECTIVES (Page 94 Staff Report)**

Market Position. Maintain current company position and market share as a leading regional provider. Staff is recommending the Board rejects this alternative as infeasible because it does not meet Project Objectives, even though it clearly shows this Alternative is overall best when you consider health, welfare and safety.

We ask that you take all of this into consideration before recommending adoption of the Findings of Fact and Statement of Overriding Considerations. Theses impacts not only affect our community, but also the Town of Truckee.

This permit U11-008 would take place over U06-012 when this permit expires we ask that you take all issues into consideration and implement mitigation measures and conditions of this permit accordingly.

August 19, 2019

Nevada County Planning Commissioners
950 Maidu Avenue
Nevada City, CA 95959

RE: Recirculated Draft EIR Proposed Negative Declaration for New Conditional Use Permit (U10-118)
Expanding the Boca Quarry (U06-012)
Final Environmental Impact Report
By: Coleen Shade, Senior Planner

Dear Planning Commissioners,

We in the Hirschdale Community have shared many presentations of this Conditional Use Permit. We have gone from having 400 trucks through our neighborhood to an Alternative Route with Bridge Removal to now Bridge replacement and a new access road for the Teichert mine via Stampede Meadows Road/West Hinton Road.

The County Planning Commission will consider whether to recommend approval of the Final EIR, Amended Use Permit, 2011 Reclamation Plan, and the Development Agreement to the Board of Supervisors (Board) as complete and in compliance with CEQA and the State CEQA Guidelines.

The Planning Commission's recommendation to the Board and the Board's determination will consider written findings of fact for each significant environmental impact identified in the EIR, and a statement of overriding considerations for the unavoidable environmental impact of the project. Public input is allowed during the public hearings with the Planning Commission and the Board.

The findings of fact considers the following for each significant impact of the project: (1) determine if the proposed project has been changed to avoid or substantially lessen the magnitude of the impact; (2) find that changes to the proposed project are within another agency's jurisdiction, and such changes have been or should be adopted; and (3) find that specific economic, social, or other considerations make mitigation measures or proposed project alternatives infeasible. The findings of fact must be based on substantial evidence in the administrative record and the conclusions required by CEQA. The statement of overriding considerations provides a written explanation for why the Lead Agency determines that the benefits of the project outweigh the unavoidable environmental impact of the project.

If the Final EIR is approved, a Notice of Determination will be filed by the County with the County Clerk. The County will submit the four separate items to the Director of the State Department of Conservation (Division of Mine Reclamation) for their final review.

The Hirschdale Community responded to the Boca Quarry Expansion Project Recirculated Draft Environmental Impact Report by letter dated June 5, 2019 with several comments. These comments were addressed in the Final EIR document. Those comments and responses are attached for your review and additional further comment. It is up to you to decide if these comments and concerns were adequately addressed.

1

REDUCED ALTERNATIVE

We as you can see below feel the "Reduced alternative is the adequate alternative for this permit for numerous reasons addressed below. It is stated in the Staff Report "reducing the maximum annual production of the quarry would extend the life of the mine when compared with the proposed project because the aggregate reserve would be removed at a slower rate. Reducing the annual and daily production could also reduce the daily hours of operations and could avoid the need for nighttime operations.

(Page 99 of Staff Report) The daily production would be limited to approximately 2,520 tons per day 0.25 of the maximum daily production of 10,080 tons under the proposed project. Annual production Would be limited to 250,000 tons per year, approximately 0.25 of the maximum annual production of the proposed project. 2,520 tons per day would result in approximately 280 daily one-way truck trips compared to 1,120 one-way trips generated by the proposed project.

TRAFFIC AN CIRCULATION UNDER THE REDUCTED PLAN

It is stated on page 100 of Staff Report The reduction in truck traffic from limiting production would decrease truck traffic on the local roadway system. Overall, this alternative would result in reduced impacts to the traffic and circulation in the area when compared to the proposed project. (RDEIR, pp 6-8 to 6-9)

NOISE

It is stated on page 100 This alternative would result in reduced noise impacts compared to the proposed project. This would allow for shorter duration each day due to the potentially shorter shifts and lower likelihood of nighttime activities. The potential for nighttime loads out would be minimized under this alternative.

AIR QUALITY

Page 101 of Staff Report

All pollutant emissions for the Reduced Daily Production Alternative would be below the NSAQMD threshold and would be less than significant impact.

It is stated the Truckee River RV Park visitors will be temporarily exposed to DPM from passing haul trucks utilizing Stampede Meadows Road and the Interstate -80 interchange with the Hirschdale Road. Therefore, due to the short-term nature of recreational visits and the temporary exposure from passing Haul trucks, impacts to recreational reservoir users and Truckee River RV Park users are less than significant. At the same time, the full-time residents including young children and owners of the Truckee RV River Park will be exposed during the full months of operations to these pollutants.

STAFF REPORT

Staff report page 53 states "The maximum annual mining rate of the proposed project is on million tons; thus, the project could result in a maximum of 55,556 truck trips removing aggregate in such a year, plus a maximum of 13,900 truck trips delivering clean backfill. The estimated maximum number of trips that can be processed per day is 560; or 15,120 trucks per month. With an additional 15 round trips per day for employees and one for maintenance truck for a total of 576 vehicle round trips (maximum) per day, equating to 15,552 per month maximum for all uses. (RDEIR, p 3-8.) This permit is for a 30-year time period. This obviously would diminish the life of the quarry as stated on page 54 of Staff report "Thus if annual production averaged in excess of 570,000 tons per year, the life of the quarry would decrease

accordingly. (RDEIR, p. 3-8) This is on a May 1 until October 31, six days per week total of 158 operating days minis any holidays. This is also considering the hours of operation to be 6:00 a.m. – 6:00 p.m. Monday thru Friday and 7:00 a.m. to 4:00 p.m. on Saturdays. This is also considering extended hours of Operating from 5:00 a.m. and ending as late as 9:00 p.m. and considering nighttime operations Load out could be 24 hours per day and up to seven days per week to service projects which is not specific to emergency.

PROJECT OBJECTIVES (Page 94 Staff Report)

Market Position. Maintain current company position and market share as a leading regional provider. Staff is recommending the Board rejects this alternative as infeasible because it does not meet Project Objectives, even though it clearly shows this Alternative is overall best when you consider health, welfare and safety.

REGIONAL DEMAND

It is clear this is a mine for the use of regional demand. (Regional Map attached) The regional map clearly shows the region that this mine would supply with the eastern side of Truckee dealing with these truck traffic volumes. Our little town of Truckee is being indadated with traffic from all directions as the Town of Truckee continues to grow.

The exits off the freeway to this mine are two lane exits both directions to and from the mine with short lanes for traffic off these ramps. Another issue is train delays to consider with this volume of truck traffic going both directions.

DUST CONTROL

The current conditional use permit requires a dust control measure of watering trucks before they leave the facility, the new conditional use permit only speaks of watering the roadway once a day for dust control. It is also stated they have one water truck and this water truck is to water the roads and is available for fire suppression. Mitigation Measure on permit U06-012 requires trucks to be sprayed with water for dust control. Watering twice daily for adequate dust control. Mitigation Measures 5C, 5D, 5E, 5F, 5H all are for dust control and should be implemented in this current permit. This permit expires 2027 will this permit stay in force until this time or does the current permit being approved then become the current permit that is enforceable?

WILDFIRE CONCERNS

We have had multiple fires in our small little area of Hirschdale. Hirschdale is in a bowl. Fire is an extreme concern for many. We addressed this issue with the Board of Supervisors this last meeting for the Hirschdale bridges that we would like a secondary route to exit Hirschdale. We discussed the use of Hinton to Stampede Meadows road if necessary. I have provided pictures of the Boca fire near the grave site. Having an escape route established for both the mine and the Hirschdale community would be something to consider.

It is stated on page 187 as draft Conditional Use Permit Part B Building Department
#2 Emergency ingress and egress to be constructed? Where is this emergency ingress egress being constructed?

PUBLIC SERVICES

How can this amount of truck traffic not have an impact on Fire, Ambulance response with only two-lane roadways? How would this amount of traffic starting at 7:00 am not affect school buses entering Glenshire/Hirschdale?

WATER TANKS FOR WATER SUPPRESSION

We had asked if as a condition Teichert would be required to have water tanks as they move from phase to phase for fire suppression and that was mitigated as not necessary. We would like the Commissioners and the Board of Supervisors to take this into consideration. We are aware that Al Pombo at his Hobart Mills plant has a very large water tank for dust control and fire suppression. The permit states a water control of 12% for dust control. The Spring on the property is located to the further south side of the parcel. The West Pit is to the North.

UNAVOIDABLE IMPACTS

It is clearly stated in Final EIR and Staff Report that Aesthetics, Transportation and Circulation, Air Quality, Visual Character, Conflicts with Bicyclists, will Exceed Threshold for NOX and PM10 established by the Northern Sierra Air Quality Management District will all be unavoidable impacts. Aesthetics, Transportation and Air Quality impacts are also identified as cumulatively considerably significant and unavoidable. Page 34 Staff Report

HAUL ROUTE

Mitigation Measure Trans-3

The authorized haul route for the operation of the quarry is along Stampede Meadows Road and West Hinton Road. The Applicant shall not alter the haul route without prior authorization from the Nevada County Board of Supervisors. It has been stated numerous times that the haul route for operations of this mine is that of Stampede Meadows Road and West Hinton. Why does this state "shall not alter the haul route without prior authorization of the County Board of Supervisors"? This haul route should not at any time be altered.

Mitigation Measure Trans-2 states To assure the use of West Hinton Road is the main access to the quarry and the only haul route, the applicant shall maintain the Special Use Permit for the road use across the USFS land with the USFS for the duration of operation of the quarry. Documentation of the USFS permit shall be provided to the County prior to operation of the West Pit and then thereafter with the Development Agreement annual review. Seems Trans-3 could be illuminated and the signage portion could be added at the end of this mitigation.

TWO TRUCK PER HOUR LIMITATION

CURRENT PERMIT MITIGATION MEASURE 8a WHICH THE HIRSCHDALE COMMUNITY AND PLANNING COMMISSIONERS ESTABLISHED TO PROTECT THE HIRSCHDALE COMMUNITY FROM HEAVY TRUCK TRAFFIC FOR THE LIFETIME OF THIS PERMIT.

IT READS: IN THE EVENT THAT ALTERNATIVE ACCESS IS UNAVAILABLE (STAMPEDE MEADOWS/WEST HINTON) THEN THE USE OF HIRSCHDALE ROAD SHALL BE LIMITIED (AS THE SOLE ACCESS TO THIS SITE) TO TWO LOADED GRAVEL TRUCKS PER HOUR. THE HOURS OF OPERATION SHALL BE RESTRICTED TO 9:00 A.M. TO 5:00 P.M. ON WEEKDAYS ONLY. NO WEEKEND GRAVEL HAULING IS PERMITTED DURING PERIODS WHEN HIRSCHDALE ROAD IS THE ONLY ACESS TO THIS SITE.

WE WOULD LIKE TO HAVE THIS ADDED TO THE CURRENT PERMIT TO PROTECT THE COMMUNITY OF HIRSCHDALE FROM HAVING HEAVY TRUCK TRAFFIC

HOURS OF OPERATION

Hours of operation should be determined after a decision has been made as to the Findings of Fact and Statement of Overriding Considerations and if the Reduced Alternative is decided as this could change the hours of operations and not necessitate night-time operations. The current permit has hours of operation from 7:00 a.m. to 6 p.m., Monday through Saturday.

EMERGENCIES

The current permit as a Condition of Approval has 6c stating "Emergency use shall be defined as periods when weather related acts of nature require the aggregate material to protect property or public resources, and when such emergencies occur. Any such emergencies shall only be declared by a State, County, or local public agency, and the Office of Emergency Services.

We would like to see this same Mitigation Measure implemented in the new permit.

A22 The correct operating schedule is presented in Table 3-1 and is summarized here: Typical Operating Schedule: May 1 through October 31, Monday - Friday: 6:00 a.m. - 6:00 p.m., Saturday: 7:00 a.m. - 4:00 p.m. Blasting: Up to two times per week, Monday - Saturday: 7:00 a.m. - 4:00 p.m. Occasional Extended **Operating Schedule: 5 a.m. - 9 p.m. in response to customer demand and/or operational considerations. 24-hour load out may occur in response to demand by a government agency (typically road improvement projects or emergencies).** The incorrect time presented in Section 3.3.1 of the Recirculated Draft EIR is corrected from 9 a.m. to 7 a.m. The operational and blasting hours are to provide operational flexibility while prohibiting blasting during evening and nighttime hours. The noise impact analysis in the Recirculated Draft EIR notes that maximum noise levels due to blasting would be approximately 48 to 63 dB Lmax. The noise levels would be below the maximum daytime noise levels and because no blasting would occur during the evening and nighttime hours (evening hours are 7 p.m. to 10 p.m., and nighttime hours are 10 p.m. to 7 a.m.), no significant impact would occur. The commenter has noted that the blasting schedule should be included as mitigation to prevent noise impacts from blasting occurring outside of the authorized timeframes. Because no significant impact would occur, no mitigation is necessary.

We ask that you take all of this into consideration before recommending adoption of the Findings of Fact and Statement of Overriding Considerations. Theses impacts not only affect our community, but also the Town of Truckee.

Why would you allow a permit of such volumes, when it is clearly stated the Reduced Alternative would reduce multiple environmental impacts. Response comments are below to the concerns we addressed. We would hope that the Planning Commissioners along with the Board will take these comments into consideration when making this decision to permit such volumes of extraction in our area.

Comment from 2012 response:

Comment: A median alternative presented would seem reasonable. The alternatives presented are "No project alternative" and a "Reduced Annual Production Alternative" A median alternative would give other options available for consideration. If this permit is approved, it is based on one of the two of these options there is no median presentation for approval. The studies are specific to the maximum figures and nothing in between. Obviously if the volumes were lessened so would many of the issues of environmental impacts overall.
Studies at the level predicted, would give a clearer picture of actual environmental impacts.

Final EIR Response: A4- CEQA requires that an EIR describe a range of reasonable alternatives which would feasibly attain the objectives of the project but that would avoid or substantially lessen any of the significant effects of the project and which will foster informed decision making and public participation. The EIR does not need to consider every conceivable alternative to the project. **The Reduced Daily Production Alternative was analyzed because it would allow the maximum lifetime extraction from the mine while reducing significant and unavoidable air quality impacts to less than significant.** While a median alternative would incrementally reduce impacts associated with the Reduced Daily Production Alternative, the Reduced Daily Production Alternative has met the requirements of CEQA for an alternatives analysis.

The Hirschdale Community would like to see the Commissioners consider the "Reduced Daily Production Alternative". As stated, this alternative would allow maximum lifetime extraction from the mine while reducing significant and unavoidable air quality impacts to less than significant.

COMMENT: JUNE 2019. The Recirculated Draft EIR only gives two alternatives. The "No Project Alternative" and "Reduced Daily Production Alternative."
It is stated in the EIR that the Reduced Alternative would reduce many environmental impacts.
We once again support the Reduced Daily Production Alternative.

Concerns of Greenhouse Gas Emissions, Public Service such as ambulance, school buses, Fire Protection, Noise, Air Quality, Traffic and Circulation still remain a concern with the EIR proposed traffic volume for this mining operation. This is three times the volume of traffic compared to the current permit, which raises many concerns.

Final EIR Response A6- The effects of the increase in traffic volumes generated from operation of the mine and all associated impacts were evaluated in each of the noted issue areas. In accordance with CEQA, the worst-case scenario was analyzed which assumed maximum annual allowable production during operation of the mine (1 million tons of material, not to exceed 17 million tons over the life of the project). While this scenario may **occasionally occur** during operation of the mine, the most common scenario during operation of the mine is anticipated to be much lower (**historically, the mine has averaged approximately 250,000 tons of material per year). Therefore, while the traffic volumes presented in the Recirculated Draft EIR may occasionally occur, they are not likely to be the usual scenario.** Even assuming the worst case scenario of maximum traffic volumes associated with operation of the mine, impacts to greenhouse gas emissions and public services access and intersection delays (ambulance, fire protection, school bus access) would be less than significant (refer to Section 4.8 for an analysis of project-related greenhouse gases impacts; Section 4.5 for an analysis of project related impacts on level of service which could affect emergency response and school bus times; and Section

4.10 for an analysis of project-related impacts on emergency routes). The Recirculated Draft EIR was circulated to all departments in the County, including the Office of Emergency Services, with no comments received. Truck traffic noise at all existing noise-sensitive receptors (Receptors 11 - 14 are at currently undeveloped properties along the haul route) would be less than significant, and the truck traffic would result in less than significant impacts to level of service at the study intersections. The project's impacts on the noted areas have been evaluated in the Recirculated Draft EIR and no additional analysis is required under CEQA. Delays (ambulance, fire protection, school bus access) would be less than significant (refer to Section 4.8 for an analysis of project-related greenhouse gases impacts; Section 4.5 for an analysis of project-related impacts on level of service which could affect emergency response and school bus times; and Section 4.10 for an analysis of project-related impacts on emergency routes). The Recirculated Draft EIR was circulated to all departments in the County, including the Office of Emergency Services, with no comments received. Truck traffic noise at all existing noise-sensitive receptors (Receptors 11 - 14 are at currently undeveloped properties along the haul route) would be less than significant, and the truck traffic would result in less than significant impacts to level of service at the study intersections. The project's impacts on the noted areas have been evaluated in the Recirculated Draft EIR and no additional analysis is required under CEQA.

Response to this A6 response. If it is only on occasion that this larger supply of material would be necessary, why would you as County Commissioners agree to a 30-year permit of these volumes if historically these volumes are not typical.

If a median alternative would have been evaluated this may have given a better alternative. Public Services, (Wildfire), Fire Protection, Recreation were not included in this study and it was stated there were no significant impacts. No mitigation measures were proposed. This is another reason why the Reduced Daily Alternative is supported.

Final EIR Response A8 - See response to A-4 in regard to the median alternative. Because a median alternative would be reduced from the proposed project, the median alternative would also not result in significant impacts to Public Services, Fire Protection (Wildfire), and Recreation. **The commenter has expressed support for the Reduced Daily Alternative.**

Public Services are of concern with the volumes of truck traffic proposed. Fire Protection is of concern. We had the Martis Fire just over canyon from this mining operation. There are issues of Fire Suppression stated throughout this response.

Final EIR Response A9 -Public services potentially affected by the increase in truck traffic as a result of the project include emergency vehicles and school bus access and delays. Truck traffic from operation of the mine would result in less than significant impacts to level of service at the study intersections (see Section 4.5) and would not impact emergency routes (see Section 4.10). In addition, the project includes roadway improvements to improve driver sight distance at the intersection of Stampede Meadows Road with West Hinton Road, and to widen the segment of Stampede Meadows Road in the off-site roadway improvement area to achieve a 32-foot-wide paved roadway, where feasible, and to provide designated pull-outs. These improvements would be expected to benefit others using the roadway by allowing more space for emergency or other public vehicles using the roadway segment to navigate the roadway, as well as providing improved visibility for drivers approaching the Stampede Meadows Road with West Hinton Road intersection. The project would not result in a significant increase in demand on public

services nor would it result in the need for expanded public service facilities (see Section 9.5). Please also refer to response to comment A-6.

Response to A-9: The improvements proposed are for that of Stampede Meadows Road. Coming off the Hirschdale Exit and proceeding onto the exit toward Hirschdale/Truckee is where the issues are. The roadways off these off ramps are two lane roadways. There has not been any mention of traffic being stopped because of a train going over the railroad tracks. This would back up traffic. This back up with large trucks could cause an issue on roadways. It seems the impacts studied were more for that of bicycle traffic rather than regular vehicle traffic. There are many whom enter this freeway for commuting to work from Glenshire and Hirschdale to Reno and Truckee. Emergency response, school bus services, the normal on my way to work commute traffic could be compromised.

It is stated the Reduced Daily Production Alternative would not fulfill the project objectives for Market Position because of regional demand, but in turn would diminish, air quality impacts, less traffic impacts, public service impacts, noise, fire protection, traffic circulation, as the Hirschdale exit would not be impacted with this volume of truck traffic. The alternative providers would use the freeway, which would be less of an impact. They would not be exiting and circulating at this volume at our interchange. The product would be processed at a lesser volume reducing many impacts.

Final EIR Response A10 the commenter has provided a summary and interpretation of the findings of the impact analysis for the Reduced Daily Production Alternative and has stated "The alternative providers would use the freeway, which would be less of an impact." It should be noted that while the Reduced Daily Production Alternative would reduce the number of daily truck trips on the local roadway, as described in Section 6.4.2 of the Recirculated Draft EIR, the alternative would not avoid or lessen potentially significant traffic impacts regionally or cumulatively due to the increase in truck trips elsewhere, and an increase in vehicle miles traveled to transport the materials from other sources would also result in an increase in emissions of criteria pollutants in the region, as well as greenhouse gas emissions.

Comment: Public Services still remains as a concern with this volume of truck traffic anticipated. Emergency response, Ambulance and Fire Trucks in the event of emergency with this volume of traffic seems would compromise access into Hirschdale and out of Hirschdale as this exit will be used both directions for this volume of truck traffic. Even though the traffic study states it will remain at LOS it is questionable. The only way of knowing how this traffic will affect this community is by having this actual traffic to make this determination. This exit services Glenshire, Tahoe Forest Church, Dog Kennel, residents of Hirschdale, Proposed developments, recreational users of the Truckee River. This includes fisherman, rafters, people walking their dog along with those just enjoying the river.

Final EIR Response A12- See response to A-9. The cumulative condition traffic analysis considered the average annual growth rate for the region, which is added to the 2017 traffic volumes, and specifically added traffic volumes generated by the Canyon Springs Project, Tahoe Forest Church (discussion of Trip Generation in Section 4.5.5). Because the Boca Dam Reservoir Road was closed while the existing condition (2017) traffic volumes were being determined, the 2017 traffic volumes were increased to reflect traffic conditions with Boca Dam Reservoir Open (see page 4.5-2 of the Recirculated Draft EIR and page 6 of the Traffic Impact Analysis, Appendix J-1 of the Recirculated Draft EIR). The traffic impact analysis in the Recirculated Draft EIR considered a worst-case traffic scenario with the addition of the maximum number of trucks that could occur during peak operation of the mine. Even under this

scenario, the project would result in less than significant impacts to level of service at the study intersections. No additional analysis is needed to determine level of service with the project.

Recreation also seems like it should have been included in impact study as there are many issues with traffic and bicyclists addressed in this study. Bicyclists seem they would be considered under "Recreation" category.

Final EIR Response A13 The CEQA analysis of impacts on recreation focuses on an increase in demand on existing facilities or the need to construct additional recreational facilities that would result in an impact on the environment. As described in Section 9.6 the project would not result in an increase in use on existing facilities and does not include recreational facilities. The project's impact on recreation is an aggravation of an existing hazard to bicyclists (not facilities) due to the increase in truck traffic on Stampede Meadows Road. Because it is a traffic-related impact, the analysis of impacts is included in the traffic section of the EIR. The discussion of recreation in Section 9.6 does refer the reader to the discussion of project-related hazards on bicyclists in Section 4.5.5. The extent of potentially significant impacts associated with the project on bicyclists is appropriately analyzed and disclosed in the Recirculated Draft EIR, with mitigation identified. No revision is necessary.

Comment from 2012
The quarry has been idle since the 2008 operating year based on reduced aggregate demand due to the downturn in the economy.

This comment was from 2012 Community Response:
Comment: *As stated above, since the Quarry has been in idle status the Hirschdale Community, the Town of Truckee as a whole and adjacent unincorporated areas of the County of Nevada have not been subjected to the mining operations potential impacts. The proposed mining permit daily truck trips are significantly increased from that of the current operational permit. Is there a plan established to review the approved mining operations once? the proposed 30-year permit is approved. Concerns regarding cumulative environmental impacts could be addressed once the mining operations are at a normal level of operation with periodic reviews of these impacts. This would be a means of monitoring this permit of 30 years to ensure these cumulative impacts have been properly addressed throughout the lifetime of this permit*

2012 Answer on Recirculated EIR in regard to above comment:
G-2 County response to this comment
The baseline of the environmental analysis was determined using the permitted condition of the site, even though the mine is currently in an idle status under the terms of the Surface Mining and Reclamation Act (SMARA). The Recirculated Draft EIR identifies significant environmental impacts associated with the proposed project and specifies a series of measures designed to mitigate potentially adverse impacts to the environment, including cumulative impacts. In addition to the EIR itself the purpose of the Mitigation, Monitoring and Reporting Program (MMRP) is to describe the procedures the applicant will use to implement the mitigation measures adopted in connection with approval of the project, as well as the methods of monitoring and reporting on these actions. The Recirculated Draft EIR includes an analysis of the increased number of truck trips. As identified in Section 3.3.3, the maximum number of trips that could be processed in a day is based on the capacity of the facility and would not change regardless of whether the East

Pit or the West Pit are in operation. The impacts of the maximum number of trips is analyzed as a worst-case scenario for the project and is considered in the analysis contained in Section 4.5, Traffic and Circulation, Section 4.6, Noise, Section 4.7, Air Quality, Section 4.8, GHG, Section 4.9 Energy. In addition, Section 5.0 includes an analysis of cumulative impacts.

COMMENT: This states the baseline of environmental review was determined using the permitted condition of the site. Even though the mine is in idle status. This baseline goes back to 2008 the time this mine went into idle status.

Final EIR Response A14 Excerpt from Comments G-1 and G-2 and response to comment in Appendix A-2 of the Recirculated Draft EIR. This comment is in response to the response provided on the noted comments which states "The baseline of the environmental analysis was determine using the permitted condition of the site." The commenter has pointed out that the baseline goes back to 2008, the time the mine went into idle status. The baseline condition analyzed in the Recirculated Draft EIR is of the conditions of the site at the time the Recirculated Draft EIR was prepared which included the permitted East Pit, the existing facilities which may become operational at any time, and the disturbed habitat within the East Pit. This is consistent with the description of environmental setting in Section 15125 of the State CEQA Guidelines. The baseline condition that was evaluated was the worst-case scenario for each of the resources being evaluated. As described on page 4.5-4 of the Recirculated Draft EIR, and the Traffic Impact Analysis (Appendix J-1 of the Recirculated Draft EIR), the existing East Pit was not operating at the time the traffic counts were taken. However, the maximum number of trips that could be processed in a day is based on the capacity of the facility and would not change regardless of whether the East Pit or the West Pit is in operation. Therefore, the analysis looked at a worst-case scenario that included all trips generated by operation of the mine.

For the air quality analysis (Section 4.7 of the Recirculated Draft EIR), the emissions were compared against a zero baseline (i.e., emissions associated with the permitted East Pit operations were not subtracted from the project emissions). The analysis of aesthetics (Section 3.9 of the Recirculated Draft EIR) evaluates impacts associated with night lighting in the context of the currently permitted operations which include existing lighting on the site. Existing lighting is associated with the office building and scale, processing and ancillary equipment in the East Pit (see page 3-9 of the Recirculated Draft EIR). Therefore, while the mine has not been operational, the existing lighting may be used at any time should the mine become operational. Similar to the currently permitted nighttime operations, limited lighting may be required during occasional nighttime load-out operations, but the existing lighting would be used for this purpose. The proposed project does not propose new lighting; therefore, the impacts are less than significant. Page 4.4-11 has been revised to clarify that the existing lighting in the East Pit may be relocated to the West Pit for nighttime operations there. Even with this clarification, the findings would remain less than significant because the use of the existing lighting does not constitute as a new source of light or glare. Further, as noted on page 4.4-1, there is the potential for significant impacts to biological resources due to the potential for a change in conditions on the project site from when the East Pit was last in operation. The proposed mitigation (Mitigation Measure BIO-4) would also further reduce the less than significant impacts from light at the off-site sensitive viewers.

1.1.2 Boca Quarry Expansion

In June of 2006, the project applicant applied for an Amended Use Permit (U06-012) and Amended

Reclamation Plan (RP06-001), which proposed to bring the quarry into conformance with the existing Conditional Use Permit (U83-036) and Reclamation Plan, and to expand the quarry from a 15-acre extraction area to a 105-acre extraction area (plus the processing area). The proposal generated a number of concerns that were primarily in regard to the associated truck traffic because the proposed haul route to the south of the site, which relied upon old bridges on Hirschdale Road for access also passed through the Hirschdale Community. During this same time period, the project applicant was utilizing the rock from the Boca Quarry (rather than from their Martis Valley Quarry and Asphalt Plant) and the associated truck traffic significantly increased well beyond any historical use.

Due to the number of substantial issues raised by the Hirschdale Community in response to the proposal, the project applicant and members of the Hirschdale Community coordinated to identify a feasible alternative route and to address the concerns of the Community. Through further investigation, an alternate route to I-80 was identified which would bypass the Hirschdale Community by using West Hinton Road northwest of the site, and which would provide access to I-80 via Stampede Meadows Road.

The project applicant subsequently revised the project application based on to address the number of substantial issues raised by the June 2006 proposal. The revisions focused on bringing the operation back into conformance with the quarry's Use Permit and SMARA, as well as restricting the quarry limits to the basic footprint of the current pit (40 acres). The revised Use Permit application also included the revised access route which would bypass the Hirschdale Community. Use of the route required improving an existing logging road through a property northwest of the site that is also owned by a subsidiary of the applicant to connect to West Hinton Road. West Hinton Road passes to the quarry almost entirely through U.S. Forest Service Road (USFS) lands. On July 26, 2007, the Planning Commission approved the Amended Use Permit (U06-012) and associated Reclamation Plan (RP06-001; 2007 Reclamation Plan). The approved permit included mitigation requiring development of the revised access route to bypass the Hirschdale Community, and that if the identified route was found to be infeasible, another route to I-80 would be identified and a cap on the volume of truck trips would be required. Pursuant to the conditions of the permit, use of the route through the Hirschdale Community by the quarry was limited to employee use, limited off-season use, and emergency use. The applicant obtained a Road Use Permit from the USFS for the use of West Hinton Road through USFS lands, and the following spring (2008), work began on the West Hinton Road access route.

Upon completion of the new haul route, the prior haul route over the two bridges south of the project site and through the Hirschdale Community was no longer available for use by haul trucks pursuant to U06-012 Use Permit Condition of Approval A6b.

This condition was as follows:
After completion of the new haul road, the interim period shall cease. The hours of operation for the quarry extraction and truck hauling shad then be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday. During this period, the use of Hirschdale Road access shall be limited to employee use (personal and corporate vehicles), off-season property access, and emergency use. (Spring water collection trucks are encouraged to use the new access, but are not limited to that access)

COMMENT: This should still remain as a condition of this new permit.
Appendix C did not include a copy of the current use permit U06-012 and conditions in the exhibit. Many exhibits were not included in this EIR for review. This Appendix C was incomplete.

This is Conditional Use Permit is now provided on website. I have attached this to this response

A total of six comment letters were received during public circulation, and two verbal comments were received during the public hearing on the Draft EIR. The comments were in regard to evaluation of a timber harvest plan, water supply, air quality, noise, water supply, transportation and circulation, and the local mule deer herd were received. The commenting agencies, organizations, and individuals and the comments received are summarized and provided in Appendix A.

A Final EIR was prepared and submitted to the County for an internal review in February 2013, and the Final EIR was scheduled for approval by the Planning Commission. Late comments were received which included concerns in regard to potentially hazardous conditions for bicyclists using Stampede Meadows Road with the addition of quarry truck trips for the expanded mine and in regard to the Stampede Meadows Road crossing over the Union Pacific Railroad (UPRR) tracks. In addition, a number of comments were received by the Hirschdale Community in response to the revisions in the Final EIR (see Table A-1 in Appendix A). Due to the scope of comments received and newly identified potentially significant impacts, the Final EIR needed to be revised. The County and applicant elected to revise the previously circulated Draft EIR to address the newly identified potentially significant impacts. In addition, the project applicant was considering a Development Agreement with the County for the project.

This Recirculated Draft EIR is being recirculated in accordance with State CEQA Guidelines Section 15088.5. Amended Use Permit (U11-008) and 2011 Reclamation Plan (RP11-001) are the proposed project analyzed in this Recirculated Draft EIR. Refer to Figure 1-1 for a timeline summarizing the Boca Quarry expansion. The 2011 Reclamation Plan is included in Appendix B.

1.4 ENVIRONMENTAL REVIEW PROCESS

The preparation, review, and certification process for the EIR involves the following steps:

1.4.1 Notice of Preparation

In accordance with Section 15082 of the State CEQA Guidelines, the County posted a Notice of Preparation (NOP) of an EIR for the project on February 8, 2012. The County was identified as the Lead Agency, and the notice was distributed to the public, potentially interested local, state, and federal agencies including the responsible and trustee agencies, and the State Clearinghouse to solicit comments on the proposed project. Four comment letters were received by the County in response to the NOP. A scoping meeting was held on March 6, 2012 at the Truckee Town Hall in the Town of Truckee to inform the public about the project and collect written comments. As previously mentioned in Section 1.1.2, due to substantial comments received on the previously circulated 2012 Draft EIR, this Recirculated Draft EIR is being recirculated pursuant to State CEQA Guidelines Section 15088.5.

A copy of the NOP, list of NOP recipients, and the response letters are contained in Appendix A of this EIR.

1.4.2 Draft EIR

This document constitutes the Recirculated Draft EIR and it has been prepared consistent with Section 15084 of the State CEQA Guidelines. This EIR contains a description of the project and its environmental setting, potential impacts as a result of the project, prescribed measures to reduce or mitigate for impacts found to be significant, and an analysis of reasonable alternatives to the project.

This Recirculated Draft EIR has been prepared to address substantive comments received on the Draft EIR previously circulated for the project in September 2012. Refer to Table A-1 in Appendix A for a summary of the comments received. Once the Recirculated Draft EIR is complete, the County will file the Notice of Completion with the Governor's Office of Planning and Research to begin a 45-day public review period.

The 2011 Reclamation Plan analyzed in this EIR is included in Appendix B, and the proposed Development Agreement between the County and the applicant is included in Appendix C.

1.4.3 Public Notice/Public Review

The principal objectives of CEQA are that: (1) the environmental review process provides for public participation; and (2) the EIR serves as an informational document to inform members of the general public, responsible and trustee agencies, and the decision-makers of the physical impacts associated with a proposed project. This EIR is being circulated for public review, in accordance with Section 15087 of the State CEQA Guidelines. Prior commenters will need to submit new comments. The document will be subject to review and comment by the public and interested jurisdictions, agencies, and organizations for a period of 45 days.
Any substantive written comments received from the State Department of Conservation would be addressed by County staff in the report it presents to the Planning Commission.

1.4.4 Final EIR and Public Hearing Process

Following the public review period, the Final EIR will be prepared. The document will address public comments received via email, U.S. Postal Service or in-person oral comments provided at the public hearing during the 45-day circulation period. The Final EIR, Amended Use Permit, 2011 Reclamation Plan, and the Development Agreement will each be presented to the Planning Commission. Based on public comment and information in the project record, the Planning Commission will forward their recommendations on the four separate items to the Board of Supervisors for their final actions.

Next, the Board of Supervisors will schedule and hold a public hearing. At the close of the public hearing and based on the information in the record, the Board of Supervisors will vote on the final determination on the adequacy of the Final EIR and whether to approve the Conditional Use Permit, the Reclamation Plan and the Development Agreement.

Following County approval of the four separate items, the County will submit them to the State Department of Conservation for their final review.

Prior to certification of the EIR, the Lead Agency is required to prepare written findings of fact for each significant environmental impact identified in the EIR. For each significant impact, the Lead Agency must: (1) determine if the proposed project has been changed to avoid or substantially lessen the magnitude of the impact; (2) find that changes to the proposed project are within another agency's jurisdiction, and such changes have been or should be adopted; and (3) find that specific economic, social, or other considerations make mitigation measures or proposed project alternatives infeasible. The findings of fact must be based on substantial evidence in the administrative record and the conclusions required by CEQA.

If the Lead Agency elects to proceed with the proposed project and the project would result in significant impacts, a "statement of overriding considerations" must be prepared. A statement of

overriding considerations explains why the Lead Agency determines that the benefits of the project outweigh the unavoidable environmental impact of the project.

1.4.5 Mitigation Monitoring and Reporting Program

CEQA requires that when a public agency makes findings based on an EIR, then the public agency must adopt a reporting or monitoring plan for those measures which it has adopted or made a condition of the project approval in order to mitigate or avoid significant effects on the environment (Sections 21081.6 and 21081.7 of the State CEQA Guidelines). The reporting or monitoring plan must be designed to ensure compliance during project implementation. The Mitigation Monitoring and Reporting Program for this project is bound into the back of this EIR.

1.5 SCOPE AND ORGANIZATION OF THE EIR

Sections 15120 through 15132 of the State CEQA Guidelines present the required content for Draft and Final EIRs. A Draft EIR must include a brief summary of the proposed actions and its consequences, a description of the proposed project, a description of the environmental setting, an environmental impact analysis, mitigation measures proposed to minimize the significant effects, alternatives to the proposed project, significant irreversible environmental changes, limitations on the discussion of the impact, effects found not to be significant, organizations and persons consulted, and cumulative impacts.

In accordance with CEQA, this Recirculated Draft EIR: (1) identifies the potential significant effects of the proposed project on the environment and indicates the manner in which those significant effects can be mitigated or avoided; (2) identifies any unavoidable adverse impacts that cannot be mitigated; and (3) analyzes reasonable alternatives to the project. Although the EIR does not control the final decision on the project, the Lead Agency must consider the information in the EIR and respond to each significant effect identified in the EIR.

Comprehensive updates to the State CEQA Guidelines went into effect on December 28, 2018. The updates included reorganization and clarification the analysis of a number of environmental issue areas. The structure of analysis of this EIR closely follows the Environmental Checklist in Appendix G of the State CEQA Guidelines. Updates to the checklist included**: narrowing the scope of aesthetic impacts to focus on impacts at public viewpoints (as opposed to private),** moving the analysis of impacts to paleontological resources from the cultural resources section to the geology section; **creating a separate section for analysis of wildfire-related impacts;** combining airport safety and noise into one question and remove analysis of impacts to private airstrips; clarifying the scope of impacts to water and utilities; clarifying that land use conflicts must relate to a physical impact; and clarifying the scope of impacts related to population growth. Guideline revisions in the analysis of transportation impacts establish vehicle miles traveled as the appropriate measure of transportation impacts, rather than level of service. Lead agencies will be required to comply with guideline revisions in regard to VMT starting July 1, 2020, but may elect to start immediately. The County does not currently have any adopted guidelines in regard to VMT, but it is analyzed in Section 4.5, Traffic and Circulation.

The update to the State CEQA Guidelines were reviewed in preparation of this Recirculated Draft EIR. The organization of this EIR has not been updated to more closely match the organization of the revised Environmental Checklist in Appendix G of the Guidelines because while the organization differs slightly, the analyses contained in this EIR are consistent with State CEQA Guidelines and rigor. In addition, this

document has been in preparation for a number of years and maintaining the prior organization of the document provides those who have followed the project the ability to more easily compare the 2012 Draft EIR with the current Recirculated Draft EIR. The scope of this Recirculated Draft EIR is based, in part, on the 2012 NOPs prepared for the proposed project as well as the public comments received in response to the NOPs and comments received on the previously circulated 2012 Draft EIR. In addition, per the current State CEQA Guidelines, energy is analyzed in this EIR, and wildfire is addressed separately from the hazards and hazardous materials analysis. As the Lead Agency, the County identified potentially significant impacts associated with the following issues, which are analyzed in detail in this EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Resources (includes analysis of impacts to paleontological resources)
- Energy (not analyzed in the 2012 Draft EIR)
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Traffic and Circulation (includes an analysis of VMT)

It has been determined that the proposed project would not affect the following environmental factors: agriculture and forestry resources; land use/planning, mineral resources; population and housing; public services; recreation; utilities and service systems; and **wildfire**. These environmental factors are not discussed in detail in this EIR for the reasons presented in Section 9.0, Effects Found Not to be Significant.

2.0 PROJECT LOCATION AND SETTING

2.2 REGIONAL SETTING

The project site is located in the Sierra Nevada. The area is characterized by ranges of rugged hillsides and mountain peaks with valleys containing rivers, their tributaries, and reservoirs. Nearby peaks include Boca Hill, approximately 2.2 miles west of the project site, with an elevation of 6,669 feet above mean sea level (amsl). Higher peaks with more rugged topography occur further from the site. Parcels directly north and east of the project site are within Tahoe National Forest, managed by the USFS. A privately-owned parcel is located approximately 0.5 mile east of the project site, at elevations of approximately 6,200 to 6,760 feet amsl (McGinity property, APN 48-090-15). Parcels to the west and south is privately owned and public right-of-way for I-80 – the parcel directly west of the project site is owned by a subsidiary of the applicant, and the parcel directly south of the project site is owned by Sierra Pacific Power Company. Residential communities in the Town of Truckee are approximately 1 to 1.5 miles southwest of the project site, at elevations of approximately 5,970 feet amsl. See Figure 2-2 for the regional setting, including public lands and roadways.

The project site is located directly north of I-80, the Truckee River, and the UPRR tracks, and approximately 1.6 miles southeast of the Boca Reservoir at its confluence with the Truckee River. The reservoir is one of several in the area that provides irrigation water, flood control, wildlife habitat, and recreation opportunities including fishing, boating, and camping. I-80 provides the primary regional travel route to and from the project area.

The project site is accessed from the north via West Hinton Road. From I-80, the project site can be reached by traveling north on Stampede Meadow Road (County Road 89Aa1) to West Hinton Road, and traveling east on West Hinton Road to the project site.

County Road 894Aa1 (Stampede Meadows Road) is a paved, County-maintained road that generally follows north/south along the eastern side of Boca Reservoir. The segment of road north of the UPRR corridor is located entirely within Tahoe National Forest (USFS lands) but has been granted to the County maintenance record pursuant to Board of Supervisors Resolution 74-24. To the south, Stampede Meadows Road crosses the UPRR at an at-grade crossing, and over the Truckee River via a two-lane bridge with a pedestrian walkway. The segment of roadway crossing the UPRR corridor at the at-grade crossing is under jurisdiction of the California Public Utilities Commission (CPUC; letter received from UPRC dated January 3, 2013 included in Appendix A). An approximately 0.5-mile long segment of Stampede Meadows Road (from the UPRR corridor to the I-80 interchange) passes through the Town of Truckee. The roadway transitions to Hirschdale Road at the road's interchange with I-80, approximately 0.5 mile west of the project site and near the southern terminus of the off-site roadway improvement area. South of I-80, Hirschdale Road is a generally northwest/southeast County road that follows the western side of the Truckee River for approximately 1.2 miles, where it passes through the Community of Hirschdale before crossing the river and UPRR corridor. The road follows along the north side of the river and railroad for approximately 1.1 miles, where it terminates. The County plans to rehabilitate the existing bridges along Hirschdale Road over the Truckee River (Capital Improvement Project [CIP] No. 19-03) and Union Pacific Railroad (CIP #19-04), with both projects scheduled for construction beginning in spring of 2019 (Nevada County 2018a).

West Hinton Road is a generally east/west road that provides access to the site from the north. It intersects Stampede Meadows Road approximately 1.1 miles north of the I-80 interchange with Stampede Meadows Road/Hirschdale Road. West Hinton Road passes to the project site almost entirely through USFS lands. The project applicant has a Road Use Permit from the USFS for the use of West Hinton Road through USFS lands. The permit is renewed annually.

Hinton Road is a generally north/south road that accesses the project site from the south and is a paved County-maintained road that intersects Hirschdale Road approximately 0.5 mile south of the project site. **The Hinton Road access to the project site – which accesses from the south and intersects Hirschdale Road – would not be used as a haul route for the proposed project.**

The project site is located within the northern high Sierra Nevada floristic province subregion which is vegetationally complex and is characterized by forests of ponderosa pine, white fir, and giant sequoia in lower montane areas, forests of red fir, Jeffrey pine, and lodgepole pine at the higher elevations, and forests of mountain hemlock and whitebark pine at the subalpine areas, with treeless alpine areas at the highest elevations (Baldwin et al. 2012).

Potential for WILDFIRE

2.3 EXISTING PROJECT SITE CHARACTERISTICS

The project site is located in the west and southwest facing slopes of a hillside in the Truckee River Valley. Elevations range from approximately 5,700 feet amsl at the southern edge of the site to approximately 6,250 feet amsl at the northern most site boundary. West Hinton Road traverses the

project site from northwest to the southeast and intersects Hinton Road in the eastern portion of the site. The project applicant is currently authorized to mine, process and transport rock from the Boca Quarry to off-site markets. The currently permitted operations (East Pit) includes an excavated slope and quarry floor, an aggregate processing area, truck scale, and office surrounded by relatively steep topography. As previously described, the East Pit has been idle since 2008; however, because the East Pit is permitted and operations may resume at any time, the baseline conditions analyzed in this EIR assume the site is operational. Refer to Figure 2-3 for an aerial map of the project site. The map shows the location of the proposed West Pit in relation to the East Pit.

A spring (Dobbas Spring) and associated water catchment pond are located in the southern portion of the project site, outside the footprint of the proposed expansion (ultimate disturbed area). The spring features existing improvements that allow for economic use of the water and was formerly utilized by the property owner for a commercial water bottling operation, as well as for dust control in associated with the permitted mining operation in the East Pit. A cellular antenna is in the northern portion of the site, between the two pits. An existing caretaker residence with an associated domestic well is located in the southern portion of the site, west of Hinton Road. At the time of a site visit in October 2017, the home appeared to be occupied.

Comment: Water trucks are currently processing water from the spring via Hirschdale Road through Hirschdale.

The East Pit has been idle since 2008; however, the East Pit is currently permitted to operate pursuant to Use Permit (U06-012) and is subject to the conditions and mitigation measures contained in Use Permit (U06-012) which was approved on July 26, 2007, until its expiration on July 26, 2027. Pursuant to the Development Agreement, the aggregate material mined from the West Pit and sold by the applicant would be subject to the conditions and mitigation measures contained in the currently proposed Use Permit (U11-008). Upon expiration of Use Permit (U06-012), any remaining mining in the East Pit would
be subject to the conditions and mitigation provided in the currently proposed Use Permit (U11-008). Reclamation of the East Pit would be subject to Reclamation Plan (RP06-001) which was approved on July 26, 2007 and reclamation of the West Pit would be subject to the currently proposed 2011 Reclamation Plan (RP11-001).

COMMENT: This permit U11-008 would take place over U06-012 when this permit expires? A copy of permit U06-012 was not included in Appendix C. It seems as a reference a copy of this permit with Mitigation Measures/Conditions would be helpful.
Attached is a copy of U06-012 for reference.

This was not attached to our response but will be attached to this response and is available as an Appendix.

A20 Mining in the East Pit is subject to the current Use Permit (U06-12). Upon the expiration of Use Permit U06-12, the currently proposed Use Permit (U11-008) would apply to any reserves left in the East Pit after expiration of Use Permit U06-12. Any mining in the West Pit would be subject to Use Permit U11-008 regardless of whether Use Permit U0612 is still in effect. The Development Agreement contained in Appendix C of the Recirculated Draft EIR outlines the timing. The current Use Permit (U06-

12) has been posted on the project webpage: https://www. mynevadacounty.com/639/Boca-Quarry-Mine.

Operating Schedule and Workforce
Typical Operating Schedules
May 1 through October 31
Monday – Friday: 6:00 a.m. – 6:00 p.m.
Saturday: 7:00 a.m. – 4:00 p.m.
Blasting Up to two times per week
Monday – Saturday: 7:00 a.m. – 4:00 p.m.

COMMENT: Hours of operation vary from section to section They are not implemented as mitigation measure nor is the Hours for blasting. This should be included in the mitigation measurement section.

Response from 2012
Comment: It is stated above *the Applicant anticipates blasting no more than twice a week. Will there be limitations stipulated stating hours a day for this blasting activity along with how many days a week. Mine operation hours are from 6:00 am to 6:00 pm. Blasting would not seem feasible* at 6:00 am considering the surrounding recreational areas and neighboring communities.

G-14 response on EIR states blasting hours as 9:00 am to 4:00 pm no more than two times per week during allowable operating days Mon – Sat.
It is also stated the 24-hour operation would only be in the event of an emergency. This should be stipulated in hours of operation mitigation measure.

Emergency should be declared by State, County, or local public agency, and the Office of Emergency Services.

Condition A 8...
In the event that the alternative access is unavailable, then the use of Hirschdale Road shall be limited (as the sole access to this site) to two loaded gravel trucks per hour. The hours of hauling operation shall be restricted to 9:00 am to 5:00 pm on weekdays only. No weekend gravel hauling is permitted during periods when Hirschdale Road is the only access to this site.

This condition was in correlation with the 1983 permit and the Hirschdale Community wanted a cop limitation if the bridges were ever needed for use. It is clearly written in this proposal that Hirschale Road will not be used for trucking activity. Having a back up condition to this permit would assure There could never be unreasonable truck traffic through the Community of Hirschdale ever in the future.

Final EIR Response A22 The correct operating schedule is presented in Table 3-1 and is summarized here: Typical Operating Schedule: May 1 through October 31, Monday - Friday: 6:00 a.m. - 6:00 p.m., Saturday: 7:00 a.m. - 4:00 p.m. Blasting: Up to two times per week, Monday - Saturday: 7:00 a.m. - 4:00 p.m. Occasional Extended **Operating Schedule: 5 a.m. - 9 p.m. in response to customer demand and/or operational considerations. 24-hour load out may occur in response to demand by a government agency (typically road improvement projects or emergencies).** The incorrect time presented in Section 3.3.1 of the Recirculated Draft EIR is corrected from 9 a.m. to 7 a.m. The operational and blasting hours are to provide operational flexibility while prohibiting blasting during evening and nighttime hours. The

noise impact analysis in the Recirculated Draft EIR notes that maximum noise levels due to blasting would be approximately 48 to 63 dB Lmax. The noise levels would be below the maximum daytime noise levels and because no blasting would occur during the evening and nighttime hours (evening hours are 7 p.m. to 10 p.m., and nighttime hours are 10 p.m. to 7 a.m.), no significant impact would occur. The commenter has noted that the blasting schedule should be included as mitigation to prevent noise impacts from blasting occurring outside of the authorized timeframes. Because no significant impact would occur, no mitigation is necessary.

COMMENT: Slash and brush will be burned on topsoil piles. The map shows the Spring water at the furthers southern portion of the project area. How will water be brought to the mining operations area in the event fire suppression is necessary. Will water tanks be required on the site for fire suppression?

Final EIR Response A24 Refer to Section 4.10.4 which includes an analysis of risk of wildfire as a result of the project. The risk of fire associated with the pile burning would be reduced with implementation of HAZ-3 which requires proper management of combustible materials on the site. The pile burning is associated with the removal of vegetation on the site which would have a beneficial effect associated with fire hazards. As described in Section 3.3.5, if needed, water for fire suppression would be provided by Dobbas Spring and the catchment pond. Water trucks would be present on the site for dust suppression and could be used to control a fire on the project site. In addition, Boca Reservoir and Stampede Reservoir are in the area and could be used by fire fighters in the event of a wildfire. With the proposed mitigation, impacts associated with wildfire risk are reduced to less than significant and water tanks would not be required.

Comment: Fire Suppression again is a concern as to the water supply in the event of fire produced from Blasting. Again, having a water tank at processing plant seems would be a mitigation measure that should be considered.

Final EIR Response A26 as described in Section 4.10.4, other than the brief period of ground clearing, the majority of project operations would occur in the quarry pit where combustible fuel would not likely be present. Implementation of HAZ-3 would be implemented which requires proper management of combustible materials on the site. See response to A-24 in regard to the water supply for fire suppression.

Blasting hours should be implemented as a mitigation measure.

G-14 response on EIR states blasting hours as 9:00 am to 4:00 pm no more than two times per week during allowable operating days Mon – Sat.
It is also stated The Nevada County Sheriff's Department will be given 24-hour notice prior to each blast.

Final EIR Response **A27 Refer to response to comment A-22**
A22 The correct operating schedule is presented in Table 3-1 and is summarized here: Typical Operating Schedule: May 1 through October 31, Monday - Friday: 6:00 a.m. - 6:00 p.m., Saturday: 7:00 a.m. - 4:00 p.m. Blasting: Up to two times per week, Monday - Saturday: 7:00 a.m. - 4:00 p.m. Occasional Extended Operating Schedule: 5 a.m. - 9 p.m. in response to customer demand and/or operational considerations. 24-hour load out may occur in response to demand by a government agency (typically road

improvement projects or emergencies). The incorrect time presented in Section 3.3.1 of the Recirculated Draft EIR is corrected from 9 a.m. to 7 a.m. The operational and blasting hours are to provide operational flexibility while prohibiting blasting during evening and nighttime hours. The noise impact analysis in the Recirculated Draft EIR notes that maximum noise levels due to blasting would be approximately 48 to 63 dB Lmax. The noise levels would be below the maximum daytime noise levels and because no blasting would occur during the evening and nighttime hours (evening hours are 7 p.m. to 10 p.m., and nighttime hours are 10 p.m. to 7 a.m.), no significant impact would occur. The commenter has noted that the blasting schedule should be included as mitigation to prevent noise impacts from blasting occurring outside of the authorized timeframes. Because no significant impact would occur, no mitigation is necessary.

3.3.2 Project Reserves, Production and Operating Life

Total aggregate reserves for the quarry (East and West Pits combined) are estimated at over 17 million tons (about 13 million cubic yards, depending on the density of the material). As such, the annual average production volume would be 570,000 tons per year over the estimated 30-year life of the mining operation. **The annual volume to be mined would vary depending on market demand but could reach a maximum of 1 million tons per year in very active construction years.**

Site Access and Haul Route

Ingress and egress to/from the site is via a private haul road which intersects West Hinton Road northwest of the project site. The route proceeds from the quarry along West Hinton Road through USFS lands to Stampede Meadows Road, then south to the Hirschdale Road/I-80 interchange. The project applicant maintains an annual Road Use Permit with the USFS for use of West Hinton Road through USFS lands.

Hinton Road accesses the project site from the south, and the route to I-80 is along Hirschdale Road through the Hirschdale Community. Use of this site entrance for quarry operations is not allowed under the current Use Permit (U06-012) and would not be allowed under the proposed project. Access from the south would be allowable for only emergency situations and occasional use by employees outside of the annual operational timeframe of May 1 through October 31. Use of the Hinton Road access by haul trucks would be prohibited.

Comment: Will this be a condition of this permit? Or a mitigation measure to this permit?

This was not answered.

Final EIR Response A29 Excerpt from Recirculated Draft EIR in bold font and underlined by the commenter. Excerpt is relevant to the com **Materials Transport**

As described in Section 3.3.2, a maximum of 10,080 tons of aggregate material are proposed to be hauled out of the site on a peak day in a peak year. Commercial aggregate would be loaded onto haul trucks in the project operational area and would be sold by weight at the time of loading.

The project applicant does not own or operate the commercial haul trucks that carry aggregate from the mining site to construction sites where the material is used. Based on recent sales information and the size of the average load from the nearby Martis Valley Quarry — which is also in operation by the project applicant — the project applicant estimates the average load of the proposed project to be 18 tons. That is, roughly half of the trucks hauling aggregate from the site are single 12-ton dump trucks,

and half are trucks with other configurations (such as long-bed trucks or ones towing a trailer) with approximately double that capacity.

The daily number of haul truck trips is based on the rate at which trucks can be loaded, weighed, and charged. The estimated maximum number of truck loads that can be processed per day is 560 loads. As each truck load involves an empty truck entering the site and a full truck existing the site, the total number of one-way trips per day generated by aggregate exporting trucks would be 1,120 trips.

Based on the applicant's experience at the Martis Valley Quarry, the maximum amount of backfill to be delivered to the Boca Quarry in any one year would be approximately 250,000 tons, or less in years with lower construction activity. The amount of clean fill delivery correlates generally with aggregate demand, so years of lower aggregate production are also years of lower backfill acceptance. The backfill trucks are estimated to haul at most one-quarter of the amount hauled by aggregate exporting trucks, or a total of 2,520 tons per day. With an average of 18 tons per truck, this would generate approximately 140 round trips, or 280 one-way trips.

The actual amount of truck traffic between the Hirschdale Road/I-80 interchange and the site where aggregate is delivered for use in construction or maintenance projects would be determined by regional aggregate demand. This regional aggregate demand and associated local truck traffic would not change regardless of whether aggregate is mined at the project site or at the nearest alternative sources in the Reno/Sparks area, but the truck lengths and vehicle miles traveled would differ.

3.3.4 Support Facilities and Equipment

Buildings and Stationary Equipment

As described in Section 3.3.6, the applicant may relocate hazardous materials used for the mining operations that are currently stored at the Martis Valley Quarry to the project site. Should the hazardous materials storage be relocated to the project site, the location of the storage facility on the project site would be within the ultimate disturbed area, and the site location, transport, and storage would be handled in accordance with all applicable regulations.

Mobile Equipment and Machines

The types of mobile equipment and/or machines that would be used for the proposed expansion area are the same as those that may be used in the currently permitted East Pit. Equipment would include a dozer, self-loading scraper, front-end wheel loader, portable water pump, motor grader, conveyers, haul trucks, and a hydraulic excavator. A water truck would be used for maintenance of surfaces and dust control. The type of vehicles would vary somewhat, depending on availability, as well as the introduction of new models to suit changing on-site conditions and meet current emission standards. Short-term reclamation tasks may require the occasional use of specialized equipment which would be imported along the approved haul route (West Hinton Road and Stampede Meadows Road).

Exterior Lighting

Existing outdoor lighting is associated with the existing office building and scale, and processing and ancillary equipment in the East Pit. No new lighting would be installed as part of the proposed project. Limited lighting may be required during occasional nighttime operations of loadout material; however, the existing lighting associated with the existing facilities in the East Pit would be used.

Operating Schedule

The quarry would operate, on a single-shift basis from May 1 until October 31, six days per week (total of 158 operating days minus any holidays). Based upon market demand or emergency needs such as urgent response to flood events, the quarry may open earlier or continue operations later than the operating duration stated above but would not exceed 180 operating days per year. As noted in Table 3-1, mining, processing, sales, and truck transport from the site would generally take place between 6 a.m. and 6 p.m., Monday through Friday, and between 7 a.m. and 4 p.m. on Saturday. From time to time, customer demand and/or operational considerations may dictate periods of extended hours which could involve two shifts and result in operating hours starting at 5 a.m. and ending as late as 9 p.m. Certain public agency projects (such as Caltrans road improvement projects) may operate during nighttime hours to prevent traffic congestion associated with lane closures and heavy vehicle operations, in addition to road repairs made necessary by natural disasters (e.g., flooding) or other unforeseen events. These road improvement or repair projects accordingly require materials to be supplied at night. The only operation allowed after 9 p.m. and before 6 a.m. is material loadout. Loadout could occur 24 hours per day and up to seven days per week for limited periods to serve these projects. The duration of these expanded hours of operation would depend on the duration of the projects being supplied.

Final EIR Response A30 Pages 26-28 of the comment letter contain excerpts from the Recirculated Draft EIR with some text in bold font and/or underlined by the commenter. No response is necessary.

COMMENT: Loadout could occur 24 hours per day and up to seven days per week for limited periods to serve these projects. The duration of these expanded hours of operation would depend on the duration of the projects being supplied. How will this be monitored. This should not be an open-ended 24-hour operation. 24 hours should be emergency only not based on project demand.

Emergencies should be declared by State, County or Emergency agency.
Was this considered as part of this EIR 24 HOUR OPERATION WITH THE MIX OF RECREATIONAL USERS (campground)

Final EIR Response A31 24-hour operations occur when a public agency has requested materials (such as CalTrans for a roadway improvement projects - refer to the discussion of the Operating Schedule on page 3-10 of the Recirculated Draft EIR). The 24-hour operation was considered as the worst-case scenario (noise). The noise analysis assumed a worst-case scenario of 24hour operations at all of the adjacent sensitive receptors and evaluated sleep disturbance from heavy truck traffic in the night. The sensitive receptors included all adjacent noise sensitive land uses, including the campground (Receptor 1 on Figure 4.6-2 of the Recirculated Draft EIR). Noise levels at the existing sensitive receptors would be less than significant during 24-hour operations except at Receptor 7 which would exceed the nighttime noise thresholds in the unlikely event that all operational equipment is operating simultaneously. The truck traffic would not result in noise levels that would exceed County thresholds at any of the existing sensitive receptors, and the evaluation of sleep disturbance was negative at the existing receptors.

During operation of the quarry, water would be used for dust suppression (no water would be needed for the on-site aggregate processing operation). Water used for dust suppression would be provided by the existing Dobbas Spring in the southern portion of the project site (see Figure 3-1 for the location of the spring). The spring is the water source for the currently permitted mining operation in the East Pit and features existing improvements that allow for use of the water; therefore, no additional improvements to the spring would be required under the proposed project. Annual spring

flow is estimated to range from 47 to 335 acre-feet (annualized flow rate of 29 to 207 gpm), with an average value of 142 acre-feet (88 gpm). Operation of the proposed project would require an estimated consumption rate of 25 to 35 gallons per minute (gpm) or 39 to 56 acre-feet per year for the quarry operation. In most years, the flow rate of the spring would be adequate for dust control use.

Potable water for use by employees (e.g., drinking, first aid, emergency eye-wash station, hand washing) would be delivered by a water delivery service or brought to the site by employees. If needed, water for fire suppression would be provided by Dobbas Spring and the catchment pond.
A32 Excerpt from the Project Description of the Recirculated Draft EIR. No response is necessary.

COMMENT: The spring is located very south to the mining operation pits. Considering the fact this mining operation will cover 158 acres, it would seem a mitigation measure having a water tank present at mining pits would be reasonable for fire suppression. The spring seems would be sufficient for watering the roadway as trucks could be filled directly from the spring but having to have a hose to mining areas of the pit seems would not be feasible.

Final EIR Response A33 See response to comment A-24 in regard to the water supply for fire suppression. No revision is necessary.

With blasting and burning occurring along with mining operations it would seem sensible to have a source of water readily available. Is there a fire hydrant near the mining operations?

Final EIR Response A34 See responses to comments A-24 and A-26 in regard to the risk of wildfire from pile burning and blasting, and the water supply for fire suppression. No fire hydrant is on the site, however, there are on-site water sources. No revision is necessary.

3.3.6 Hazardous Materials Transport and Storage

Hazardous materials associated with operation of the quarry include blasting materials, and fuels and oils for vehicles and equipment maintenance and repair. No hazardous materials are currently stored at the project site – they are stored at the Martis Valley Quarry pursuant to a Hazardous Materials Business Plan (HMBP) and transported to the project site as-needed. Under the proposed project, the applicant may continue to transport hazardous materials stored at the Martis Valley Quarry to the project site as needed or the applicant may relocate hazardous materials storage to the project site. While hazardous materials are stored at the Martis Valley Quarry, blasting materials would be transported to the project site up to two times per week and a truck carrying fuels and oils for vehicle and equipment maintenance and repair would travel to the project site once per day.

Should hazardous materials be stored at the project site, they may be stored in above ground storage tanks or locked storage facilities in their appropriate containers. The blasting materials include ammonium nitrate and fuel oils which are stored in cylinders. Additional materials include propane, fuel, various oils, lubricants and greases, antifreeze, fire suppressants, and oxygen. The location of the hazardous materials storage would be based on the site conditions at the time the relocation occurs. A mining operation. HMBP would be prepared and implemented for the storage and transport of hazardous materials during mining operations.

Final EIR Response A36 Refer to Section 4.10.4 which includes an analysis of risk of wildfire as a result of the project, and transport and handling of hazardous materials. With implementation of the proposed

mitigation, impacts would be less than significant. See response to A-24 in regard to the water supply for fire suppression.

COMMENT: HAZARDOUS MATERIALS ARE ALSO A FIRE HAZARD. FUELS ALONG WITH BLASTING MATERIALS, ARE A CONCERN FOR CAUSE OF FIRE. AGAIN, WATER SUPPLY IS A CONCERN. HAVING WATER TANK FOR FIRE SUPPRESSION WOULD SEEM REASONABLE MITIGATION FOR FIRE SUPPRESSION.

Final EIR Response A36 Refer to Section 4.10.4 which includes an analysis of risk of wildfire as a result of the project, and transport and handling of hazardous materials. With implementation of the proposed mitigation, impacts would be less than significant. See response to A-24 in regard to the water supply for fire suppression.

3.3.10 Off-site Roadway Improvements

The project includes improvements along an approximately 1.3-mile long segment of Stampede Meadows Road to address concerns regarding bicyclist safety that were expressed by the public during the public review process for the previously circulated Draft EIR (September 2012), and to address existing sight-distance deficiencies at the intersection of Stampede Meadows Road with West Hinton Road. Bicycle safety and sight-distance deficiencies were evaluated in the Traffic Impact Analysis (TIA) prepared for the project (LSC 2017) and the associated off-site roadway improvements have been incorporated into the project design.

The proposed improvements would extend along Stampede Meadows Road from approximately 500 feet north of West Hinton Road to approximately 1.2 miles south of West Hinton Road. The improvements include: 1) pavement widening and shoulder improvements along the roadway segment; and 2) sight distance improvements at the Stampede Meadows Road and West Hinton Road to provide adequate driver sight distance at this intersection. The off-site roadway improvements would result in ground disturbing activities to approximately 13.2 acres within the approximately 22-acre off-site improvement area and would result in an additional approximately 1 acre of paved surface. Refer to Figure 3-5 and Figure 3-6 for the off-site roadway improvements.

Final EIR Response A37 Excerpt from the Project Description of the Recirculated Draft EIR. No response is necessary

The segment of Stampede Meadows Road in the off-site roadway improvement area includes portions under jurisdiction of the Town of Truckee, CPUC, the County and USFS. As previously mentioned, the UPRR corridor is under jurisdiction of the CPUC. In addition, the segment of road north of the UPRR corridor is located entirely within Tahoe National Forest (USFS lands) but has been granted to the County maintenance record pursuant to Board of Supervisors Resolution 74-24.

COMMENT: DOES THIS MEAN THIS SECTION OF ROADWAY WILL BE PART OF THE COUNTY MAINTAINED MILEAGE SYSTEM.

Final EIR Response A38 the segment of Stampede Meadows Road north of the Union Pacific Railroad which is located within Tahoe National Forest is part of the County maintenance record and is maintained by the County. Depending on the roadway segment, all segments Stampede Meadows Road along the haul route are maintained by either the Town of Truckee or the County and the tonnage fees as described in the Development Agreement will apply.

Pavement Widening and Shoulder Improvements

The proposed widening and shoulder improvements would be constructed along Stampede Meadows Road between the I-80 interchange and West Hinton Road (refer to Figure 3-5 for the conceptual roadway widening design). The design for the roadway widening is conceptual, with areas of potential widening identified based on existing constraints (e.g., guardrails, steep slopes, wetlands, or cultural resources). The improvements would include widening the existing 20- to 24-foot-wide pavement to achieve a 32-foot-wide paved area where feasible, and constructing new shoulders as needed and where feasible to provide 1-foot-wide unpaved shoulders along the entire length. Paved vehicle pull-out areas would be constructed at three locations along the roadway segment. "Share the Road" signs (specifically, sign type W11-1 with supplemental plaque W16-P) would be installed along Stampede Meadows Road between the I-80/Hirschdale Road interchange and West Hinton Road to alert motorists to the presence of cyclists along Stampede Meadows Road. Stampede Meadows Road crosses the existing UPRR corridor at-grade. The shoulder widening improvements would avoid the existing UPRR right-of-way; thereby avoiding impacts to areas under jurisdiction of the CPUC. The pavement widening activities would extend beyond the County easement and into the USFS lands; therefore, an encroachment permit from USFS would be required. Encroachment permits from the County and Town of Truckee would also be required.

Sight Distance Improvements

The sight distance improvements at the Stampede Meadows Road and West Hinton Road intersection include an approximately 14,100 square foot area directly north of West Hinton Road and east of Stampede Meadows Road and an approximately 15,100 square foot area directly south of West Hinton Road and east of Stampede Meadows Road (refer to Figure 3-6 for the conceptual intersection design). These areas would be cleared of vegetation and large trees and graded to remove site obstructions and to allow for an adequate sight distance at the intersection. In addition, the intersection would be designed to ensure that adequate entry radius is provided for right turns made from Stampede Meadows Road onto West Hinton Road, in accordance with County Standards.[1] The improved areas would be revegetated following construction. "Truck Crossing" warning signs would be installed in both directions along Stampede Meadows Road approximately 500 feet in advance of West Hinton Road. Specifically, the signs would include a picture of a truck on it (a "W11-10" vehicular traffic sign) with a supplemental warning plaque (a "W16-2aP" sign) indicating "500 FT" would be placed in each direction along Stampede Meadows Road. The proposed advance warning signs are included in Appendix G of the TIA (LSC 2017, Appendix J).

Construction Equipment

Construction of the off-site roadway improvements would involve heavy equipment for grubbing and clearing, grading and excavation, drainage and utilities installation and subgrading, and paving. Construction activities would also require two water trucks for grubbing and clearing, two water trucks for grading and excavation, one water truck for drainage/utilities/subgrading, and one water truck for paving per day. Refer to Table 4.9-4 for a comprehensive list of the construction equipment and the quantities.

1 The Traffic Impact Analysis prepared for the project (LSC 2017) includes an example of the minimum edge-of-traveled-way design is provided in Figure 9-26 of the American Association of State Highway and Transportation Officials' (AASHTO) A Policy on Geometric Design of Highways and Streets.

Construction Schedule and Workforce

Road improvement construction would likely occur Monday through Saturday from 7:00 a.m. to 3:30 p.m. and would only occur on Sundays in emergency. The construction crew would likely be based

out of Teichert Construction's Lincoln office. Most employees live in the Roseville and Rocklin area (approximately 90 miles from the project area) and although hotels may be provided for workers, it is assumed, as a worst-case scenario, that all employees would commute from the Roseville and Rocklin area. Approximately 22 construction workers and four managers/inspectors would be required on site each day for construction.

3.3.11 Trip Generation

Quarry Operation

Worst-case daily vehicle trips associated with operation of the proposed project would be **1,432 trips per day.** The trip generation is summarized below:

• Timber Harvest: During site preparation, approximately 750 commercially viable trees would be harvested and transported to a lumber mill located in Quincy (approximately 75 miles from the project site). Harvested trees would be transported via heavy duty diesel trucks and would generate a total of 188 one-way trips over the 30-year life of the project. Up to 20 one-way trips per day could occur during the timber harvest. If the timber harvest occurs during operation of the site, these trips would replace aggregate exporting truck trips and would not affect the overall worst case hourly and daily vehicle trips. Also, if the loads are spread out over a single operating season, the timber harvest would result in less than one load per day.

• Aggregate Exporting Trucks: The estimated maximum number of truck loads that can be processed per day is 560 loads. As each truck load involves an empty truck entering the site and a full truck exiting the site, the total number of one-way trips per day generated by aggregate exporting trucks would be 1,120 trips (560 round trips).

• Backfill Importing Trucks: Backfill trucks would generate approximately 280 one-way trips per day (140 round trips).

• Employees and Maintenance Trucks: The project would generate up to 30 one-way trips per day for employees (15 round trips) and two (one round trip) for a maintenance truck to transport fuels and oils for the trucks and equipment. An additional truck would transport blasting materials up to two times per week

Off-site Roadway Improvements

Worst case daily vehicle trips associated with construction of the off-site roadway improvement area would be 118 total trips daily. The trip generation is summarized below:

• Import/export trucks: A maximum of 34 import/export trucks would visit the site per day resulting in 68 one-way trips per day (34 round trips).

• Employees: A maximum of 22 construction workers per day, resulting in 38 one-way trips per day (19 round trips). An additional 12 one-way daily trips (six round trips) are assumed for managers/inspectors.

3.3.12 Overall Schedule

Operation of the East Pit may resume at any time (mining may occur under the existing permit for the East Pit). Construction of the proposed off-site roadway improvements may begin as early as 2020 and are expected to be complete within one month (approximately 22 working days). West Pit mining may commence as early as 2020, after completion of the off-site roadway improvements, and would continue for a duration of 30 years. Reclamation would be complete, including the removal of equipment, five years following completion of operations.

3.3.13 Development Agreement

As part of the proposed project, the applicant plans to enter into a Development Agreement with the County and the property owner which would establish a framework for: (1) how the current Use Permit (U06-012) and Reclamation Plan (U06-012) and the Amended Use Permit (U11-008) and 2011 Reclamation Plan (RP11-001) would apply to the mining and reclamation phasing of the project; and (2) costs and timing for the payment of a cost per ton fee to the County and Town of Truckee for roadway maintenance. The Development Agreement also includes a timeframe for which the County and Town of Truckee would be responsible for conducting roadway maintenance activities and the scope of those activities. The costs are based on two scenarios: (1) a standard maintenance schedule due to full quarry activities (152,250 to one million tons hauled per year); and (2) a maintenance schedule based on limited operation (less than 152,250 tons hauled per year). For Scenario 1 the County and Town of Truckee would be responsible for conducting biannual patching and maintenance work and a full overlay in year seven of operation. For Scenario 2 the County and Town of Truckee would be responsible for conducting chip seal and patch and crack seal during operational years 7 and 14 with a full overlay in year 21 of operation.

The Development Agreement would allow the project applicant to continue operations in the currently permitted East Pit, but would ensure the site reclamation, off-site roadway improvements, and owed fees associated with the proposed expansion are implemented at the appropriate time based on the phased operations. Costs associated with the off-site roadway improvements identified in Section 3.3.10, Off-site Roadway Improvements, are not covered by the maintenance fees identified in the Development Agreement.

As identified in the Development Agreement, mining of the East Pit is subject to Use Permit U06-012 which was approved by the County Planning Commission on July 26, 2007 and expires on July 26, 2027. Reclamation of the East Pit is subject to Reclamation Plan RP06-001, also approved on July 26, 2007. Upon the expiration of Use Permit U06-012, any remaining mining in the East Pit would be subject to the conditions and mitigation provided in U11-008. Reclamation of the East Pit would be subject to Reclamation Plan (RP06-001) and reclamation of the West Pit would be subject to the currently proposed 2011 Reclamation Plan (RP11-001). The term of the Development Agreement would commence upon the effective date, concurrent with the approval of the proposed 2011 Reclamation Plan (RP11-001) and would be in effect for 30 years thereafter, with the opportunity to renew concurrent with the permitted duration of the mining operations on the project site.

Final EIR Response A39 Pages 30-33 of the comment letter contain excerpts from the Recirculated Draft EIR with some text in bold font and/or underlined by the commenter. No response is necessary.

COMMENT: WITH THE U06-012 PERMIT EXPIRING IN 2027, THIS IS ONLY 8 YEARS AWAY. THEN PERMIT U11-008 WOULD BE THE PERMIT IN FORCE WITH SUBJECT CONDITIONS AND MITIATIONS. IT IS EXTREMELY IMPORTANT MITIGATIONS AND CONDITIONS ARE IMPLEMENTED AS THIS PERMIT WOULD

THEN SUPERCEDE THE CURRENT PERMIT. THE NEW PERMIT U11-008 WOULD BE PERMITTED FOR A 30 YEAR TIME PERIOD. MITIGATION MEASURES AND CONDITIONS TO THIS PERMIT WILL BE EXTREMELY IMPORTANT FOR FURTURE IMPACTS TO THE COMMUNITY OF NOT JUST HIRSCHDALE BUT THE TOWN OF TRUCKEE.

The commenter has noted the importance of implementing the conditions and mitigation measures as part of this permit.

COMMENT: Burn permit with air quality standards.
The comment is noted. No response is required.

Comment: Water trucks are currently loading at the spring through Hirschdale.
See response to comment A-18.

Comment: Hours of operation are not consistent throughout EIR Hours of operation should be listed as Mitigation Measure along with Blasting hours. We would like these changed to 7:00 am to 5:00 pm. Mon – Friday for considering commuting traffic.

Hours of operation for a Saturday mixed with recreational traffic does not seem reasonable. (75 trucks) We would like to see hours of operation changed to also include No blasting.

Refer to response to comment A-22 for the correct hours of operation. As described in the discussion of Significance Thresholds 1 and 2 in Section 4.5.5, the traffic analysis evaluates the impacts of project trips during peak traffic hours on weekdays and on Saturday. The impacts to level of service during those times would be less than significant, so no reduction in operational hours to mitigate for traffic impacts is required. Blasting is a required operational procedure which would only occur up to two times per week. Noise impacts from blasting during the daytime hours would be less than significant, therefore no mitigation is required (see response to comment A-22). The Saturday hours for blasting is to allow for operational flexibility, while still prohibiting blasting during the evening and nighttime hours. No revisions are necessary

COMMENT: Page 10 of Mitigation Monitoring and Reporting Program is stated differently. This should be written to remain unaltered for the duration of operation of the quarry and signs placed permanently to detour traffic from Hirschdale Road.

Final EIR Response A 48 The haul route would not be able to be modified without subsequent analysis to analyze the associated impacts, and without subsequent review and approval by the Nevada County Board of Supervisors. The haul route signs would be temporary in that they would only be required for the duration of operation of the mine. No revisions are necessary.
COMMENT JUNE 5, 2019:
This has always been a concern to the Hirschdale Community that truck traffic would come through our community if the mine was expanded and the bridges replaced. We now have been presented the Hirschdale Bridge Project, which includes replacement and improving these bridges. It is clearly stated these bridges will not be used for this mining operation in this EIR. The Community of Hirschdale appreciates the County officials realizing this was not conducive for our community having truck traffic of this volume through our community. It was a condition of the permit for an alternative route to be established by the Planning Commission. This route was established and is being presented as the only mining route for this project throughout the lifetime of this permit.

Upon completion of the new haul route, the prior haul route over the two bridges south of the project site and through the Hirschdale Community was no longer available for use by haul trucks pursuant to U06-012 Use Permit Condition of Approval A6b.

Our response to the NOP along with responses from 2012/2013 we asked for clarification that Hirschdale Road would not be used for mining operation. It is stated in this EIR that Hirschdale Road will not be used for mining operations.

The applicant shall not alter the haul route without prior authorization from the County.

The comment above in this Mitigation Measure Trans-3 makes it sound as though there could be an agreement of authorization from the County for alterations to the haul route.

One concern is the Appendix C was presented with many blanks and not complete so there is no assurance the County and Teichert would not include usage of Hirschdale Road in the Development Agreement with County. The Development Agreement attached to this EIR is not specific enough to clarify that in the future County would not agree to allow usage of Hirschdale Road and bridges for this mining operation. We ask that the Planning Commissioners specifically state Hirschdale Road cannot be used for mining operations throughout the use of this permit and clarify our community is not conducive for any future use of Hirschdale Road for mining activity and make sure
This is a condition of this permit for the lifetime of this permit.

We would like to see as a condition of this permit U11-008 for the lifetime of permit the following, which has been stated numerous times in this EIR. Implementing this as a Condition of this permit will insure Hirschdale Road will never be used as a haul route in the future. This EIR does not include studies of impact to Hirschdale.

The proposed expanded quarry operation would continue to use the existing haul route for the permitted quarry operations, which includes West Hinton Road from the quarry to Stampede Meadows Road, and Stampede Meadows Road south to I-80 and prohibits haul trucks from using Hirschdale Road through the Hirschdale Community to access the project site.

Final EIR Response A 50 See responses to comments A-16 and A-48. Site access through the Hirschdale Community is prohibited from use as a haul route under the existing permit and will be prohibited from use as a haul route under the proposed project. No revisions to the approved haul route may occur without subsequent environmental review (which includes opportunity for public review and comment) and County approval.

Haul route was mentioned as not interfering with traffic on a Saturday. When the traffic study was completed the access to Stampede Reservoir was not open from the direction of Stampede Meadows Road, as the Stampede Meadows dam was being repaired. Traffic was detoured on Highway 89 via Hobart Mills/Russell Valley route. The recreational traffic was not usual recreational traffic at the time of study. The hours of operation on a Saturday seem to conflict with recreational users. It is stated at times the Quarry can be open 24 hours on a Saturday.

Response letter I Hirschdale Community Page 3 Concern of 24-hour operations

Comment: H-5 – Section 3.0 Project Description lists that the only project operation allowed after 9: 00pm.and before 6:00 am will be material load out. Since this is included in Project Description it will be enforced by Nevada County as part of the project. Storing stockpiles in Cal Trans Right of way are not part of the proposed project. It was suggested rather than 24-hour operation that piles of needed materials for jobs be stored near job sites or Cal Trans storage areas. This is the response to this suggestion. It has been noticed when road improvement jobs are being done materials are stored near the construction area and at times even concrete mixers and equipment have been present. This is why this was being suggested to prepare and prevent 24-hour operations as much as possible. 24 hours operation should be emergency use only and should be a mitigation measure to this permit. This should be declared by State, County or Emergency agency.

Final EIR Response A51
See response to comment A-12 in regard to the recreational traffic which was accounted for in the Traffic Impact Analysis. 24-hour material load out will be occasional and only in response to demand by public agencies where the schedule necessitates 24-hour load out. Stockpiling in CalTrans right-of-way is not analyzed as part of the project because the impacts of stockpiling would need to be analyzed on a case-by-case basis and in consideration of the project footprint in which the stockpile is located. Quantities are based on engineered designs. Because the duration of the mine is for 30 years it is impossible to know what the project locations and quantities would be. Without a project-level of information, an analysis of impacts would be speculative and is not feasible as part of the proposed project. As the commenter has noted, the 24-hour operation is based on need by a public agency. No revisions are necessary.

COMMENT: Response letter of 2012 under Air Quality response to letter G

G-26 states: Please refer to Section 4.7 Air Quality. As outlined in Mitigation Measure AQ-1, the project Applicant shall work with the County and NSAQMD to identify an acceptable location to install an air quality monitoring station. Said station shall be used for the on-site monitoring program that will help establish and monitor the most affective Dust Control Measures and Particulate Matter Emissions Control Measures. The monitoring on-site will provide a maximum reading of emissions that will diminish moving away from source.

There is no mention of a monitoring program or system to be installed in AQ-1 above.
This does seem this would be a great tool for controlling Dust. This should be included as a Mitigation Measure.

Final EIR Response A 53 The response to comment G-26 in Appendix A-2 of the Recirculated Draft EIR is an error and is based on an outdated air quality analysis. As described in Section 4.7.5 of the Recirculated Draft EIR, the annual average operational emissions would remain below the Nevada County General Plan criterion of 25 tons per year for each criteria pollutant and therefore the air quality impacts associated with the annual operational emissions would be considered less than significant and the incorrectly referenced mitigation measure tied to Policy 14.5 of the Nevada County General Plan Air Quality Element would not apply. As also described in Section 4.7.5 of the Recirculated Draft EIR, while the average annual operational emissions would not exceed the NSAQMD annual thresholds, the daily emissions for NOx and PM10 could exceed daily thresholds. Thus, operational emissions of NOx and PM10 are identified in the Recirculated Draft EIR as a potentially significant impact on air quality.

30

Implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 included in the Recirculated Draft EIR and MMRP would be required, but the emissions would not be able to be reduced to below a level of significance and the impact would remain significant and unavoidable.

Evacuation Routes

The project site can be accessed from two roads, both of which are low traffic volume and are a short distance to I-80. Hinton Road exits the project area to the South, passes under I-80 and intersects with Hirschdale Road which meets Stampede Meadows Road at an on-ramp complex of I-80. West Hinton Road exits the project site to the north and intersects with Stampede Meadows Road which proceeds to the on-ramp complex of I-80. West Hinton Road is used as the haul route for product leaving the site and the roads are not part of an evacuation route for any population centers. The surrounding area is remote and undeveloped with the majority of the development in the area located south of I-80 (GoogleEarth© 2018).

COMMENT: IS THERE A MAP ILLUSTRATION OF THESE EVACTUATION ROUTES?
It is stated there are two roads. Hirschdale is designated as having Glenshire as an escape route.

Wildfire Hazard Severity Zones

California law requires CAL FIRE to identify areas based on the severity of fire hazard likely to occur in a particular area. Factors considered in the rating include fuel (flammable materials), slope and weather conditions. The zones are classified according to the severity of the fire based on the anticipated behavior and likelihood of threats to structures. The project site is located within a State Responsibility Area classified as a Very High Hazard Severity Zone (Nevada County 2018; CAL FIRE 2019).
The majority of the off-site roadway improvement area is located in a Federal Responsibility Area. The USFS has identified the Wildfire Hazard Potential for the off-site roadway improvement area as ranging **from Moderate to Very High (USFS 2019).**

The Nevada County Evacuation Plan has identified Interstate 80 and State Highways 20 and 49 as operational areas to support during an evacuation (Nevada County 2011b). There are no associated maps in the Evacuation Plan. The discussion in Section 4.10.1, page 4.10-2 and Section 4.10.4, page 4.10-11 have been revised to clarify the routes identified in the Nevada County Evacuation Plan.

COMMENT: WILDFIRE RISK IS STATED HERE. HAVING WATER TANKS ON SITE AGAIN WOULD HELP WITH FIRE SUPPRESSION AND SHOULD BE A MITIGATION MEASURE.

COMMENT: THE HIRSCHDALE COMMUNITY SUPPORTS THE REDUCED DAILY PRODUCTION FOR ALL OF THE UNDERLINED REASONS ABOVE. THIS OPTION REDUCES POTENTIALLY SIGNIFICANT IMPACTS TO NOISE, TRAFFIC AND AIR QUALITY, POLLUTANT EMMISSIONS. THIS OPTION SEEMS BEST TO SERVE THE COMMUNITY ALONG WITH THE TOWN OF TRUCKEE.
The commenter has expressed support for the Reduced Daily Alternative. No response is necessary.

While the Reduced Daily Production Alternative would be the environmentally superior project, it would not fulfill the project objectives for Market Position and Production and Timeframe described in Section 3.2 because it would not allow the project applicant to be a leading regional provider and produce up to 1 million tons of aggregate per year since the annual production would be limited to only 250,000 tons per year. As discussed above, if the demand increases for aggregate material in the

Tahoe/Truckee area beyond the 250,000 tons per year, the remaining supply would likely have to come from out-of-County locations at an increased transportation cost and with the potential to result in site specific air quality effects at those out-of-County locations, as well as an increase in GHG emissions and energy consumption when compared to the proposed project.

COMMENT: ALTHOUGH IT STATED ABOVE THIS ALTERNATIVE WOULD NOT ALLOW THE APPLICANT TO FULFILL MARKET POSITION AND PRODUCTION, TO BE A LEADING REGIONAL PROVIDER, OVERALL, THIS OPTION SEEMS BEST FOR THE HEALTH AND WELFARE AND SAFETY OF THE COMMUNITY AND TOWN OF TRUCKEE BY REDUCING ENVIRONMENTAL IMPACTS

Final EIR Response A62 the commenter has expressed support for the Reduced Daily Alternative. No response is necessary.

Comment from 2012 response:

Comment: *Permitting 60 trucks an hour to travel on our roadways would definitely impact safety to our surrounding areas for fire protection, police and schools. Large hauling trucks on each side of the roadway importing and exporting at the volumes proposed, could impact fire protection and emergency response. School buses serving the surrounding residential areas sharing the county roads and I-80 during the same hours of operation, 6:00 am to 6:00 pm., could also be impacted with the proposed volumes of traffic. Both east and west entrances to our community will be used for truck hauling off I-80. With the potential need of a school bus in the Hirschdale community and surrounding subdivisions, transports to High School, Middle School and Elementary school could be impacted, along with fire protection and police protection.*

COMMENT ON EIR G 13 to the above comment

Please refer to the Impact Analysis in Section 4.5, Traffic and Circulation of the recirculated Draft EIR. Day-today public services will not be affected and traffic flows on all roads will remain at a fully functioning Level of Service (LOS). The specific intersections analyzed in the EIR would operate at LOS B or better under existing-plus-project and cumulative-plus-reject conditions.

COMMENT: WITH THE PROPOSED VOLUME OF TRAFFIC EVEN THOUGH IT IS STATED ABOVE THERE IS CONCERN AS TO HOW THIS WOULD AFFECT AMBULANCE, AND FIRE PROTECTION ACCESS ON OUR ONE LANE ROADWAYS. BOTH STAMPEDE MEADOWS ROAD AND HIRSCHDALE ROAD HAVE TWO LANES. THIS VOLUME OF TRUCK TRAFFIC PROPOSED IS A TRUCK EVERY MINUTE IN AND OUT OF QUARRY. THIS IS OF CONCERN IN THE AREA OF PUBLIC SERVICE.

Final EIR Response A6 the effects of the increase in traffic volumes generated from operation of the mine and all associated impacts were evaluated in each of the noted issue areas. In accordance with CEQA, the worst-case scenario was analyzed which assumed maximum annual allowable production during operation of the mine (1 million tons of material, not to exceed 17 million tons over the life of the project). While this scenario may occasionally occur during operation of the mine, the most common scenario during operation of the mine is anticipated to be much lower (**historically, the mine has averaged approximately 250,000 tons of material per year). Therefore, while the traffic volumes presented in the Recirculated Draft EIR may occasionally occur, they are not likely to be the usual scenario.** Even assuming the worst case scenario of maximum traffic volumes associated with operation

of the mine, impacts to greenhouse gas emissions and public services access and intersection delays (ambulance, fire protection, school bus access) would be less than significant (refer to Section 4.8 for an analysis of project-related greenhouse gases impacts; Section 4.5 for an analysis of project related impacts on level of service which could affect emergency response and school bus times; and Section 4.10 for an analysis of project-related impacts on emergency routes). The Recirculated Draft EIR was circulated to all departments in the County, including the Office of Emergency Services, with no comments received. Truck traffic noise at all existing noise-sensitive receptors (Receptors 11 - 14 are at currently undeveloped properties along the haul route) would be less than significant, and the truck traffic would result in less than significant impacts to level of service at the study intersections. The project's impacts on the noted areas have been evaluated in the Recirculated Draft EIR and no additional analysis is required under CEQA. Delays (ambulance, fire protection, school bus access) would be less than significant (refer to Section 4.8 for an analysis of project-related greenhouse gases impacts; Section 4.5 for an analysis of project-related impacts on level of service which could affect emergency response and school bus times; and Section 4.10 for an analysis of project-related impacts on emergency routes). The Recirculated Draft EIR was circulated to all departments in the County, including the Office of Emergency Services, with no comments received. Truck traffic noise at all existing noise-sensitive receptors (Receptors 11 - 14 are at currently undeveloped properties along the haul route) would be less than significant, and the truck traffic would result in less than significant impacts to level of service at the study intersections. The project's impacts on the noted areas have been evaluated in the Recirculated Draft EIR and no additional analysis is required under CEQA.

COMMENT: WE LIVE IN A HIGH DANGER FIRE ZONE. INSURANCES ARE NOT BEING RENEWED DAILY AND INSURANCE IS GETTING HARD TO FIND BECAUSE OF THIS HIGH FIRE DANGER. TAKING ALL THE PRECAUSIONARY MEASURES ONLY MAKES SENSE
FOR NOT ONLY THIS PROPERTY BUT SURROUNDING PROPERTIES ALSO. REQUIRING AS A MITIGATION WATER TANKS ON PROPERTY BECAUSE THE MINE IS SO FAR SOUTH AND THIS IS AREA OF 158 PLUS 40 ACRES BEING PERMITTED THIS ONLY MAKES SENSE FOR OUR ENVIRONMENT.
See response to A-24 in regard to the water supply for fire suppression.

Final EIR Response A24 Refer to Section 4.10.4 which includes an analysis of risk of wildfire as a result of the project. The risk of fire associated with the pile burning would be reduced with implementation of HAZ-3 which requires proper management of combustible materials on the site. The pile burning is associated with the removal of vegetation on the site which would have a beneficial effect associated with fire hazards. As described in Section 3.3.5, if needed, water for fire suppression would be provided by Dobbas Spring and the catchment pond. Water trucks would be present on the site for dust suppression and could be used to control a fire on the project site. In addition, Boca Reservoir and Stampede Reservoir are in the area and could be used by fire fighters in the event of a wildfire. With the proposed mitigation, impacts associated with wildfire risk are reduced to less than significant and water tanks would not be required.

Final EIR Response A26 as described in Section 4.10.4, other than the brief period of ground clearing, the majority of project operations would occur in the quarry pit where combustible fuel would not likely be present. Implementation of HAZ-3 would be implemented which requires proper management of combustible materials on the site.

Operating Schedule and Workforce
Typical Operating Schedules
May 1 through October 31
Monday – Friday: 6:00 a.m. – 6:00 p.m.
Saturday: 7:00 a.m. – 4:00 p.m.
Blasting Up to two times per week
Monday – Saturday: 7:00 a.m. – 4:00 p.m.

COMMENT: Hours of operation vary from section to section. We would like hours of operation to be reconsidered. Many commute from Glenshire to Reno for work having this volume of truck traffic at this early hour does not seem considerate to others using the roadways. Most business don't open till 7:00 am close latest 6:00 pm. They are not implemented as mitigation measure nor are the hours for blasting. 9:00 – 4:00 This should be included in the mitigation measurement section.

Final EIR Response A 68- Refer to response to comment A-22 for the correct hours of operation. As described in the discussion of Significance Thresholds 1 and 2 in Section 4.5.5, the traffic analysis evaluates the impacts of project trips during peak traffic hours on weekdays and on Saturday. The impacts to level of service during those times would be less than significant, so no reduction in operational hours to mitigate for traffic impacts is required.

Thank you once again for the opportunity to be involved in this decision-making process. The Boca Quarry is in all our backyards here in Hirschdale. We appreciate your taking our concerns in mind when making and deciding on Mitigation Measures and Conditions of this permit.

A permit for 30 years is a long-time permit and taking all concerns into consideration makes for a more working neighborly relationship.

Respectfully,

The Hirschdale Community

Attached
Conditional Use Permit
Map showing location of Spring Water

Final EIR Response A 70-Closing statement and list of attachments. No response is necessary. The attachments provided include a list of signatures in agreement in response to the Mitigated Negative Declaration. It should be noted the environmental review document prepared for the project and which was the subject of public review is an Environmental Impact Report. The Conditional Use Permit was identified as an attached document but was not included in the submittal to the County so was not received as an attachment.

Teichert's attorney letter. Taylor and Wiley

B4- Page 2-2 of Recirculated Draft EIR has been revised to note the existing haul route restrictions of the current use permit (U02-012) for the Boca Quarry. This should also be included in the current proposed Conditional Use Permit.

The commenter agrees with the finding in the Recirculated Draft EIR that the Reduced Daily Production Alternative would not meet project objectives. It would not allow for the project applicant

NOI-4. Once the West Pit is operational, additional noise monitoring may be performed at Receptor 7 at the operator's expense. If this monitoring can confirm, to the satisfaction of the Nevada County Planning Department, that operational noise levels do not exceed the evening and nighttime noise standard of 48 dBA Leq at Receptor 7, then the County may extend the operating timeframe (including excavation and processing) to between 6 a.m. and 9 p.m. If m. the intervening topography and vegetation effectively reduce the operational noise limits to at or below the nighttime 40 dBA LEQ standard, then this mitigation measure shall replace Mitigation Measure NOI-1. If applicable, any operations that extend between 10 p.m. and 7 a.m.
shall be limited to truck loading and unloading only. Adherence to this mitigation measure will reduce the project's nighttime noise impacts to less than significant.

A spring (Dobbas Spring) and associated water catchment pond are located in the southern portion of the project site, outside the footprint of the proposed expansion (ultimate disturbed area). The spring features existing improvements that allow for economic use of the water and ~~was formerly utilized~~ may be used by the property owner for a commercial water bottling operation, as well as for dust control in associated with the permitted mining operation in the East Pit.

Blasting would occur only between the daytime hours of ~~9~~7 a.m. and 4 p.m. during the allowable operating days of Monday through Saturday and the operating period of May 1 through October 31. Explosives would be used according to the technical specifications of the manufacturer and records would be kept, as required by the federal Bureau of Alcohol, Tobacco and Firearms (ATF). Refer to Section 3.3.6, Hazardous Materials Transport and Storage, for a discussion of the transport and storage of the blasting materials.

As previously described, existing outdoor lighting is associated with the processing and ancillary facilities in the East Pit and no new lighting or facilities would be installed as part of the proposed project. The lighting from existing facilities in the East Pit would be used for the quarry operations under the proposed project and may be relocated to the West Pit for nighttime operations, as needed. In general, currently permitted and proposed operations take place between 6 a.m. and 6 p.m., Monday through Friday, and between 7 a.m. and 4 p.m. on Saturday so during operation of the quarry, on-site lighting associated with vehicle headlights accessing the site is relatively minimal. Currently permitted nighttime operations are limited to occasional night load-out of material (which would remain unchanged under the proposed project), during which time very limited lighting is required when the site is in operation.

While impacts to bicycle safety would remain potentially significant and unavoidable, implementation of the proposed off-site roadway improvements prior to commencement of activities in the West Pit as identified in Mitigation Measure TRANS-4 and in the Development Agreement would improve the conditions for bicyclists over existing conditions

The three production scenarios analyzed for mining operations include: Scenario 1 Peak Daily Production, analyzes peak production based on a typical workday (12 hours per day for approximately 180 working days) production of 4,100 tons per day, yielding approximately 738,000 tons per year. Scenario 1 would generate 571 trips per day and 11,410 [vehicle miles travelled] VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips, and the VMT would increase by 1,100 VMT to 12,510. This worse-case scenario was analyzed.

Scenario 2 Worst-Case Daily Production analyzes the worst-case daily production of 10,080 tons per day based on the maximum number of trucks able to be managed on-site. This scenario assumes equipment is operating continuously for 16 hours with load-out occurring up to 24-hours per day, six days a week, yielding a maximum 10,080 tons per day. The maximum annual production of 1,000,000 tons would yield approximately 93 working days under this scenario. Scenario 2 would generate 1,402 trips per day and 28,021 VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips, and the VMT would increase by 1,100 VMT to 29,121. This worse-case scenario was analyzed. Scenario 3 Average Daily Production assumes an average production of approximately 3,170 tons per day yielding 570,000 tons per year based on a normal 8 hours per day work shift for approximately 180 working days. Scenario 3 would generate 442 trips per day and 8,827 VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips and the VMT could increase by 1,100 VMT to 9,927. This worse-case scenario was analyzed.

As discussed in Section 4.7.1, above, criteria pollutants that would be generated by the proposed project are associated with some form of health risk. Existing models have limited sensitivity to small changes in criteria pollutant concentrations; attempting to correlate the small amount of project-generated criteria pollutants specific health effects or additional days of nonattainment would not yield meaningful results (Longmire 2019, SMAQMD 2019). Consequently, an analysis of impacts on human health associated with project-generated regional ROG, NOX, and PM emissions is not included in this assessment.

The following clarification is made to Section 4.10.1, Existing Conditions, under Evacuation Routes, page 4.10-2: Evacuation Routes the Nevada County Evacuation Plan has identified I-80 and SRs 20 and 49 as operational areas to support during an evacuation (Nevada County 2011b).
The project site can be accessed from two roads, both of which are low traffic volume and are a short distance to I-80. Hinton Road exits the project area to the South, passes under I-80 and intersects with Hirschdale Road which meets Stampede Meadows Road at an on-ramp complex of I-80. West Hinton Road exits the project site to the north and intersects with Stampede Meadows Road which proceeds to the on-ramp complex of I-80. West Hinton Road is used as the haul route for product leaving the site and the roads are not part of an evacuation route for any population centers. The surrounding area is remote and undeveloped with the majority of the development in the area located south of I-80 (GoogleEarth© 2018).

The following clarification is made to Section 4.10.4, Impact Analysis, under Significance Threshold 7 – Interfere with an Emergency Response/Evacuation Plan, page 4.10-11: Significance Threshold 7 – Interfere with an Emergency Response/Evacuation Plan The project would not interfere with the implementation of or physically interfere with an adopted emergency response or evacuation plan. In times of emergency or disaster response, the state highways would serve as primary routes, and designated county arterial roadways in the area would serve as secondary routes. The Nevada County Evacuation Plan has identified I-80 as an operational area to support during an evacuation; therefore, The project site is not in an evacuation area – neither Hinton Road or Stampede Meadows Road are evacuation routes identified in the Nevada County or City of Truckee Emergency Plans (Nevada County 2011a, b). Operations at the project site would be in accordance with the safety and evacuation plan prepared for the project and approved by the County.
The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or an emergency evacuation plan, and potential project impacts would be less than significant.

As stated previously we discussed secondary escape route with the Board of Supervisors last week and hope to have a secondary route established for Hirschdale. Photos of the Boca gravesite area are attached.

We thank you for the opportunity to share our concerns and we hope you take full consideration of the Reduced Alternative as your final decision for this project, which seems to overall the best decision while considering the health, safety and welfare of our Community and the Town of Truckee.

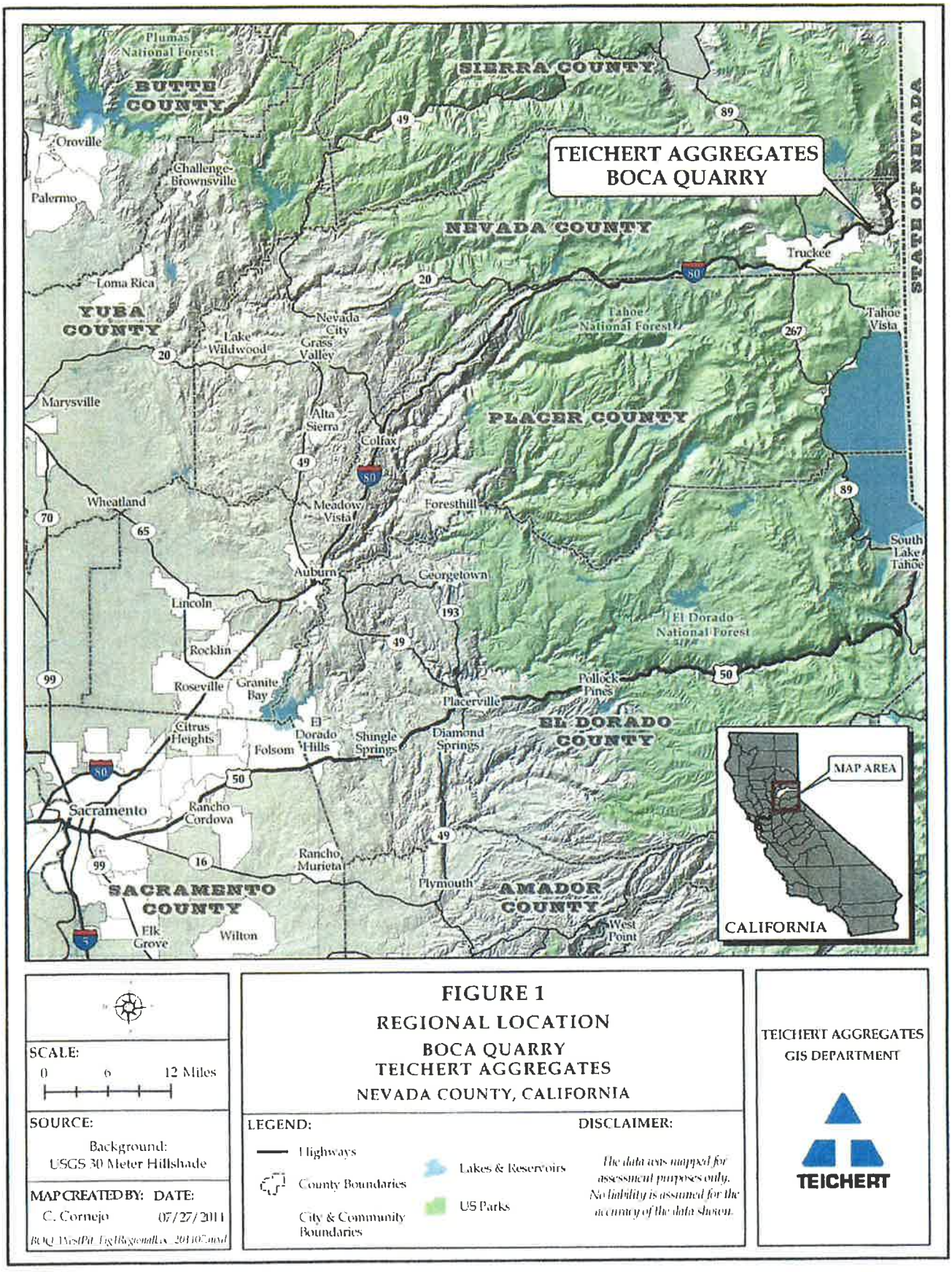
Respectfully,

The Hirschdale Community

Attachments:
Regional Map
Fire photos at the Glenshire stop sign from Boca gravesite fire presented to Board of Supervisors to consider a secondary escape route for Hirschdale
The current Conditional Use Permit as a comparison to the one being adopted
Pages from EIR

SIGNATURES OF THE HIRSCHDALE COMMUNITY IN AGREEMENT TO THIS RESPONSE TO THE MND

[illegible] [illegible]
Mary Rivara Steve & Christine Rauch
Anthony Rivara Maxine Rix
Suzanne R. Figlietti Randy Merger
Richard A. Figlietti Dave Tranquilla
[illegible] [illegible]
Frank Rivara [illegible]
Hirschdale Resident [illegible]
Donna Abare Fleig [illegible]
Gordon E Fleig Justin Andresen
[illegible] Larry Andresen 10867 Floriston Ave Hirschdale
[illegible]
Martha McBride
Erin McBride
Ted McBride
[illegible]
Adrian Castro
Greg Lamb
Lisa Lamb
Julie Cleghorn
Adam Cleghorn
[redacted]
[illegible]
Ronald Legg
Virginia Legg
Jennifer Thurman?
[illegible]



SCALE:
0 6 12 Miles

SOURCE:
Background:
USGS 30 Meter Hillshade

MAP CREATED BY: C. Cornejo DATE: 07/27/2011

BOQ_WestPit_FigRegionalLoc_20110727.mxd

FIGURE 1
REGIONAL LOCATION
BOCA QUARRY
TEICHERT AGGREGATES
NEVADA COUNTY, CALIFORNIA

LEGEND:
- Highways
- County Boundaries
- City & Community Boundaries
- Lakes & Reservoirs
- US Parks

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

TEICHERT AGGREGATES
GIS DEPARTMENT

TEICHERT

COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
950 MAIDU AVENUE NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9854 www.mynevadacounty.com/cda

Planning Department	Environmental Health	Building Department	Code Compliance	Housing Division	Agricultural Commissioner
Fax (530) 265-9851	Fax (530) 265-9853	Fax (530) 265-9854	Fax (530) 265-9851	Phone (530) 265-1388 Fax (530) 265-9845	255 S. Auburn Street Grass Valley, CA Phone (530) 273-2648 Fax (530) 273-1713

July 30, 2007

REVISED NOTICE OF CONDITIONAL APPROVAL
DEVELOPMENT/USE PERMIT APPLICATION

Teichert Aggregates
3500 American River Drive
Sacramento, CA 95864

File No. U06-012, RP06-001; EIS06-031
AP# 48-090-12 &48-200-03

You are hereby notified that the Nevada County Planning Commission, at their regular meeting held on July 26, 2007, after public hearing, did duly consider and approve your application filed on December 22, 2006. This Use Permit authorizes the expansion of the Hirschdale Cinder Quarry operation (now known as Boca Quarry) to expand the quarry size from approximately 15 acres to approximately 40 acres (including the processing area) with a total production yield of 2.75 million yards (approximately 4 million tons). The approval of this Use Permit U06-012 and Reclamation Plan RP06-001) supersedes the prior mining Use Permit (U83-036) located at 16774 & 16616 Hinton Road, Truckee, CA.

After said hearing, and upon the evidence submitted, the Planning Commission hereby notify you that your Use Permit is granted, subject to the following Mitigation Measures and Conditions:

MITIGATION MEASURES

1. **Land Use Impacts.** To offset the potential Land Use compatibility impacts, the following mitigation measure shall be required:

Mitigation Measure 1A. Within 30 days of approval, the property corners and line (south of the quarry pit) shall be clearly established in the field (staked and flagged). Any of the associated mining equipment (storage containers, scales, equipment) that encroaches into the USFS parcel (APN 48-090-13) shall be relocated and maintained on the subject parcel (APN 48-090-12) north of the USFS parcel and in compliance with the applicable Zoning setbacks (30 feet). Since there is no Use Permit for this adjacent parcel (APN 48-090-13) an easement for equipment storage will not resolve this land use issue. (Any existing legal access, if applicable, over APN 48-090-13 is excluded from this Mitigation Measure.)

3. **Geology and Soils Impacts.** To offset the potential for excessive soil erosion to result from the daily mining operations, the following mitigation shall be required:

Mitigation Measure 3A. Any topsoil salvaged for later reclamation use, or imported for reclamation use, that is stored on site shall be contained by use of a berm or ridge of compacted soil used to contain any runoff or divert any water from erosion of the stockpiles.

Mitigation Measure 3B. Mulching may be used to temporarily and permanently stabilize cleared or freshly seeded areas. Types of mulches include organic materials, straw, wood chips, bark and other

wood fibers, decomposed granite, and gravel. Mulch material used for erosion control on site shall be acceptable to the Lahontan Region of the California Regional Water Quality Control Board.

Mitigation Measure 3C. Mulching may be used to temporarily and permanently stabilize cleared or freshly seeded areas. Types of mulches include organic materials, straw, wood chips, bark and other wood fibers, decomposed granite, and gravel.

4. **Hydrology and Water Quality Impacts:** To offset the potential water quality impacts, the following mitigation measures shall be required:

Mitigation Measure 4A. All run-off water collected in the quarry pit (operating area) shall be captured and contained within an impound area (located against the base of the quarry wall). If necessary, suitable disposal areas may include other areas within the project site and may not be directly disposed onto any adjacent properties. The exhaust ends of any necessary culverts and/or drainpipes should be fitted with an energy dissipater such as rip-rap boulders or concrete baffles. It will be the responsibility of the operator that the drain systems be inspected and cleaned on a regular basis to ensure that they are functioning correctly.

Mitigation Measure 4B. If any off-site stormwater waste discharge results from the surface water management plan, then an NPDES General Permit for Discharges of Stormwater Associated with Industrial Activities shall be required.

Mitigation Measure 4C. During construction activity of the new haul road, there shall be no waste and/or waste water discharged into surface waters, drainage courses or wetlands. Grading plans shall note this requirement and shall be reviewed by the Regional Water Quality Control Board for compliance with waste discharge requirements or waivers, prior to grading permit approval.

5. **Air Quality Impact:** To minimize the potential air quality impacts associated with the new haul road construction, and the ongoing operation at this project site, the following mitigation is required:

Mitigation Measure 5A. During the construction of the new haul road joining the quarry pit with Stampede Meadows Road, the operator shall use alternatives to open burning of vegetative material on the project site unless deemed infeasible by the Air Pollution Control Officer. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel.

Mitigation Measure 5B. During the construction of the new haul road joining the quarry pit with Stampede Meadows Road, the operator shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of new road development and construction.

Mitigation Measure 5C. Fugitive dust emissions resulting from site clearing and road construction shall be minimized at all times, utilizing control measures including dust palliatives, regularly applied water, graveled or paved haul roads, etc. Control measures shall be noted on the grading plans.

Mitigation Measure 5D. When transporting any material during road construction, or during the sale of product at the quarry, measures shall be taken to prevent materials from spilling or blowing onto streets and highways. Earthen materials, if transported, shall be adequately sprayed with water prior to transport onto public roads. Vegetative material shall be tarped prior to transport.

Mitigation Measure 5E. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with adequate coverage to control fugitive dust.

Mitigation Measure 5F. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.

Mitigation Measure 5G. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds exceed 20 mph.

Mitigation Measure 5H. If a project is located in an area that has the geological potential to contain asbestos-containing material or asbestos parent minerals, as determined by a registered geologist, or the project has identified deposits of asbestos-containing material, serpentine, or asbestos parent-material, then no person shall engage in grading and construction operations unless a dust mitigation plan has been submitted and approved by the NSAQMD. Projects where grading activity lasts no more than four calendar days in total and disturbs less than 250 cubic yards of material may be exempted by the APCO, if conditions warrant. Dust mitigation plans must conform to District Rule 226 – Dust Control.

6. **Transportation and Circulation Impacts.** To offset the circulation impacts resulting from heavy truck use, the following mitigation measures are recommended:

Mitigation Measure 6A. The continued shipping from the quarry shall require the construction of the new access road, as proposed, to bypass the Hirschdale Road Bridges (17C-045 and 17C-046). The road shall be constructed in a timely manner, excepting for adverse weather conditions or extreme fire danger. This mitigation recognizes that a portion of the proposed haul road does require a special permit from the USFS for the temporary road over their property before connecting to Stampede Meadows Road. In the event the USFS denies the special permit, then an alternative access to Interstate 80 shall be required and a truck cap shall be required. If Hirschdale Road is used, then the truck cap established in Condition A.8 shall apply.

Mitigation Measure 6B. Upon completion of the new haul road, the operator shall post temporary signs at the east- and west-bound off-ramps of Interstate 80 and Hirschdale Road that direct the gravel trucks toward the new route over Stampede Meadows Road. These signs shall remain in place for a minimum of one year following the completion of the new road. The signs shall include the name of the operator and quarry, a direction arrow to follow, and the recommended CB channel to use along that route. Encroachment Permits for the signs shall be obtained from the Nevada County Department of Transportation.

Mitigation Measure 6C. Due to the potential significant impacts that this project could have on the public road system (Stampede Meadows Road), the road maintenance mitigation fee, currently in effect for the current operation (in the amount of $0.05 per ton), shall remain in effect for the amended operation. This fee will be used to supplement road maintenance on Stampede Meadows Road. In the event a future alternative access to Interstate 80 is obtained (e.g., a direct on-ramp via Hinton Road under-crossing) that eliminates the regular use of the County-maintained roads, then this measure shall no longer apply.

7. **Biological Impacts.** To offset the potential biological impacts associated with the mining revegetation, the following mitigation shall be required:

Mitigation Measure 7A. Reclamation planning objectives and specifications shall include revegetation with species known to be used as browse or herbaceous forage by migrating or summer-resident mule deer.

10. **Noise Impacts.** To offset the potential noise impacts resulting from truck traffic along Hirschdale Road, the following mitigation measures shall apply:

Mitigation Measure 10A. Deleted, see Planning Condition A.6.a.

Mitigation Measure 10B. Upon completion of the new haul road over to Stampede Meadows Road, the existing haul route via Hinton Road may remain available to employee use (personal or corporate vehicles), off-season property access, and emergency use. All large truck traffic (empty or full) shall use the new route whenever it is available for use. Recognizing the operator cannot control the independent trucks, the Hinton Road gate shall be closed precluding non-essential (employee) traffic from using this access and the independent trucks shall be required to drive around and re-enter the site via Stampede Meadows Road.

15. **Cultural Resource Impacts.** To offset potentially adverse cultural or historical resources impacts associated with the activities on site, the following mitigation measure shall be required:

Mitigation Measure 15A. All equipment operators and employees involved in any form of ground disturbance shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately and the Planning Department contacted. A professional archaeologist shall be consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment.

Mitigation Monitoring Matrix:

MEASURE	MONITORING AUTHORITY	WHEN IMPLEMENTED
1A	Planning Department	Within 30 days of approval.
3A, 3B, 3C	Planning Department	Annually with Reclamation Inspection.
4A, 4B	Planning / Lahontan (CRWQCB)	Annually / If applicable.
4C	Building Department	Approval of grading permit and during inspections of completed work.
5A	Planning Department	Approval of the grading permit.
5B, 5C	Building Department	Approval of grading permit and during inspections of completed work.
5D, 5E, 5F, 5G, 5H	Northern Sierra Air Quality Management District	Annually with Permit to Operate
6A	Planning Department	Within 6 months of approval.
6B	Planning Department	Upon Completion of the New Haul Road
6C	Department of Public Works	Ongoing.
7A	Planning Department	Annually with Revegetation Activities
10A	Planning Department	Within 6 Months of Project Approval
10B	Planning Department	Upon Completion of the New Haul Road
15A	Planning Department	Ongoing.

Use Permit Conditions of Approval

A. PLANNING DEPARTMENT:

1. This Use Permit authorizes the expansion of the former Hirschdale Cinder Quarry extraction pit, permitted by U83-036, and expands the pit size from approximately 15 acres to approximately 40 acres (including the processing area), with a total production yield of 2.75 million yards (approximately 4 million tons). The approval of Use Permit U06-012 (and Reclamation Plan RP06-001) supersedes the prior Use Permit U83-036. All mining activities shall be consistent with the approved December 2006 Mining Plan, as amended by the conditions herein.

2. This Use Permit shall remain valid for 20 years from the date of approval, including any periods of Idle Mine Status, as defined in PRC Section 2727.1.

3. The new access road grading and improvement plans shall be designed by a qualified professional engineer (e.g., geotechnical engineer).

4. Deleted during public hearing on 7-26-07.

5. Pursuant to Policy 17.7 of the Mineral Management Chapter, the Mining Use Permit shall return to the Nevada County Planning Commission for a compliance review. The review shall be every five years after the commencement of operation.

6. The hours of operation shall be limited to the following:

   a. During the interim period (prior to the completion of the new haul road) no gravel trucks shall use Hirschdale Road. Quarry extraction and processing hours shall remain from 7:00 a.m. to 6:00 p.m., Monday through Saturday.

   b. After completion of the new haul road, the interim period shall cease. The hours of operation for the quarry extraction and truck hauling shall then be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday. During this period, the use the Hirschdale Road access shall be limited to employee use (personal or corporate vehicles), off-season property access, and emergency use. (Spring water collection trucks are encouraged to use the new access, but are not limited to that access.)

   c. Emergency use shall be defined as periods when weather related acts of nature require the aggregate material to protect property or public resources, and when such emergencies occur while the new access road is not available for use by gravel trucks. Any such emergencies shall only be declared by a State, County, or local public agency, and the Office of Emergency Services is opened. During such periods, no truck cap or limitations on hours of operation shall apply.

7. The mine plan and conditions may not be changed without amending this permit except that minor adjustments to the project and conditions may be made if approved by the staff and if such changes do not result in a major departure from the approval either individually or cumulatively. The staff will report all such adjustments to the Planning Commission when applicable (or during the review hearing outlined in Condition A.5 above).

8. In the event that alternative access is unavailable, then the use of Hirschdale Road shall be limited (as the sole access to this site) to two loaded gravel trucks per hour. The hours of hauling

operation shall be restricted to 9:00 a.m. to 5:00 p.m. on weekdays only. No weekend gravel hauling is permitted during periods when Hirschdale Road is the only access to this site.

B. DEPARTMENT OF PUBLIC WORKS:

1. The approach of the new haul road onto Stampede Meadows Road shall be improved in conformance with Private Road Approach standards.

2. An Encroachment Permit, issued by the Nevada County Public Works Department, is required prior to any work within the Stampede Meadows right-of-way.

C. ENVIRONMENTAL HEALTH:

1. Upon approval of the Use Permit, make an application with this Department and pay permit fees for a sewage disposal permit. The system shall be installed and finalled by this Department within six (6) months of the approval of the Use Permit.

2. Upon approval of the Use Permit, provide the following for the proposed spring potable water supply:

   a) Provide a letter from the property owner indicating approval of the proposed use.
   b) Make application for a shared water supply permit and provide an easement agreement for review by this department. Record the approved easement agreement on the property title. A sample easement agreement document is available from this department.
   c) Install distribution system under permit from the Nevada County Building Department.
   d) Make application from this Department for a raw water certification.

Reclamation Plan Conditions of Approval

D. PLANNING DEPARTMENT:

1. The reclamation program approved for this quarry is defined in the June 2007 Reclamation Plan (RP06-001), and shall be consistent with the December 2006 Mining Plan (U06-012), as amended.

2. Prior to commencement of the operation, a financial assurance shall be posted with the County pursuant to Section 2773.1 of the Surface Mining and Reclamation Act of 1975 (SMARA). The amount of the financial assurance shall be 100% of the reclamation cost estimate plus 25% for contingency, pursuant to Section 2773.1 (a) (1), to reclaim the maximum area that is possible to be disturbed. The estimate shall include the cost of all drainage improvements and erosion control. The estimate shall be reviewed by the Nevada County Resource Conservation District (erosion control and revegetation), Nevada County Department of Transportation (equipment costs, operating time rates and volume of material to be moved), and approved by the Planning Department (proper form, SMARA compliance).

   NOTE: Section 2773.1(1)(3) states that the bond amount shall be adjusted annually to account for new lands disturbed, inflation, and reclamation of lands accomplished in accordance with the approved plan.

3. An annual monitoring program report shall be submitted to the Planning Department no later than December 1, of each year. Said report shall include:

   a. The amount of material mined in that year from both the terrace and the river (if applicable).b. A summary of any reclamation and revegetation, which occurred in that year.

   c. A discussion of the success of the previous years' revegetation (when applicable).
   d. A discussion of the adequacy of the existing engineer's bond estimate (see NOTE above).
   e. Any other information deemed to be pertinent or that is required by the County.

   NOTE: In the event that Planning Department is unable to perform the inspections, the operator shall hire a qualified person (as defined in Section 2774 (b)) to perform the inspections and make the required recommendations.

4. All inspections of reclamation activities by Planning Department, or its assignee shall be funded by the applicant or his successor. All staff time, including inspections will be billed at actual costs in conformance with the adopted fee schedule approved by the Board of Supervisors and in effect at that time.

5. Pursuant to Policy 17.7 of the Mineral Management Chapter, the Reclamation Plan shall return to the Nevada County Planning Commission for a compliance review. The review shall be every five years after the commencement of operation.

6. If the operator plans to maintain an "Idle" mining status, pursuant to the definition in Section 2727.1 of SMARA, the Interim Management Plan (Section 7.0 of the approved Reclamation Plan) shall become applicable to this operation. The Interim Management Plan shall comply with the provisions in Public Resources Code Section 2770(h).

7. All conditions of the Reclamation Plan, approved by Nevada County, shall be incorporated into the approved Reclamation Plan (the conditions shall be placed in the Appendix.). The applicant shall furnish the County and the State Department of Conservation with a complete final copy of the approved Reclamation Plan within sixty (60) days of approval.

8. Upon completion of the mining activities on site, the new haul road (connecting to Stampede Meadows Road) shall either be fully reclaimed or, if permitted by the USFS, shall be restored to a self-maintaining manner (hydrologically invisible) and kept available for emergency access. The reclamation standards for the new haul road, in either instance, shall be pursuant Public Resources Code Section 2772(c)(5). The grading plans for the new haul road shall also be included in the approved Reclamation Plan as an appendix.

Pursuant to the requirements of the Land Use and Development Code, you are hereby notified that this permit is not valid until the expiration of ten (10) days from the date of the Planning Commission action ***(Effective Date: August 07, 2007).*** If the granting of the permit is appealed or submitted to the Board of Supervisors for final action, the effective date is stayed until final action by said Board. Any appeal must be submitted on the proper form which is available from the Clerk to the Board of Supervisors, Eric Rood Administrative Center, Nevada City, California 95959 (Deadline for appeal: Monday, August 06, 2007, at 5:00 p.m.).

Construction pursuant to this permit approval must be completed and the use commenced thereon within ***three (3) years)*** from the effective date of the approval of the permit, which would be **August 07, 2010**, unless an extension of time for reasonable cause is requested prior to the expiration date, and granted by

the Planning Commission pursuant to Section 5.10 of the Nevada County Land Use and Development Code. If no extension is granted, the permit shall become null and void, as to the portion of the approved use not completed.

The Planning Commission considered the initial study and found that the project, with conditions imposed, will not have a significant effect on the environment and has directed staff to file a Notice of Determination for a Negative Declaration with the County.

NEVADA COUNTY PLANNING COMMISSION
Randy Wilson, Ex-Officio Secretary

By: _____
Janet Hayes, Clerk to the Planning Commission

RW:jh

cc: Department of Transportation & Sanitation
Environmental Health Department
Pamela Dobbas
Jim Wiley-Taylor & Wiley

PROOF OF SERVICE BY MAIL

(Code of Civil Procedure Sections 1013a and 2015.5)

I am a resident of the United States and of the State of California, County of Nevada; I am over the age of eighteen years and not a party to the within action; my business address is:

ERIC ROOD ADMINISTRATIVE CENTER
950 Maidu Avenue Nevada City, California 95959-8617

I am readily familiar with the Nevada County Planning Department's business practice for the collection and processing of correspondence for mailing with the United States Postal Service. The within documents will be deposited with the United States Mail on July 31, 2007, in the ordinary course of business.

The name(s) and address(s) of the person(s) served as shown on the envelope(s) are as follows:

Teichert Aggregates, 3500 American River Drive, Sacramento, CA 95862
Pamela Dobbas, 2945 Bell PMB258, Auburn, CA 95603
Jim Wiley, Taylor & Wiley, 2870 Gateway Oaks Drive #200, Sacramento, CA 95833

The foregoing person(s) were served with approval letter for Use Permit, File # U0-012 & EIS006-031, by placing same for collection and mailing on July 31, 2007, at Nevada City, California, following ordinary business practices.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 31, 2007, at Nevada City, California.

_____
Signature

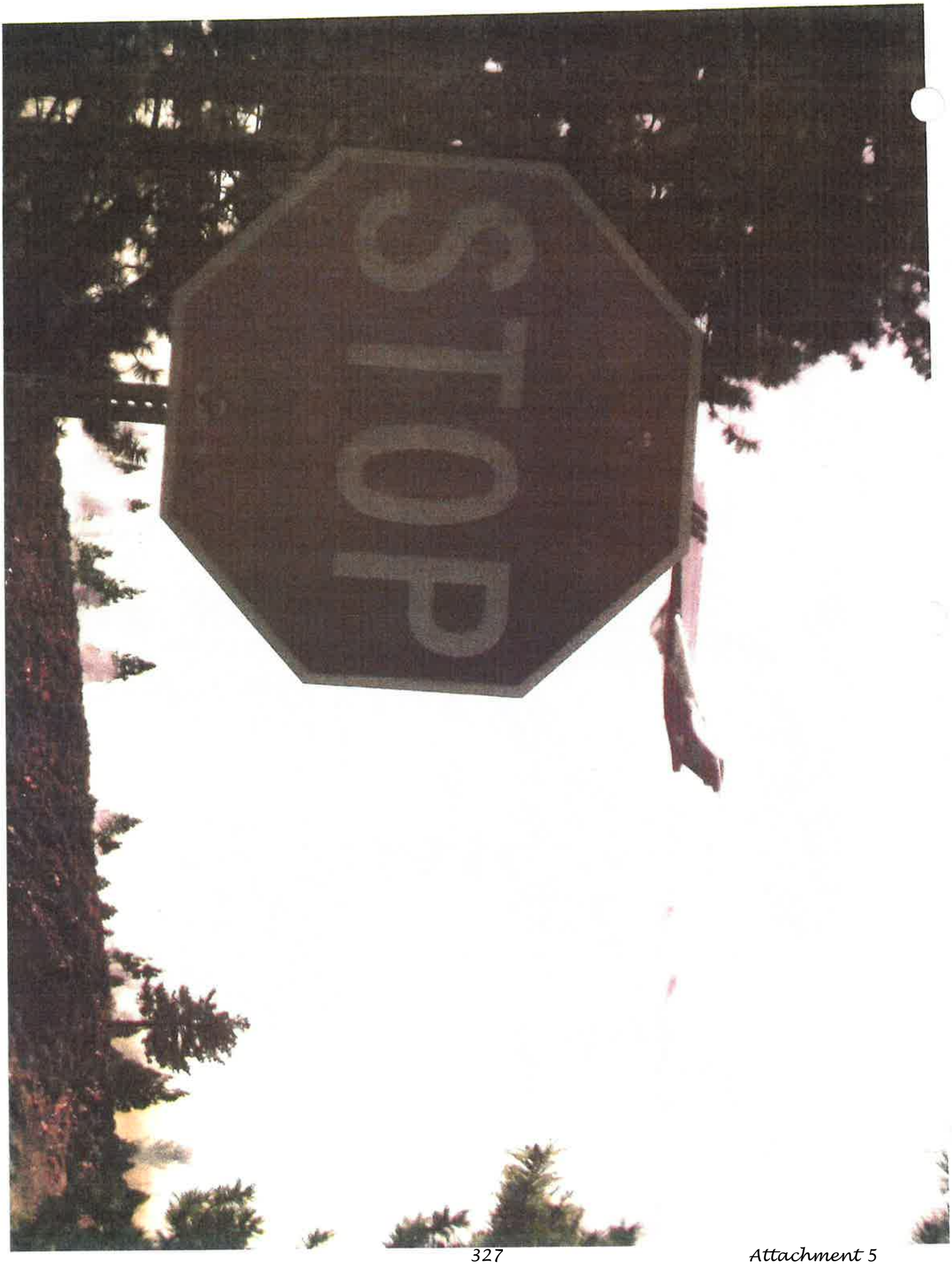
STOP
STOP

STOP

STOP


STOP

STOP


STOP

Evacuation Routes

The project site can be accessed from two roads, both of which are low traffic volume and are a short distance to I-80. Hinton Road exits the project area to the South, passes under I-80 and intersects with Hirschdale Road which meets Stampede Meadows Road at an on-ramp complex of I-80. West Hinton Road exits the project site to the north and intersects with Stampede Meadows Road which proceeds to the on-ramp complex of I-80. West Hinton Road is used as the haul route for product leaving the site and the roads are not part of an evacuation route for any population centers. The surrounding area is remote and undeveloped with the majority of the development in the area located south of I-80 (GoogleEarth© 2018).

Airports and Schools

The nearest airport, the Tahoe Truckee Airport, is located approximately 5.35 miles southwest of the project site. The Airport Influence Area extends roughly 2.7 miles from the airport's runways and does not extend over the project site or off-site roadway improvement area. No private or government airstrips are located within ten miles of the proposed project site (Nevada County 2014).

Glenshire Elementary School is the school nearest to the project site and is located more than two miles southwest of the project site (Nevada County 2018).

Wildfire Hazard Severity Zones

California law requires CAL FIRE to identify areas based on the severity of fire hazard likely to occur in a particular area. Factors considered in the rating include fuel (flammable materials), slope and weather conditions. The zones are classified according to the severity of the fire based on the anticipated behavior and likelihood of threats to structures. The project site is located within a State Responsibility Area classified as a Very High Hazard Severity Zone (Nevada County 2018; CAL FIRE 2019).

The majority of the off-site roadway improvement area is located in a Federal Responsibility Area. The USFS has identified the Wildfire Hazard Potential for the off-site roadway improvement area as ranging from Moderate to Very High (USFS 2019).

4.10.2 Regulatory Framework

Development of the proposed project is subject to a number of regulatory requirements and industry standards related to the storage, transport, and use of hazardous materials. Most regulations originate at the state and federal levels, with local county and city agencies enforcing these regulations. In the case of the proposed project, ammonium nitrate would be used for blasting.

Federal

The Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF), the Department of Homeland Security, and the Department of Transportation coordinate a federal effort to improve chemical risk management, advance ammonium nitrate safety, and protect human health and the environment.

Significance Threshold 7 – Interfere with an Emergency Response/Evacuation Plan

The project would not interfere with the implementation of or physically interfere with an adopted emergency response or evacuation plan. In times of emergency or disaster response, the state highways would serve as primary routes, and designated county arterial roadways in the area would serve as secondary routes. The project site is not in an evacuation area – neither Hinton Road or Stampede Meadows Road are evacuation routes identified in the Nevada County or City of Truckee Emergency Plans (Nevada County 2011a, b). Operations at the project site would be in accordance with the safety and evacuation plan prepared for the project and approved by the County.

The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or an emergency evacuation plan, and potential project impacts would be less than significant.

Significance Threshold 8 – Create Exposure to Wildfire Risk

The project site is located within a State Responsibility Area classified as a Very High Hazard Severity Zone by CAL FIRE (Nevada County 2018; CAL FIRE 2019). CAL FIRE maps fire hazard severity for State and Local Responsibility Areas. The majority of the off-site roadway improvement area is located in a Federal Responsibility Area. The USFS has identified the Wildfire Hazard Potential for the off-site roadway improvement area as ranging from Moderate to Very High (USFS 2019).

Heavy equipment, chainsaws, and vehicles (including personal automobiles transporting workers) have the potential start a fire during construction of the off-site roadway improvement area and during activities on the project site that involve working in or near vegetated areas. Besides a brief period of ground clearing, however, the bulk of project operations would occur in the quarry pit where combustible fuel would not likely be present.

Despite this low probability for the project's implementation to create a fire risk, vegetation and slash removed during site preparation may be placed on soil stock piles and burned. Proposed mitigation (MM HAZ-3) would require the removal of dried vegetation or other combustible materials, to the extent feasible, to reduce the potential of wildland fires. Additionally, during construction, spark arrestors or turbo chargers (which eliminate sparks in exhaust) and fire extinguishers would be required for all heavy equipment pursuant to MM HAZ-4. With the implementation of the proposed mitigation (MMs HAZ-3 and HAZ-4), the potential for exposure to wildland fires would be reduced, and associated impacts would be reduced to a level of less than significant.

4.10.5 Level of Significance Before Mitigation

Based on the above analysis, potentially significant impacts could occur associated with: (1) reasonably foreseeable release of hazardous materials if not correctly stored on the project site and without the proper authorization; (2) accidental release of hazardous materials; (3) and exposure to wildfire risk.

The project would result in less than significant impacts associated with: (1) hazardous materials in the vicinity of schools; (2) hazardous materials sites; (3) hazards associated with a public airport or private airstrip; and (4) interfering with an emergency response/evacuation plan.

reached and although the quarry could be at full production in a given year, it may not operate at full production the next year. As such, three production scenarios were analyzed for mining operations;

- Scenario 1, *Peak Daily Production*, analyzes peak production based on a typical workday (12 hours per day for approximately 180 working days) production of 4,100 tons per day, yielding approximately 738,000 tons per year.

- Scenario 2, *Worst-Case Daily Production*, analyzes the worst-case daily production of 10,080 tons per day based on the maximum number of trucks able to be managed on-site. This scenario assumes equipment is operating continuously for 16 hours with load-out occurring up to 24 hours per day, six days a week, yielding a maximum 10,080 tons per day. The maximum annual production of 1,000,000 tons would yield approximately 93 working days under this scenario.

- Scenario 3, *Average Daily Production*, assumes an average production of approximately 3,170 tons per day yielding 570,000 tons per year based on a normal 8 hours per day work shift for approximately 180 working days.

1.5.2 Reclamation

Under the Amended Reclamation Plan, mining and reclamation would be concurrent activities throughout the life of the quarry, and the implementation of reclamation would be timed to allow maximum extraction of salable resources from both pits for the life of the mine. Because the processing plant in the East Pit would continue to operate for the duration of the life of the West Pit, final reclamation of this portion of the East Pit would be delayed until the end of the entire project life. Implementation and monitoring of final reclamation activities would be completed within five years after the completion of mining.

Resoiling would occur on both the wide Phase II pit floors (once backfilling is completed) and the narrow benches separating the Phase III highwalls of the West Pit. Additional clean backfill from construction sites outside the project site may be imported to supplement backfill operations and to provide a suitable plant growth medium to supplement the salvaged topsoil. Following soil placement, native grasses, shrubs and trees would be broadcast seeded and revegetation of the final surface is intended to consist of vegetation types and species similar to the vegetation currently existing on the project site.

Following completion of mining and reclamation activities, mobile equipment associated with the mining operation would be removed from the site, as well as stationary equipment including, but not limited to, the office building, scale, screens and conveyors.

1.5.3 Operating Schedule and Workforce

The plant would operate, on a single-shift basis from May 1 until October 31, six days per week (total of 158 operating days minus any holidays). Based upon market demand or emergency needs such as urgent response to flood events, the quarry may open earlier or continue operations later than the dates stated above but would not exceed 180 operating days per year. Mining, processing, sales, and truck transport from the site would generally take place between 6 a.m. and 6 p.m., Monday through Friday, and between 7 a.m. and 4 p.m. on Saturday. Occasionally, customer demand and/or operational considerations may dictate periods of extended hours which can involve two shifts and result in

Scenario 1: Peak Daily Production

Peak Daily Production analyzes peak production based on a typical workday (12 hours per day for approximately 180 working days) production of 4,100 tons per day, yielding approximately 738,000 tons per year. Scenario 1 would generate 571 one-way trips per day and 11,410 VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips, and the VMT would increase by 1,100 VMT to 12,510. This worse-case scenario was analyzed.

Table 7
SCENARIO 1: PEAK DAILY VEHICULAR & HEAVY EQUIPMENT

Equipment	No. of Equipment per Day	Hours per Vehicle per Day	Vehicle Hours per Day
Quarry Mine Operation			
Dozer	1	12	12
Loader	1	12	12
Portable Pump	1	12	12
Excavator	1	12	12
Water Truck	1	12	12
Aggregate Processing Plant			
Loader	1	12	12
Haul Trucks	4	12	48
Jaw Crusher	1	12	12
Screening System	1	12	12

Scenario 2: Worst-Case Daily Production

Worst-Case Daily Production analyzes the worst-case daily production of 10,080 tons per day based on the maximum number of trucks able to be managed on-site. This scenario assumes equipment is operating continuously for 16 hours with load-out occurring up to 24-hours per day, six days a week, yielding a maximum 10,080 tons per day. An estimated annual production of 1,000,000 tons would equate to approximately 93 working days. Scenario 2 would generate 1,402 one-way trips per day and 28,021 VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips, and the VMT would increase by 1,100 VMT to 29,121. This worse-case scenario was analyzed.

Table 8
SCENARIO 2: WORST-CASE DAILY VEHICULAR & HEAVY EQUIPMENT

Equipment	No. of Equipment per Day	Hours per Vehicle per Day	Vehicle Hours per Day
Quarry Mine Operation			
Dozer	1	16	16
Loader	1	16	16
Portable Pump	1	16	16
Excavator	1	16	16
Water Truck	1	16	16

Table 8
SCENARIO 2: WORST-CASE DAILY VEHICULAR & HEAVY EQUIPMENT (cont.)

Equipment	No. of Equipment per Day	Hours per Vehicle per Day	Vehicle Hours per Day
Aggregate Processing Plant			
Loader	1	16	16
Haul Trucks	4	16	64
Jaw Crusher	1	16	16
Screening System	1	16	16
Loader	1	16	16

Scenario 3: Average Daily Production

Average Daily Production, assumes an average production of approximately 3,170 tons per day yielding 570,000 tons per year based on a normal 8 hours per day work shift for approximately 180 working days Calculations for *Average Annual Production* are based on *Average Daily Production* multiplied by 180 working days per year and therefore utilize the equipment listed below in Table 9. Scenario 3 would generate 442 one-way trips per day and 8,827 VMT. If timber operations occur concurrently with operation, the timber harvest truck trips would replace haul truck trips and the VMT could increase by 1,100 VMT to 9,927. This worse-case scenario was analyzed.

Table 9
SCENARIO 3: AVERAGE DAILY VEHICULAR & HEAVY EQUIPMENT

Equipment	No. of Equipment per Day	Hours per Vehicle per Day	Vehicle Hours per Day
Quarry Mine Operation			
Dozer	1	8	8
Loader	1	8	8
Portable Pump	1	8	8
Excavator	1	8	8
Water Truck	1	8	8
Aggregate Processing Plant			
Loader	1	8	8
Haul Trucks	4	8	32
Jaw Crusher	1	8	8
Screening System	1	8	8

5.1.3 TAC Impacts to Sensitive Receptors

Project impacts may include emissions of pollutants identified by the state as TACs. Sensitive receptors are typically defined as schools (preschool through 12th grade), hospitals, resident care facilities, day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality.

According to the NSAQMD, impacts of hazardous air pollutants, such as asbestos and diesel exhaust, should be evaluated. In addition, projects must be modeled and analyzed if located within 1,000 feet of sensitive receptors. Since the proposed quarry is not within 1,000 feet of sensitive receptors, no Health Risk Assessment was conducted.

The results of these operating scenarios are summarized in Tables 16 through 18 for the proposed project.

Table 16
SCENARIO 1: PEAK DAILY PRODUCTION QUARRY OPERATIONAL EMISSIONS

Emission Source	Criteria Pollutant Emission Levels (lbs/day)					
	ROG	CO	NO_X	SO_X	PM_{10}	$PM_{2.5}$
Mining Activities	4.29	25.81	44.11	0.07	31.80	23.50
Materials Processing	6.45	37.79	60.20	0.12	156.31	78.09
On- and Off-site Traffic	3.49	17.09	108.85	0.42	3.27	1.53
TOTAL	**14.22**	**80.69**	**213.16**	**0.61**	**191.39**	**103.11**
NSAQMD Significance Threshold	137	n/a	137	n/a	137	n/a
Significant Impact?	*No*	*n/a*	***Yes***	*n/a*	***Yes***	*n/a*

Source: Appendix A
Notes: "Peak production" would be about 4,100 tons per day (12-hour days in place of the 16-hour "double shift" for the "worst case" day scenario.

Table 17
SCENARIO 2: WORST-CASE DAILY PRODUCTION QUARRY OPERATIONAL EMISSIONS

Emission Source	Criteria Pollutant Emission Levels (lbs/day)					
	ROG	CO	NO_X	SO_X	PM_{10}	$PM_{2.5}$
Mining Activities	5.72	34.42	58.81	0.09	43.46	28.19
Materials Processing	8.60	50.39	80.26	0.16	340.72	134.88
On- and Off-site Traffic	8.09	38.79	253.07	0.97	7.57	3.53
TOTAL	**22.40**	**123.60**	**392.14**	**1.23**	**391.75**	**166.60**
NSAQMD Significance Threshold	137	n/a	137	n/a	137	n/a
Significant Impact?	*No*	*n/a*	***Yes***	*n/a*	***Yes***	*n/a*

Source: Appendix A
Notes: "Worst-case" day production is 10,080 tons per day based on the maximum number of trucks able to be managed on-site. Divided by a maximum annual production of 1,000,000 tons, yields approximately 93 working days.

Table 18
SCENARIO 3: AVERAGE DAILY PRODUCTION QUARRY OPERATIONAL EMISSIONS

Emission Source	Criteria Pollutant Emission Levels (lbs/day)					
	ROG	CO	NO_X	SO_X	PM_{10}	$PM_{2.5}$
Mining Activities	2.86	17.21	29.41	0.05	27.84	21.96
Materials Processing	4.30	25.19	40.13	0.08	130.04	69.58
On- and Off-site Traffic	2.78	13.71	86.42	0.33	2.60	1.21
TOTAL	**9.93**	**56.12**	**155.96**	**0.46**	**160.48**	**92.75**
NSAQMD Significance Threshold	137	n/a	137	n/a	137	n/a
Significant Impact?	*No*	*n/a*	***Yes***	*n/a*	***Yes***	*n/a*

Source: Appendix A
Notes: Average daily production is assumed to be 3,170 tons per day. All daily average calculations are based off of an "average day" multiplied by 8 hours per day.

As shown in Tables 16 through 18, NO_X and PM_{10} emissions would exceed the NSAQMD thresholds for all three operating scenarios and would be considered a potentially significant impact. The following mitigation measures are prescribed.

Mitigation Measure AQ-02: Diesel control measures including, but not limited to the following, shall be incorporated by Project Applicant into contract specifications:

- To minimize potential diesel emission impacts on nearby receptors (pursuant to NSAQMD Regulation 2, Rule 205, Nuisance), heavy duty diesel equipment shall be properly tuned. A schedule of tune-ups shall be developed and performed for all equipment operating within the project area, particularly for haul and delivery trucks. A log of required tune-ups shall be maintained and a copy of the log shall be submitted to County for review every 2,000 service hours.

- To minimize diesel emission impacts, construction contracts shall require off-road compression ignition equipment operators to reduce unnecessary idling with a two minute time limit.

- On-road and off-road material hauling vehicles shall shut off engines while queuing for loading and unloading for time periods longer that two minutes.

- Off-road diesel equipment shall be fitted with verified diesel emission control systems (e.g., diesel oxidation catalysts) to the extent reasonably and economically feasible.

- Construction equipment shall utilize alternative fuel equipment (i.e., compressed or liquefied natural gas, biodiesel, electric) to the extent reasonably and economically feasible.

Mitigation Measure AQ-03: Dust Control Measures. The Applicant shall comply with NSAQMD Rule 226, which requires implementation of feasible dust control measures which may include, but are not limited to the following:

- Ensure no visible dust emissions occurs beyond the property line;
- Ensure no dust emissions exceeding 20 percent opacity occur anywhere on the property;
- Ensure no offsite increase in ambient PM10 concentrations greater than 50 µg/m3 occur;
- Ensure no track-out exceeding 25 feet from the property occurs;
- Employ a dust control supervisor who has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance;
- Water to maintain soil moisture at 12 percent on haul roads and other active unpaved surfaces that are not chemically stabilized;
- Water to prevent visible dust more than 100 feet from any earth moving or mining activity;
- Utilize watering, dust suppressants, larger aggregate cover, and revegetation in inactive, disturbed areas to prevent wind driven dust;
- Water unpaved roads daily, and limit the speed on unpaved roads to 15 mph;
- Utilize chemical stabilization, watering, covering, and enclosure of storage piles;
- Conduct sweeping of paved roads at the end of each workday shift, utilizing certified sweepers;
- Conduct prompt cleanup of any spilled material and stabilization of any spilled material storage piles at a minimum frequency of daily at the end of each work day;

- Utilize dust suppressants or other dust control methods on conveyors, loading, unloading, or transferring activities;
- Utilize baghouse emission controls on screening and crushing activities or other dust control measures to meet the visible emission limits;
- Conduct chemical stabilization of unpaved haul roads;
- Cover or otherwise stabilize aggregate loads (i.e., loads to remain 6 inches from the upper edge of the container area) to avoid dust emissions from product transport trucks in compliance with California Vehicle Code No. 23114; and
- Utilize wheel washers, rumble grate, and paving of internal roads or use of dust palliatives on roads to eliminate track out.
- Suspend excavation and grading activity when sustained winds make reasonable dust control difficult to implement, e.g., for winds over 25 miles per hour.
- Limit the area subject to blasting, mining, and other operational activity at any one time, as feasible.

Significance after Mitigation: Significant and unavoidable.

6.3 IMPACTS TO SENSITIVE RECEPTORS

The CARB describes sensitive receptors as residences, schools, day-care centers, playgrounds, medical facilities, or other facilities that may house individuals with health conditions (medical patients or elderly persons/athletes/students/children) that may be adversely affected by changes in air quality. The two primary pollutants of concern regarding health effects for residential development are CO and DPM. Implementation of the project may lead to increase in chronic exposure of nearby sensitive receptors to certain toxic air contaminants from various stationary and mobile sources. An analysis of the project's potential to expose sensitive receptors to these pollutants is described below.

Figure 5, Air Quality Sensitive Receptor Locations, presents the location of sensitive receptors within one-quarter mile of the project site. Potentially affected sensitive receptors identified within one-quarter mile radius include recreational users near the southern edge of Boca Reservoir (i.e., boaters, fishermen, campers, cyclists, etc.); the Boca Reservoir's caretaker residence located on Stampede Meadows Road just south of the dam; and the Truckee River RV Park on the south side of I-80 at the Hirschdale Road exit.

6.3.1 Diesel Particulate Matter

Construction activities are sporadic, transitory, and short-term in nature, and once construction activities have ceased, so, too, have emissions from construction activities. DPM is not included as a criteria pollutant; however, is recognized by the State of California as containing carcinogenic compounds. The risks associated with exposure to substances with carcinogenic effects are typically evaluated based on a lifetime of cancer exposure, which is defined in the California Air Pollution Control Officers Association (CAPCOA) Air Toxics "Hot Spots" Program Risk Assessment Guidelines (CAPCOA 1993) as 24 hours per day, 7 days per week, 365 days per year, for 30 years for residences.

DPM would be emitted from heavy equipment used in the construction process. The proposed project would operate a maximum of 30 years for 180 days per year, and the off-site roadway improvement

AQ-4 Prior to issuance of the encroachment permit for the off-site roadway improvements and prior to commencing operations in the West Pit, the work area shall be evaluated by a qualified individual to determine the presence/absence of asbestos containing materials. The results of the analyses shall be provided to the Nevada County Department of Environmental Health (NCDEH), Certified Unified Program Agency (CUPA).

If naturally occurring asbestos is found at the project site, the Project Applicant shall prepare an Asbestos Health and Safety Program and an Asbestos Dust Control Plan for approval by CUPA. The Asbestos Health and Safety Program and Asbestos Dust Control Plan may include, but is not limited to, the following:

- Equipment operator safety requirements: protective clothing, breathing apparatuses to prevent inhalation of airborne asbestos fibers,
- Dust mitigation measures: continually water site to prevent airborne dust migration, cover all vehicle that haul materials from the site
- Identification of CUPA-approved disposal areas for all excavated materials.

Significance after Mitigation: Less than significant.

6.3.3 Crystalline Silica

Crystalline silica has not been identified as a toxic air contaminant under the California Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner 1983). There are no similar Federal laws or regulations that list crystalline silica as a hazardous air pollutant or toxic air contaminant. Crystalline silica is subject to Proposition 65, which requires businesses emitting crystalline silica or other listed emissions at levels that exceed the significance risk threshold in Proposition 65, to notify the public of emissions and potential hazards. Crystalline silica is a component of soil, sand, granite and many other minerals. Crystalline silica may become respirable-sized particles when workers chip, cut, drill or grind materials that contain it. If respirable crystalline silica dust enters the lungs, it causes the formation of scar tissue (silicosis) which can be disabling or even fatal, reducing the lungs' ability to take in oxygen and increasing the susceptibility to lung infections like tuberculosis. The non-crystalline form of silica (amorphous silica) is not nearly as toxic, since it usually does not cause the formation of scar tissue in the lungs.

High occupational exposure to crystalline silica has been linked to respiratory problems and in some cases to cancer. Crystalline silica related illnesses historically have been associated with industrial processes such as mining. However, due to stringent health and safety regulations that have been imposed over the years, mining related respiratory illnesses have steadily declined. Due to the presence of a large amount of quartz at the project site, fugitive dust emissions may contain crystalline silica. For crystalline silica emissions, PM_4 is used instead of PM_{10} because the health effects standard is based on PM_4. By analyzing the size distribution of particulate emissions associated with aggregate handling and storage as reported by the USEPA (USEPA AP-42, Chapter 13, Section 2.4-3), the PM_4 to PM_{10} ratio of 40 percent was used to estimate PM_4 emissions. (PM_4 is 40 percent of PM_{10} x 23 percent bulk crystalline silica of bulk rock x 44 percent of ground crystalline silica to PM_4 particles = 4 percent of PM_{10}). As a conservative analysis, it was assumed that four percent of all PM_{10} fugitive dust would be respirable quartz dust. The estimated on-site emissions include all of the emission controls and other emission