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NEVADA COUNTY PLANNING COMMISSION
NEVADA COUNTY, CALIFORNIA

MINUTES of the meeting of August 22, 2019, 1:30 p.m., Council Chambers, Truckee Town Hall,
10183 Truckee Airport Road, Truckee, California

MEMBERS PRESENT: Chair Duncan and Commissioners Coleman-Hunt, Johansen, and Bullock.

MEMBERS ABSENT: Commissioner Aguilar.

STAFF PRESENT: Planning Director, Brian Foss; Principal Planner, Tyler Barrington; Deputy County Counsel, Rhett Vanderploeg; Senior Planner Coleen Shade; Administrative Assistant, Shannon Paulus.

PUBLIC HEARINGS:

1. Boca Quarry Expansion Project Final Environmental Impact Report
U11-008, RP11-001 & EIR11-001 Page 2, Line 57

STANDING ORDERS: Salute to the Flag - Roll Call - Corrections to Agenda.

CALL MEETING TO ORDER: The meeting was called to order at 1:30 p.m. Roll call was taken.

CHANGES TO AGENDA: None

Chair Duncan announced that several Commissioners desired to make disclosures.

Commissioner Bullock stated that his wife owned a company which did business with Teichert, and that the decision before him today was based on the evidence presented today, and that he did not have any preconceived bias or opinion toward the applicant.

Commissioner Coleman-Hunt stated that she was not present at the last meeting, however she had reviewed the video of the last public hearing as well as the material, and she was fully apprised of the project.

PUBLIC COMMENT: Members of the public shall be allowed to address the Commission on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Planning Commission, provided that no action shall be taken unless otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code. None.

COMMISSION BUSINESS: None

CONSENT ITEMS:

1. Acceptance of 2019-04-25 Planning Commission Hearing Minutes.

50
51 2. Acceptance of 2019-06-27 Planning Commission Hearing Minutes.
52

53 **Motion** to approve the 2019-04-25 and 2019-06-27 Planning Commission Meeting Minutes by
54 Commissioner Johansen; **second** by Commissioner Bullock. **Motion carried on a voice vote 3/0**
55 **(Commissioner Coleman-Hunt abstained)**
56

57 **PUBLIC HEARING:**
58

59 **U11-008, RP11-001 & EIR11-001:** A public hearing to review the facts, receive public comment
60 and consider the Planning Commission's recommendations to the Board of Supervisors to certify
61 the Environmental Impact Report (EIS11-001), approve the Conditional Use Permit (U11-008),
62 approve the Reclamation Plan (RP11-001) and approve the Development Agreement between the
63 County of Nevada and Teichert Aggregate Inc., for the Boca Quarry Expansion Project. The
64 proposed project is located on a 230-acre site which includes the existing 40-acre permitted quarry
65 operation (East Pit) and the proposed 118-acre expansion area (West Pit). The proposed project
66 would increase the allowable extraction/disturbance area by approximately 118-acres in the West
67 Pit for a total project area of 158-acres and an increase in annual maximum production of up to
68 one million tons per year. The actual annual production would vary and would depend on the local
69 market demand for aggregate but would not exceed one million tons annually. The proposed
70 Conditional Use Permit (U11-008) anticipates the removal of 17 million tons of material in three
71 phases over a 30-year period. **LOCATION:** West Hinton Road, Truckee CA. APN: 048-090-012
72 & 048-200-03. The project site is located in Nevada County, eight miles east of the center of the
73 Town of Truckee, and five miles west of the California/Nevada state line. The Town of Truckee
74 limits are approximately 0.6 miles west of the project site. The project site is directly north of
75 Interstate-80. **RECOMMENDED ACTION:** Hold a public hearing to review the facts, and accept
76 public comment. At the conclusion of the public hearing the Planning Commission should
77 consider a recommendation for each of the following individually: certification of the
78 Environmental Impact Report (EIS11-001); approval of the Conditional Use Permit (U11-008),
79 approve the Reclamation Plan (RP11-001) and approve the Development Agreement between the
80 County of Nevada and Teichert Aggregate Inc., for the Boca Quarry Expansion Project.
81 **PLANNER:** Coleen Shade, Senior Planner.
82

83 Senior Planner Coleen Shade introduced herself to the Commission and began her presentation.
84 She reviewed the projects history, going through the 1950's to present. She discussed the project
85 description and what was being proposed, including the size of the expansion area, road
86 improvements, and maximum number of trucks per day. She reviewed the haul route and stated
87 that Teichert had improved West Hinton road to be utilized as their only haul route, it would not
88 impact the community of Hirschdale. The operation schedule was discussed, as well as the
89 reclamation plan which included restoring conditions of the quarries to that which was consistent
90 with forestry zoning, as well as ongoing monitoring. She reviewed the development agreement,
91 including public benefits such as improvements to offsite roadways, providing a local source of
92 aggregate, and tax revenue. She briefly reviewed the project objectives and introduced Project
93 Manager Catherine Silvester with Helix Environmental to discuss the environmental document.
94

95 Project Manager Silvester reviewed the no project alternative and the reduced daily production
96 alternative of the project, and the environmental analysis which included geology, hydrology,
97 biological resources, aesthetics, traffic and circulation, as well as others. She reviewed the resource
98 areas which were able to be mitigated to a less than significant impact, as well as those which had

99 significant and unavoidable impacts such as aesthetics, air quality, and transportation. She
100 reviewed the mitigation measures related to the significant and unavoidable impacts and explained
101 that reclamation was meant to happen concurrently with mining.

102
103 Commissioner Johansen asked for the distance from where a photograph on the Power Point
104 presentation was taken to the mining site.

105
106 Project Manager Silvester answered she believed it was over a half mile.

107
108 Chair Duncan stated that typically a simulation was done to show vegetation growth to indicate
109 what could be expected in the future.

110
111 Project Manager Silvester answered that the third picture on the slide was meant to show the
112 reclamation done. She went on to discuss transportation and circulation, and the aggravation of the
113 existing condition of conflicts with bicycles on Stampede Road, as well as the mitigation measures
114 related, stating that standard bike lanes would not be feasible. She indicated on a slide areas in
115 which the roadway could be widened to accommodate bicyclists, as well as additional vehicle pull
116 outs.

117
118 Commissioner Bullock asked if additional improvements would be made past the train tracks to
119 the access road going to the quarry.

120
121 Project Manager Silvester indicated on the slide where the improvements would be. She went on
122 to discuss air quality and the mitigation measures proposed, such as obtaining burn permits and
123 diesel and dust control measures. She added that the mitigation was unable to reduce emissions
124 below compliance thresholds, and that the impacts would remain significant and unavoidable. She
125 reviewed comment letters that had been received from the public, as well as during the previous
126 public hearing. She stated that none of the comments had resulted in additional analysis, or
127 significant new information. She discussed the Findings the Fact, as well as the Statement of
128 Overriding Considerations.

129
130 Planner Shade stated that the Applicant, Teichert Aggregate, was prepared to make a presentation.
131 She added that several emails from Cheryl Andresen identifying areas of concern, one of which
132 was received by staff the day prior to the hearing, the other received the morning of the hearing,
133 had been disseminated to the Commission prior to the meeting. She concluded her presentation
134 with staff's recommendation that the Planning Commission recommend to the Board of
135 Supervisors to adopt the Findings of Fact and Statement of Overriding Considerations and the
136 Mitigation and Monitoring Program, certify the Recirculated Environmental Impact Report,
137 approve the Development Agreement, Conditional Use Permit with Conditions of Approval
138 incorporating the Mitigation Monitoring and Reporting Plan, Reclamation Plan and Financial
139 Assurance.

140
141 Chair Duncan asked for questions of staff.

142
143 Commissioner Bullock asked if soil would be imported and native trees planted on areas that had
144 been mined.

145
146 Planner Shade answered yes.

147

148 Commissioner Bullock asked how long the rock faces will be exposed before being varnished.

149
150 Planner Shade deferred the question to the applicant, as the mitigation would be continual and
151 dependent upon extraction.

152
153 Commissioner Bullock asked if it was within the domain of the Commission to request share the
154 roadway bicyclist signs along the roadway.

155
156 Ms. Silvester answered that mitigation was within the MMRP for the share the road signs, however
157 they did not have the 3-foot rule verbiage on them, which was state law.

158
159 Chair Duncan asked if the wording could be added to the signs.

160
161 Planner Shade answered it could be.

162
163 Chair Duncan said that she had seen those signs which indicated the 3-foot law. She asked Director
164 Foss how to best address that.

165
166 Director Foss answered that it would be best to wait until deliberation to address that, staff would
167 summarize any additional language that would need to be added.

168
169 Commissioner Bullock asked if the County had received any letters from any of the environmental
170 groups such as the Sierra Club, Land Trust, etc...

171
172 Planner Shade answered that they had received none.

173
174 Chair Duncan asked if the project had been circulated to the Town of Truckee.

175
176 Planner Shade answered that it had been.

177
178 Commissioner Johansen asked if the mining and reclamation was included in the max 560 trucks
179 per day. He also asked if soil would be brought in from off site.

180
181 Planner Shade answered that the applicant would be able to provide more detail, however part of
182 their strategy involved backhauling.

183
184 Commissioner Johansen asked about the composition of the varnish. He also asked how local and
185 regional was defined, and if the bicycle traffic was heavier on Saturday.

186
187 Project Manager Silvester stated that a bicyclist count was done in support of the EIR and the
188 number of bicyclists was fairly minimal. She offered to find out what day of the week the count as
189 done on, however she believed counts had been conducted on both weekdays and Saturday.

190
191 Commissioner Johansen stated that given the condition of the road he was surprised there were
192 any.

193
194 Commissioner Bullock confirmed that it was the opinion of staff that the reduced alternative would
195 not meet the project goals to create a regional supply.

196

197 Planner Shade answered that was correct. The other location for aggregate was east of Reno.
198
199 Commissioner Bullock asked that without the local supply, aggregate would have to come from
200 the Sacramento Valley or the other side of Reno.
201
202 Planner Shade confirmed that was correct.
203
204 Chair Duncan said that the economic generation would be located outside of Nevada County.
205
206 Commissioner Coleman Hunt stated she had questions for the applicant.
207
208 Chair Duncan invited the applicant to come forward to speak. She added that it was her
209 understanding that additional submissions had been made for the Commission to consider, she
210 asked when those would be handed out.
211
212 County Council Rhetta VanderPloeg stated that the applicant had prepared a PowerPoint
213 presentation, and copies of the slides had just been handed to the Commissioners, with a few extra
214 copies for the public.
215
216 Planner Shade stated she believed that a letter as well as a summary from Cheryl Andresen had
217 already been distributed to the Commission.
218
219 Chair Duncan confirmed that they had those items.
220
221 Michael Smith from Teichert introduced himself to the Commission as well as Regional
222 Operations Manager Tom Hirschbach and Justin Stein with Teichert, Jim Wiley and Jesse Yang
223 from Taylor and Wiley, as well as the property owner Pamela Dobbas. He thanked staff for their
224 hard work on the project and gave a brief history of Teichert. He discussed the significance of the
225 site and rock source and reviewed the demands of rock per capita in the area. He discussed the
226 market that they serve, including the State, local government, as well as private. His discussed the
227 difference between regional and local, as well as market area and demand. He reviewed the
228 benefits of local aggregate, including vehicle miles and emissions, reduced cost to the consumer,
229 and tax revenue which stays in the local area. He showed the project area and the haul route, as
230 well as the mine plan and reclamation. He read the label on the varnish for the Commission, stating
231 the varnish was a temporary fix, aging the rock faster than it would on its own until natural
232 processes took over. He reviewed key Conditions of Approval, including hours of operation,
233 mitigation measures, road improvements, dust, and fire, as well as community concerns such as
234 the haul route. He discussed the volume of trucks, emergency vehicle access, fire prevention, and
235 bicycle safety. He concluded with project benefits and offered to answer any questions.
236
237 Chair Duncan asked for any questions of the applicant.
238
239 Commissioner Johansen asked what comprises an oxidizer.
240
241 Jim Wiley with Taylor and Wiley came forth, stating that the label said it was a natural plant
242 product, it did not specify what. He added that the website stated it was nontoxic to wildlife and
243 plants.
244
245 Commissioner Johansen asked for an EPA number.

246
247 Mr. Wiley answered that he was unable to find an EPA number on the website.
248
249 Commissioner Coleman-Hunt asked if the varnish adhered to the rock permanently or washed
250 away into the watershed.
251
252 Mr. Smith answered that it was his understanding that it was absorbed into the rock face. He
253 offered to look further into it if that was the desire of the Commission and reiterated that plant
254 material would continue to grow in the area and cover the area.
255
256 Planner Shade said that she was familiar with projects that had used the product, adding that it
257 adhered to the rock, did not wash off, and lasted a long time.
258
259 Chair Duncan thanked Coleen.
260
261 Commissioner Johansen asked if the daily production was 442 trips.
262
263 Mr. Smith said he believed that peak production was 560 trips.
264
265 Commissioner Johansen said Mr. Smith had commented that production was 442 trips.
266
267 Mr. Smith said that was based on average demand.
268
269 Commissioner Johansen stated that with demand at 240,000 tons, they would blow that number
270 out in 24 days, and at 460,000 tons they would fill the demand in 46 days.
271
272 Mr. Smith stated that the amount of tonnage that a truck could hold was variable.
273
274 Commissioner Johansen stated that his math showed that in 24-46 days they would meet the
275 demand for region.
276
277 Mr. Smith asked which demand number he was asking about.
278
279 Commissioner Johansen stated it was the 460,000. He added that Teichert would be doing almost
280 10,000 tons a day. He said that it didn't seem that it would take too many days of operation to meet
281 the demand.
282
283 Mr. Smith said that the EIR identified roughly 180 days as number of working days throughout
284 the year, depending on weather and projects.
285
286 Commissioner Bullock asked what the actual number of trips was expected to be.
287
288 Mr. Smith answered that the daily trips would vary greatly on market demand. He stated that the
289 Truckee site supplied a different material, therefore it would depend on the client and the need. He
290 said that the Truckee Quarry still had some life in it, and it was possible that the Boca Quarry and
291 Truckee Quarry would be in operation in the same time.
292
293 Commissioner Coleman-Hunt asked about the noise impacts from blasting, and where those
294 measurements were taken from.

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Mr. Smith deferred that question to Ms. Silvester.

Ms. Silvester answered that the impacts would be less than significant, meaning that the noise generated from blasting would fall below the County Noise Standard threshold.

Commissioner Coleman-Hunt asked where the measurements were taken from. She was concerned about noise for people who recreate in the area.

Planner Shade answered that the measurements were taken using a cumulative tool, not a single event tool. She offered to show a slide which indicated where the receptors were in relation to where the blasts would occur.

Commissioner Coleman-Hunt expressed concern that nesting birds and those going to the area for recreation would be deterred because of noise and would no longer have a wilderness experience.

Commissioner Bullock stated that near the pit was the area's largest gun range and it was also adjacent to Interstate 80. He did not believe that location would necessarily provide for a wilderness experience, whereas up the road near Stampede a lot of that noise would die down.

Mr. Smith clarified that they were limited to blasting twice a week and it was not a common occurrence. He said that in their other locations blasting occurred every few months. He also cited a single source incident of a blast that was recorded, which was still below the County Noise Standard.

Chair Duncan clarified that the explosive is deposited in a site that had been drilled, it did not blast into the air.

Commissioner Coleman-Hunt asked about stormwater runoff, which they were conditioned to keep on site. She asked if the precipitation was modeled from historical averages or using climate change profiles.

Mr. Smith deferred the question to Ms. Silvester.

Project Manager Silvester answered that the analysis considered a 100-year flood event, which was standard practice.

Commissioner Coleman-Hunt clarified that was based on historical average. She expressed her frustration that climate change was not being taken into consideration for our region, which would have higher rainfall and warmer winters. She stated that the basins created for the project could overflow because they were designed for a different era.

Planner Shade stated that the Water Quality and Hydrology Section of the EIR discussed the zero-discharge design of the basins. She stated that typically basins were designed for a 20-year one-hour event while these basins were designed for two 100-year events that occurred within 3 days. She said that the design exceeded what was required.

Project Manager Silvester stated that the EIR assumed that two 100-year 24-hour storm events would occur within a 7-day period to size the basin.

344
345 Commissioner Coleman-Hunt clarified that the basins were deliberately upsized. She added that
346 she understood that the climate change science was everchanging, making it difficult to figure out
347 what standard they should be managing towards.

348
349 Mr. Smith reminded the Commission that they were conditioned to not let anything leave the site,
350 and if for whatever reason the basins did not appear adequate, they would have to increase the
351 retention area regardless of the storm level.

352
353 Director Foss added that annual inspections would also occur, if evidence existed that those basins
354 were inadequate then it would be addressed.

355
356 Commissioner Coleman-Hunt had read that it would be inspected every seven years.

357
358 Director Foss stated that the County did annual inspections with reporting to SMARA using a
359 consultant to ensure that conditions were being followed.

360
361 Chair Duncan clarified that the County contracted with a consultant that did annual inspections
362 and monitoring and reported back for all mining sites in the County.

363
364 Director Foss stated that was correct, and the County sent those reports to the Division of Mine
365 Reclamation.

366
367 Mr. Smith stated that they had continued to do annual inspections on the east site, which was listed
368 as idle. He added that they did maintain a bond on the site, ensuring that if they ever walked away
369 the County could hire someone to fix the site. The value of the bond was evaluated annually.

370
371 Chair Duncan asked for other questions.

372
373 Commissioner Bullock asked if the Use Permit could be transferred or sold to future owners.

374
375 Director Foss answered that the permit would run with the land, any future owners would be
376 subject and bound by the same conditions.

377
378 Commissioner Bullock clarified that they could come in and meet the maximum output approved
379 by the Use Permit.

380
381 Director Foss answered that was correct.

382
383 Chair Duncan asked for other questions, as none were forthcoming, she opened public comment
384 at 3:04 p.m.

385
386 Ronald Legg of 1340 Princess Ave in Reno, who owns a house in Hirschdale, introduced himself
387 to the Commission. He said that he supported the reduced alternative for numerous reasons which
388 the Commission received in a response letter earlier that day. He expressed his concern about the
389 traffic on Stampede Meadows Road and the train tracks, stating he had seen traffic backed up a
390 mile and a half on weekends. He said that there were approximately 37 trains a day at that crossing
391 which posed a danger. He asked about the number of trucks going out per day, and if the number
392 of trucks returning was accounted for. He said that during the summer weekends, Stampede

393 Meadows Road would be blocked, and that the narrow railroad crossing created a dangerous
394 situation. He expressed his concern of trucks being stopped on the tracks and causing a disaster.
395 He further expressed concern about traffic not being able to get onto Interstate 80, or the ability of
396 emergency vehicles to get through.

397
398 Cheryl Andresen of 10867 Floriston Avenue in Truckee came forward and introduced herself to
399 the Commission. She stated that she and her husband had actively followed the project since 2006,
400 attending many meetings. She stated that she had read every page of the documents and had
401 presented the Commission with the response and concerns of many members in the Hirschdale
402 community. She asked that the Commission consider the reduced alternative and take into
403 consideration the impacts which were significant and unavoidable. She added that the
404 Development Agreement was not clearly understood and desired an explanation of why it was
405 necessary. She expressed her concern about truck traffic on Hirschdale Road and asked for full
406 assurance that it would not be used as a haul route for the lifetime of the permit. She added that
407 Commissioner Aguilar and Chair Duncan had been present at past hearings and were fully aware
408 of past issues. She asked if the Commission would like her to read the list of concerns they had.

409
410 Chair Duncan answered that staff would address the concerns.

411
412 Larry Andresen of 10867 Floriston Ave in Truckee introduced himself to the Commission. He
413 thanked Teichert for their efforts in making an alternate haul route so that it would not be routed
414 through the Hirschdale community. He asked why a typical bike lane was not feasible, and stated
415 that he had seen hundreds of bikes on the road for certain events throughout the summer. He said
416 that a lot of emphasis had been placed on the economic benefits the County would lose if the
417 aggregate was outsourced, stating that there was another aggregate source in town. He asked if
418 that had been considered as an option. He said that drilling produced more noise than blasting,
419 asking if drilling noise had been analyzed, as well as the loading of trucks. He added that by using
420 the aggregate source in town, it would reduce the vehicle miles traveled because it was closer.

421
422 David Kahn of 10514 Buckhorn Ridge Court in Truckee introduced himself to the Commission.
423 He said he was an intrepid cyclist and was interested in the road widening. He asked if Teichert
424 would be financially responsible for the widening of the County road, and if it would be a
425 mandatory condition to the operation of the pit.

426
427 Jennifer Freeman of 10793 Hirschdale Road in Truckee introduced herself to the Commission. She
428 expressed her concern over the lack of communication regarding the expansion. She believed that
429 the project would have had an extensive mailing list which included Hirschdale residents. She
430 stated that there was already a local source of aggregate, with more mines in the Reno area. She
431 said it would be nice to see hard numbers concerning the cost of aggregate from Reno versus Boca.
432 She added that she walked her dog on Martis Dam, and that it was very noisy. She also asked when
433 the bike count was completed, as the Pyramid to Tahoe Trail was nearly complete and they had
434 seen an increase in cyclists.

435
436 Chair Duncan asked for further comments.

437
438 Chair Duncan closed the public hearing at 3:22 p.m.

439
440 Chair Duncan asked when they would hear the summarization of Mrs. Andresen's concerns.

441

442 Planner Shade stated that she reviewed the summary from Mrs. Andresen and that no new impacts
443 were identified, and other impacts of concern were addressed in the documentation. Many of her
444 concerns were addressed in Condition 1, including hours of operation and the haul route.

445
446 Chair Duncan clarified that there was nothing substantially new in her concerns.

447
448 Planner Shade answered that no new potential impacts were identified.

449
450 Members of the audience stated that the railroad was a new impact.

451
452 Chair Duncan stated that the Public Hearing had been closed.

453
454 Planner Shade stated that if it was the pleasure of the Commission, Public Works Project Manager
455 Jessica Hankins was present in the audience and could possibly address the width of the road. She
456 added that the intersections were addressed within the document, and that the standards were being
457 met.

458
459 Chair Duncan asked about the railroad crossing.

460
461 Planner Shade deferred that question to Project Manager Hankins.

462
463 Project Manager Hankins introduced herself to the Commission. She said that she did not know
464 the width of the railroad crossing, it was her understanding that the road would be widened to 32
465 feet and that a standard bicycle lane was 4 feet. She stated that the department did not want to sign
466 it as a Class 2 because it was not continuous.

467
468 Chair Duncan asked if the surface would be Class 2.

469
470 Project Manager Hankins answered yes, with the possible exception of the bridge and railroad
471 tracks.

472
473 Commissioner Bullock asked if the road would be paid for by Teichert.

474
475 Project Manager Hankins answered that the mitigation stated that Teichert was responsible for the
476 construction of the improvements, prior to any operations. She added that it would be done through
477 an encroachment permit and would be overseen by Public Works, as well as any signage. She also
478 commented that all signage placed out there would need to be compliant with MUTCD (Manual
479 Uniform Traffic Control Devices) which was updated yearly. She said they would not necessarily
480 want to commit to having the specific sign that was being requested, they would like to remain
481 flexible depending on what was in the MUTCD.

482
483 Commissioner Coleman-Hunt asked if the road was being impacted with trucks and other traffic,
484 if emergency vehicles would be able to get through, and if an alternate route was available for
485 emergencies.

486
487 Project Manager Hankins answered that Hirschdale was a public road and was open to emergency
488 vehicles. She also answered that it was her understanding that when emergency vehicles needed
489 access, they would take it from whatever route was available.

490

491 Commissioner Bullock asked if staff was aware of any other aggregate sources in the area that
492 would contribute to the regional supply, not included in the Truckee and Martis operations.
493
494 Planner Shade answered that it had been articulated by Teichert that the material coming from the
495 Truckee site was different from the Boca site and had different uses.
496
497 Director Foss added that the County permitted mining and aggregate operations, and that they were
498 unaware of any other Use Permits or Rec Plans under County jurisdiction.
499
500 Deputy County Council Rhetta VanderPloeg addressed Ms. Andresen's comments regarding the
501 Development Agreement, explaining what it was and why it was necessary.
502
503 Chair Duncan asked for further questions. As none were forthcoming, Chair Duncan called for a
504 break at 3:33 p.m. The meeting was resumed at 3:51 p.m.
505
506 Commissioner Johansen stated that he felt that reduced operations would mitigate many concerns,
507 and that the reduced operations mirrored what was going on today. He further commented that
508 should an emergency occur, they needed the buffer as a community to meet the demand. He also
509 said that the Saturday operations concerned him due to recreation in the area.
510
511 Chair Duncan asked for questions for staff, and if staff had anything they would like to add.
512
513 Planner Shade answered not at this point.
514
515 Commissioner Bullock stated that he had read through all of Mrs. Andresen's comments and could
516 honor and respect all of them. He did feel that the process worked and could agree with his fellow
517 Commissioners that the quarry was currently operating at the reduced rate. He said that the goal
518 of this process was to increase capacity while meeting environmental and CEQA requirements. He
519 stated that as a resident of the area he shared the same concerns, however he was comfortable with
520 the mitigation measures outlined and was in support of the project.
521
522 **Motion by Commissioner Bullock** to Recommend to the Board of Supervisors adoption of the
523 Findings of Fact and Statement of Overriding Considerations and the Mitigation and Monitoring
524 Program (MMRP) for the Boca Quarry Expansion Project Recirculated Final Environmental
525 Impact Report (Attachment #2 Exhibit A and B) followed by certification of the Recirculated Final
526 Environmental Impact Report (EIR11-001) (Attachment #1). **Second by Commissioner**
527 **Johansen. Motion carried on a roll call vote 4/0. (Commissioner Aguilar was absent.)**
528
529 **Motion by Commissioner Bullock** Recommend approval of the Development Agreement
530 (Attachment #3 and Exhibits A-J) between Nevada County, Pamela Dobbas and Teichert
531 Aggregate, Inc. to the Board of Supervisors making Findings A through D pursuant to LUDC
532 Section L-II 5.18.E. **Second by Commissioner Johansen. Motion carried on a roll call vote 4/0.**
533 **(Commissioner Aguilar was absent.)**
534
535 **Motion by Commissioner Bullock** Recommend to the Board of Supervisors approval of the
536 Conditional Use Permit (U11-008) for the Mapped Area (Attachment #4, *Exhibit B*) with
537 Conditions of Approval incorporating the Mitigation Monitoring and Reporting Plan (*Attachment*
538 *#4, Exhibit A*), making Findings A through L pursuant to LUDC Section L-II 5.5.2.C. and
539 recommend approval to the Board of Supervisors the Teichert Aggregates Boca Quarry

540 Reclamation Plan (RP11-001) and Financial Assurance (Attachment #4, Exhibit C) in accordance
541 with the requirements of the California Surface Mining and Reclamation Act (SMARA) found in
542 Public Resource Code (PRC) Section 2710 et seq., Title 14 of the California Code of Regulations
543 (CCR) Section 3700 et seq. and Nevada County's implementing ordinance as specified in the
544 Nevada County Land Use Code (Chapter L-II 3.22, Surface Mining Permits and Reclamation
545 Plans) to address reclamation standards and to guide site development, operations and monitoring
546 which have been incorporated into the EIR and the Conditional Use Permit, making the Findings
547 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.
548 **Second by Commissioner Johansen. Motion carried on a roll call vote 4/0. (Commissioner**
549 **Aguilar was absent.)**

550
551 Discussion ensued regarding upcoming Commission meetings and ongoing project statuses.

552
553 **Motion by Commissioner Johansen; second by Commissioner Bullock to adjourn. Motion**
554 **carried on voice vote 4/0.**

555
556 There being no further business to come before the Commission, the meeting was adjourned at
557 4:08 p.m. to the next meeting *tentatively* scheduled for September 12, 2019, in the Board of
558 Supervisors Chambers, 950 Maidu Avenue, Nevada City.

559 _____
560
561 Passed and accepted this day of , 2019.

562
563 _____
564 Brian Foss, Ex-Officio Secretary

565
566