

**Exhibit A**  
**Conditions of Approval with Integrated**  
**Mitigation Monitoring and Reporting Plan (MMRP)**  
**Conditional Use Permit (U11-008: RP11-001; EIS11-001)**

**A. PLANNING DEPARTMENT**

1. This approval is for a Use Permit (U11-008). 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. 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 following table provides specific project characteristics such as acreages, number of trees to be harvested, typical operations schedule and blasting schedule.

**BOCA QUARRY EXPANSION PROJECT CHARACTERISTICS**

<b>Design/Operating Characteristics</b>	<b>Description/Parameters/Assumptions<sup>1</sup></b>
<b>Operational Activities</b>	
Timber Harvest	Harvest approximately 750 trees
Mining	Excavation using dozers, scrapers, and excavators with occasional use of 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.
<b>Mine and Reclamation Plan Data</b>	
<b>Acreages</b>	
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
<b>Volume<sup>2</sup></b>	
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)
<b>Operation Period<sup>3</sup></b>	
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 <sup>1</sup>
<b>Mine Excavation Area Dimensions – West Pit</b>	
Approximate Maximum Length <sup>4</sup>	3,500 feet
Approximate Maximum Width <sup>4</sup>	1,700 feet
Vertical Extent of Mining	<200 feet
<b>Operating Schedule and Workforce</b>	
Typical Operating Schedule <sup>5</sup>	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
<b>Reclamation</b>	
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:

- <sup>1</sup> All values are approximate.
- <sup>2</sup> Quantity based on current maximum production, and foreseeable demand. Actual demand would fluctuate based on economic conditions and regional growth requiring construction aggregate.
- <sup>3</sup> 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.
- <sup>4</sup> Measured at the longest and widest points.
- <sup>5</sup> 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.

This permit approval allows sand and gravel mining activities to occur in the identified harvest areas as shown on the approved Use Permit (U11-008) harvest plan map for a period of 30-years from the effective date of the approval. Consistent with the Boca Quarry Development Agreement, if needed, the permit can be extended one-time, for 10-years.

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 will 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 shall be designed to address bicyclist safety. The offsite roadway improvement construction disturbance footprint will avoid wetlands.

### **Prepping, Phasing and Reclamation**

The proposed expansion will 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 will be 200 feet. Prior to initiation of mining activities in the West Pit, all trees within the footprint of the area to be mined will be removed using both heavy equipment and hand tools. The removal of trees and wood products will be handled and disposed of in accordance with the Z'berg-Nejedly Forest Practice Act of 1973.

A Timberland Conversion Permit (14 CCR Section 1105) will 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 will be harvested. The existing vegetation will not be removed until work is imminent. Once the area is cleared of vegetation, the uppermost layer of soil will be salvaged using dozers and/or scrapers and the available soil will be stockpiled for use in future reclamation activities.

### **Reclamation Plan**

As described in the approved Reclamation Plan (RP11-001) for the project, slash and brush derived from clearing and grubbing of the new mining areas will 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 will be determined based on the mining pit phasing and areas being accessed based on market demand.

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

### **Blasting**

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 and all materials used in blasting will be stored offsite and transported to the Boca Quarry in compliance with all federal, state and local laws and policies.

An emulsion of ammonium nitrate and fuel oil would 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 would 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 would 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's Police Department will be given a 24-hour notice prior to each blast.

### **Hydrological and Water Quality**

No release of surface water from the mining pits will occur. A zero-discharge basin will be designed for the project. 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 project designed 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.

2. This permit approval allows sand and gravel mining activities to occur in the identified harvest areas as shown on the approved Use Permit (U11-008) harvest plan map for a period of thirty (30) years from the date of approval including any periods of Idle Mine Status, as defined by PRC Section 2727.1.
3. Pursuant to the requirements of the Land Use and Development Code, you are hereby notified that this project is not valid until the expiration of the ten (10) day appeal period from the date of the Board of Supervisor's final action on the project (October 8, 2019).
4. Mining pursuant to this permit approval must be completed within the framework of the Development Agreement's 30-year life from the date of approval with the possibility of one, ten-year extension and including any periods of Idle Mine Status, as defined by PRC

Section 2727.1 . Reclamation of the East and West Pits shall follow the Reclamation Plan details and timing requirements.

5. Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department the attached Defense and Indemnity Agreement. No further permits or approvals shall be issued for the project, unless and until the applicant has fully complied with this condition.
6. Prior to permit finalization and commencement of activity associated with the West Pit, the applicant shall contact the Planning Department for a field inspection to verify all Conditions of Approval and ordinance requirements have been satisfied. Fees for such inspection shall be applicable on this project permit.
7. Pursuant to Policy 17.7 of the Mineral Management Chapter, the Mining Use Permit shall return to the Nevada County Planning Agency for a compliance review in addition to the annual Development Agreement review (Sec. L-II 5.18 F) due every 12 months after the Development Agreement is signed.
8. **Manufactured Slope (Mitigation Measure GEO-1).** The 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.  
*Timing: Plans to be approved as part of the on-going reclamation plan process*  
*Reporting: Annual Development Agreement*  
*Responsible Agency: Nevada County Planning in Department of Public Works*
9. **Manufactured Slope (Mitigation Measure GEO-2).** Manufactured slopes in the West Pit shall be regularly inspected by a qualified geotechnical engineer during mining operations, and slope performance and geological conditions shall be documented and submitted to the County as required. This information shall be used to review and, as appropriate, revise the geological and geotechnical models and slope design recommendations provided in the Stability Evaluation of the West Pit (Golder 2010a). These inspections and slope design reviews shall be performed by a qualified geotechnical engineer as follows: (1) annually at a minimum; (2) at any time mining operations encounter conditions that vary significantly from the geological and geotechnical models documented in the Stability Evaluation of the West Pit (Golder 2010a); and (3) at any time that slopes developed according to the project design based on the recommendations of the Stability Evaluation of the West Pit (Golder 2010a) show indications of significant instability. This observational and review approach, supported by strength testing of representative materials, shall be used to update or provide more appropriate FOS calculations for slopes prior to pit closure, with any and all associated modifications from recommendations contained in the Stability Evaluation of the West Pit (Golder 2010a) to be incorporated into the design and operation of mining activities at the West Pit.

Specifically, such modifications would typically include standard geotechnical measures such as updating/revising individual slope heights/grades to reflect observed/tested conditions and ensure an acceptable FOS, as determined by a qualified geotechnical consultant. Specific elements of the inspection process shall include, but not be limited to, the following: (1) if, during excavation, a basalt boulders, cobbles, and rubble unit is discovered to be more than 60 feet thick, a qualified engineer shall sample and conduct laboratory testing of the material to confirm the project design based on the assumptions and recommendations in the Stability Evaluation of the West Pit (Golder 2010a), or to provide updated recommendations, including slope design as noted; (2) any highly weathered or fresh tuff and ash layer that is more than 15 feet thick shall be sampled and tested to confirm the project design based on the assumptions and recommendations in the Stability Evaluation of the West Pit (Golder 2010a), or to provide updated recommendations, including slope design as noted; and (3) if any major geological structures (i.e., faults, joints, etc.) are identified in the vicinity of the proposed new pit walls, they shall be evaluated by a qualified geotechnical engineer, and associated recommendations shall be incorporated into the project design and operational specifications (potentially including efforts such as revising manufactured slope grades/dimensions, and/or modifying proposed excavation to avoid problematic areas).

**Timing:** (1) Annually at a minimum; (2) at any time mining operations encounter conditions that vary significantly from the geological and geotechnical models documented in the August 2010 project Stability Evaluation; and (3) at any time that slopes developed according to the recommendations of the August 2010 project Stability Evaluation show indications of significant instability

**Reporting:** Annual DA Review and/or as is needed with Stability Evaluations that indicate significant instability.

**Responsible Agency:** Qualified Geotechnical Engineer provided by project operator, Nevada County Planning in Consultation with County Engineer.

10. **Erosion and Sediment Control (Mitigation Measure HYD-1).** In accordance with the Surface Mining and Reclamation Act, the applicant shall adhere to all erosion and sediment control measures as identified in the Storm Water Management Plan (SWMP; Golder 2010b) 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 Regional Water Quality Control Board (RWQCB).

The applicant shall provide the County Planning Department with an updated SWMP every seven years, which will also be tracked through the annual review of the Development Agreement.

**Timing:** Prior to commencement of Phase II operations, updated SWMP submitted to County every seven years and as needed for the duration of the life of the mine when the quarry is in operation.

**Reporting:** Pre-Construction

**Responsible Agency:** Project Monitor/Operator; Qualified Engineer; Nevada County Planning; Regional Water Quality Control Board

11. **Hydrologic Monitoring of Dobbas Spring (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, along with a summary description of the resultant water balance (i.e., spring flow versus project-related use).

If the noted monitoring data indicate that current or projected future project-related water demand equals or exceeds the flow at Dobbas Spring, the project applicant/operator shall adjust quarry production and/or water supply source(s) accordingly. Specifically, this could include an appropriate reduction of quarry production (with a corresponding reduction in water use), and/or the procurement of alternate water supplies, such that water use from Dobbas Spring does not exceed available supply.

**Timing:** Monthly monitoring submitted to the County Planning annually for the duration of the life of the mine.

**Reporting:** Pre-Construction

**Responsible Agency:** County Planning, Project Monitor/Operator

12. **Avoid Impacts to Groundwater (Mitigation Measure HYD-3).** The following avoidance and minimization measures shall be implemented for the duration of operation of the project to avoid impacts to groundwater resources in the project site:

- All imported fill material proposed for use as backfill at the project site shall be “clean” and free from contaminants that are potentially deleterious to surface or groundwater, public health, and the environment in general. The site operator shall visually inspect all imported fill loads for debris and foreign material and shall maintain a written log of all imported fill loads.
- Because the imported fill shall come from a known, clean source, a chemical inspection would not be required. The inspection log shall include the name, source, address, phone number and vehicle license plate number associated with each fill load, with this information to be submitted to the County for review and verification on a monthly basis.
- All project-related vehicles and equipment shall be regularly inspected and maintained (per manufacturer’s specifications) to ensure proper operation and minimize the potential for accidental spills and leaks of associated pollutants.

- The project impact footprint shall be inspected by the site operator on a daily basis to identify and (as necessary) maintained to identify/remove potential pollutant sources such as trash/debris, spills of vehicle/equipment-related pollutants, and other potential contaminants.
- Storage of potential pollutants (such as fuels and lubricants), as well as maintenance of vehicles/equipment, shall not occur within the project site to reduce to potential for discharge of associated contaminants.
- Appropriate containment and disposal shall be provided for project-generated solid waste (e.g., operational and office trash/debris), through efforts such as use of appropriate storage/containment facilities (e.g., enclosed dumpsters with lids, secondary containment fencing, and an impermeable base), and contracting for regular pickup and disposal of solid waste at an approved off-site facility.
- Training shall be provided at appropriate regular intervals to employees responsible for activities related to installation, operation and/or maintenance of project equipment/vehicles, mining activities, storm drain systems, and erosion/ sedimentation facilities and operations. This training shall also include spill response procedures to ensure that staff are capable of appropriately addressing issues and conditions related to pollutant discharge.
- Detailed records shall be kept on-site for efforts including inspections, maintenance activities, corrective actions, material deliveries and inventories, testing/sampling results, and spills and responses.

**Timing:** Throughout project operations when quarry is open, for the duration of the life of the mine.

**Reporting:** Monthly when mine is in operation.

**Responsible Agency:** Nevada County Planning, Project Monitor/Operator

13. **Avoid nesting birds (Mitigation Measure BIO-1).** The removal of trees, vegetation, and soil salvage from the Boca Quarry project site or off-site roadway improvement area shall be limited to only those necessary to conduct the approved activity. Tree and shrub removal or trimming and soil salvage shall occur outside of the nesting season (between August 16 and January 14). Due to challenges with conducting surveys of tall trees, it is particularly important to time removal of trees with diameter at breast height exceeding 24 inches to be removed outside of the nesting season.
- If removal of trees or shrubs in the project site will occur during the nesting season (typically January 15 to August 15, or as determined appropriate on a case-by-case basis by a qualified biologist based on the habitat being removed), or if construction of the off-site roadway improvement area is expected to be initiated during the nesting season, surveys for nesting birds shall be conducted by a qualified biologist prior to removal of potentially suitable nesting habitat. The surveys shall cover the proposed

work area (off-site roadway improvement area), or area of tree removal within the ultimate disturbed area and areas within 300 feet. The nesting surveys shall take place at the time birds are most active, typically between dawn and 11 a.m. The surveys may not occur more than 7 days prior to the activities. If no nesting activity is observed during the surveys or within 300 feet of the tree or vegetation to be removed or trimmed or soil to be salvaged, then no further mitigation is necessary.

- If nesting raptors or other nesting migratory birds are identified during the surveys, then a 100-foot buffer shall be established for nesting passerines, and a 300 to 1,000-foot buffer shall be established for nesting raptors at the discretion of the qualified biologist. Temporary exclusionary fencing with signs describing the sensitivity of the area shall be installed to establish the non-disturbance buffer around the nest.
- No trees or vegetation shall be removed or trimmed and no other earth-moving activity shall occur within the established buffer until it is determined by a qualified biologist that the young have fledged (that is, left the nest) and have attained sufficient mobility to avoid project construction/mining zones.
- The size of the non-disturbance buffer may be altered if a qualified biologist conducts behavioral observations and determines the nesting raptors or other migratory birds are well acclimated to the disturbance. If this occurs, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to nesting birds. If the buffer is reduced, the qualified biologist shall remain on site to monitor the birds' behavior during heavy construction. The biologist shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.

**Timing:** *Prior to construction of off-site roadway improvements and prior to the commencement of each phase of site preparation for Phase II and Phase III operations.*

**Reporting:** *Pre-Construction*

**Responsible Agency:** *Nevada County Planning*

14. **Avoidance of Aquatic Habitats (Mitigation Measure BIO-2).** Ground disturbing activities and placement of fill in the Boca Quarry project site have been designed to avoid all identified aquatic habitats in the project site. No impacts to aquatic habitats shall occur without first obtaining the appropriate permits and approvals from the appropriate agency (U.S. Army Corps of Engineers [USACE], RWQCB, and/or California Department of Fish and Wildlife [CDFW]). The roadway improvements in the off-site roadway improvement area should be designed to avoid all aquatic habitats identified in Figure 4.3-1b of the EIR for the project by a minimum of 30 feet (Truckee River, Lemmon's Willow Thicket, Wet Meadow, in the off-site roadway improvement area). The mapping of these habitats shall be included in the roadway design plans with the distances from the edge of habitat to the cut/fill line shown. If the project design is unable to avoid those habitats, then the applicant shall prepare a formal wetland delineation including, at a minimum, the areas where

improvements would be constructed within 30 feet of the mapped aquatic habitats. In the event that wetlands that fall under the jurisdiction of the USACE or the Lahontan RWQCB are found where excavation, fill, or vegetation removal would be required for the improvements, the applicant shall modify the improvement designs so as to minimize or eliminate direct impact. If the design of the improvements cannot be revised so as to avoid all direct impact on wetlands, the applicant shall obtain applicable authorizations and water quality certification and implement compensatory or other mitigation actions that are required by the approvals. At a minimum, the mitigation actions shall ensure that there is no net loss of wetland acreage or values.

Prior to issuance of the grading permit for the roadway improvements, the applicant shall demonstrate to the County that: (1) all aquatic habitats are being sufficiently avoided, as described above; or (2) the appropriate permits and approvals have been obtained to impact waters of the U.S. and State and CDFW jurisdictional areas, if present, and any necessary compensatory mitigation has been secured.

*Timing: Prior to issuance of grading permits for the off-site roadway improvement area.*

*Reporting: Pre-Construction*

*Responsible Agency: Project Monitor/Operator; Qualified Engineer; Nevada County Planning; Regional Water Quality Control Board*

15. **Water Quality Impacts on Biological Resources (Mitigation Measure BIO-3).** Mitigation measures HYD-1 and HYD-3 shall be implemented to reduce potentially significant impacts on biological resources from reduced water quality to a level of less than significant.

*Timing: Applies for the duration of operation of the mine.*

*Reporting: A*

*Responsible Agency: Nevada County Planning;*

16. **Exterior Lighting (Mitigation Measure BIO-4).** During and following all mining and reclamation activities, all exterior lighting adjacent to undisturbed habitat shall be of the lowest illumination allowed for human safety, selectively placed, shielded, and directed away from undisturbed habitat to the maximum extent practicable. All exterior lighting shall be manual on/off and shall be turned on only for the duration of allowable, occasional night time operations. No exterior lighting shall be allowed while the site is not in use.

*Timing: Applies for the duration of operation of the mine.*

*Reporting: N/A*

*Responsible Agency: Nevada County Planning;*

17. **Vegetation and Dust Control (Mitigation Measure BIO-5).** Mitigation Measure AQ-3 shall be implemented to reduce the effects of dust on surrounding vegetation to less than significant levels.

*Timing: Applies for the duration of operation of the mine.*

*Reporting: N/A*

*Responsible Agency: Nevada County Planning; NSAQMD*

18. **Visual Resources (Mitigation Measure AES-1).** Potential impacts to visual resources shall be offset by spraying “Rock Varnish” (aka desert varnish) such as Nantina or PERMEON or other functional equivalent on exposed upper cut face slopes immediately following the completion of each phase of mining, to blend visually with undisturbed rock face and talus following mining operations. The PERMEON (desert varnish) or approved equal, shall be mixed with water in a 5:1 solution (i.e.: 20 gallons of PERMEON to 100 gallons of water). A compressor shall be used to pressurize the spray to approximately 200 psi for application with an agricultural-type hand-held nozzle sprayer. The desert varnish color can range from almost black to a light tan, depending on the concentration of PERMEON and the number of coats to be made. The solution shall be sprayed on until saturation. When first applied, the PERMEON mixture would not have a tint, and the exposed rock initially returns to its original color as it dries. The desired coloration process is activated by exposure to ultraviolet light from sunshine.  
*Timing: Immediately following the completion of each phase of mining*  
*Reporting: Annual Development Agreement Report*  
*Responsible Agency: Nevada County Planning*
19. **Traffic Control Plan (Mitigation Measure TRANS-1).** Prior to the County issuing an encroachment permit for the off-site roadway improvements, the Contractor shall prepare and submit to the County for approval a traffic control plan consistent with County requirements regarding traffic control during construction of the off-site roadway improvements. In all instances, traffic flow through the off-site roadway improvement area shall be maintained for the duration of construction..  
*Timing: Prior to issuance of the grading permit for the off-site roadway improvement area. For implementation during construction of the off-site roadway improvement area.*  
*Reporting: N/A*  
*Responsible Agency: Nevada County Department of Public Works*
20. **Use Permit w USFS for W. Hinton Road (Mitigation Measure TRANS-2).** The applicant shall maintain the Road Use Permit with the U.S. Forest Service (USFS) for use of West Hinton Road through USFS lands for the duration of operation of the quarry. The applicant shall submit documentation to the County prior to operation of the West Pit and annually thereafter (or for another duration, based on the duration of the issued Road Use Permit) which demonstrates the permit is valid.  
*Timing: For the duration of the life of the Mine*  
*Reporting: Annual Development Agreement Report*  
*Responsible Agency: Nevada County Planning*
21. **Haul Route (Mitigation Measure TRANS-3).** The authorized haul route for operation of the quarry is along Stampede Meadows Road and West Hinton Road between the I-80/Hirschdale Road interchange and the quarry. The applicant shall not alter the haul route without prior authorization from the County. No haul trucks shall be permitted to enter or leave the quarry from the southern entrance of the project site, through the Community of

Hirschdale. To prevent haul truck traffic from inadvertently attempting to use the southern entrance or otherwise traveling into residential communities south of I-80, temporary signs shall be installed at the I-80/Hirschdale Road interchange off-ramp which shall depict the authorized haul route to the quarry. The applicant shall maintain the signs for the duration of operation of the mine.

**Timing:** *Throughout the project operations when quarry is open, for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning and Department of Public Works*

22. **Off-site Road Improvements (Mitigation Measure TRANS-4).** Prior to issuance of an encroachment permit for the off-site roadway improvements, the proposed signage, roadway widening, and sight distance improvements shall be reviewed and approved by the Nevada County Department of Public Works. As a condition of approval, the applicant shall be required to construct the proposed off-site roadway improvements along Stampede Meadows Road between the I-80/Hirschdale Road interchange and West Hinton Road prior to implementation of operations in the West Pit. The off-site roadway improvements including the intersection improvements at Stampede Meadows Road and West Hinton Road, and the proposed roadway widening shall be complete and operational prior to the addition of traffic associated with operations in the West Pit. The applicant shall not implement operations in the West Pit prior to receiving County approval that the off-site roadway improvements are complete.

**Timing:** *Prior issuance of a construction permit for off-site roadway improvements and prior to commencement of Phase II Operations.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning and Department of Public Works*

23. **Off-site Road Improvements- Road Widening (Mitigation Measure TRANS-5).** The final design for the roadway widening along Stampede Meadows Road shall include a smooth pavement transition where West Hinton Road meets Stampede Meadows Road. The transition shall be achieved by paving the approach to the paved road (Stampede Meadows Road) from the unpaved Road (West Hinton Road). The distance of the paved approach and the transition at the intersection shall be designed in accordance with County standards. The design shall be incorporated into the roadway widening plans and shall be reviewed and approved by the Nevada County Department of Public Works prior to issuance of an encroachment permit.

**Timing:** *Prior issuance of a construction permit for off-site roadway improvements and prior to commencement of Phase II Operations.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning and Department of Public Works*

24. **Operational Noise (Mitigation Measure NOI-1).** Future residential development proposed at any nearby parcels shall not be exposed to operational noise levels exceeding 55 dBA LEQ (or 65 dBA LMAX) during daytime hours, or 50 dBA LEQ (or 65 dBA

LMAX) during evening hours, or 50 dBA LEQ (or 60 LMAX) 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. The noise analysis shall be conducted by a qualified acoustical engineer to demonstrate that any future residences satisfies the exterior and interior noise standards established by Nevada County. 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. Updated setback distances shall be established accounting for topography and equipment used at that time. The acoustical analysis shall identify additional noise control measures to be incorporated into the project operations at that time. Such measures could include the use of equipment noise shielding, sound berms or barriers, or other feasible measures. If excavation activity is not shown to be reduced to appropriate levels following mitigation, excavation activity within the determined setback distances shall not occur.

**Timing:** *This measure applies if noise sensitive land uses are developed at Receptor 14 during the life of the mine. Upon commencement of nighttime quarry operations; ongoing throughout nighttime project operations until Planning Department confirms monitoring is no longer required.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning*

25. **Heavy Traffic Noise (Mitigation Measure NOI-2).** Future residential development proposed at any nearby parcels shall not be exposed to heavy traffic noise levels exceeding 55 dBA LEQ during daytime hours, or 50 dBA LEQ during evening or nighttime hours. Future residences shall not be exposed to noise levels exceeding 65 dBA LMAX during daytime hours, 65 dBA LMAX during evening hours, or 60 dBA LMAX during nighttime hours.

Future 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 noise analysis shall be conducted by a qualified acoustical engineer to demonstrate that any future residences satisfies the exterior and interior noise standards established by Nevada County. 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. In addition, heavy truck passby noise level measurements shall be conducted from the locations of the proposed residences to determine if haul truck noise levels would exceed the adjusted noise level standards. The acoustical analysis shall identify additional noise control measures to be incorporated into the project operations at that time. Such measures could include the use of sound berms or barriers, relocation of the haul road to create additional setbacks from the proposed residences, or other feasible measures.

**Timing:** *This measure applies if noise sensitive land uses are developed at Receptors 12, 13, and/or 14 during the life of the mine. Upon commencement of quarry operations; ongoing throughout project operations.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning*

26. **Heavy Traffic Noise (Mitigation Measure NOI-3).** Future residential development proposed at any nearby parcels shall not be exposed to heavy traffic noise levels exceeding 55 dBA LEQ during daytime hours, or 50 dBA LEQ during evening or nighttime hours. Future residences shall not be exposed to noise levels exceeding 65 dBA LMAX during daytime hours, 65 dBA LMAX during evening hours, or 60 dBA LMAX during nighttime hours.

Future 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 noise analysis shall be conducted by a qualified acoustical engineer to demonstrate that any future residences satisfies the exterior and interior noise standards established by Nevada County. 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. In addition, heavy truck passby noise level measurements shall be conducted from the locations of the proposed residences to determine if haul truck noise levels would exceed the adjusted noise level standards. The acoustical analysis shall identify additional noise control measures to be incorporated into the project operations at that time. Such measures could include the use of sound berms or barriers, relocation of the haul road to create additional setbacks from the proposed residences, or other feasible measures.

**Timing:** *Upon commencement of quarry operations; ongoing throughout the nighttime project operations.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning*

27. **Receptor 7 Noise Monitoring (Mitigation Measure NOI-4).** Once the West Pit is operational, additional noise monitoring may be performed a 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 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.

**Timing:** Upon commencement of quarry operations; ongoing throughout the nighttime project operations until Planning Department confirms monitoring is no longer required

**Reporting:** Annual Development Agreement Review

**Responsible Agency:** Nevada County Planning

28. **Receptor 7 Noise Monitoring (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.

**Timing:** Upon commencement of quarry operations; ongoing throughout the nighttime project operations until Planning Department confirms monitoring is no longer required

**Reporting:** Annual Development Agreement Review

**Responsible Agency:** Nevada County Planning

29. **Open Burning (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:

- Rule 308 – Land Development Clearing
- Rule 312 – Burning Permits
- Rule 313 – Burn Day
- Rule 314 – Minimum Drying Times
- Rule 315 – Burning Management Requirements
- Rule 316 – Burn Plan Preparation

**Timing:** Prior to open burning. Applies for the duration of the life of the mine.

**Reporting:** Annual Development Agreement Review

**Responsible Agency:** Nevada County Planning, NSAQMD

30. **Diesel Control Measures (Mitigation Measure AQ-2).** Diesel control measures including, but not limited to the following, shall be incorporated by the applicant into contract specifications for all on- and off-road equipment:

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

**Timing:** *Prior to open burning. Applies for the duration of the life of the mine.*

**Reporting:** *Annual Development Agreement Review*

**Responsible Agency:** *Nevada County Planning, NSAQMD*

31. **Dust Control (Mitigation Measure AQ-3).** 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  $\mu\text{g}/\text{m}^3$  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;

- 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.

**Timing:** *Applies for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning, NSAQMD*

32. **Diesel Control Measures (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 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.

**Timing:** *Applies for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning, NSAQMD, CUPA*

33. **Hazardous Material Storage (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. The applicant shall apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the NCDEH, CUPA. The operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.

The building's design for the storage of ammonium nitrate or other blasting materials shall meet the criteria for such buildings as designated by OSHA and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

**Timing:** Applies for routine transport, use, or disposal, and if hazardous materials are stored on the site. Prior to commencement of Phase II operations; ongoing throughout project operations

**Reporting:** N/A

**Responsible Agency:** Nevada County Planning, Occupational Safety and Health Administration (OSHA); County Environmental Health CUPA

34. **Hazardous Materials Business Plan (Mitigation Measure HAZ-2).** In order to protect the public from potential release of hazardous materials, the project applicant shall prepare and implement a 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. Under this state law, the applicant is required to prepare an HMBP to be submitted to the County Public Health Department, Environmental Health Services Division, which is the Certified Unified Program Agency for the County, or can be filed through the California Environmental Reporting System. The HMBP shall include a hazardous material inventory, emergency response procedures, training program information, and basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of at the proposed project site. The HMBP shall include an inventory of the hazardous waste generated on-site, and would specify procedures for proper disposal. As required, hazardous waste would be transported by a licensed hauler and disposed of at a licensed facility. According to the HMBP reporting requirements, workers must be trained to respond to releases of hazardous materials in accordance with State and federal laws and regulations governing hazardous materials and hazardous waste (e.g., HAZWOPER training required by OSHA). 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.

**Timing:** Applies of hazardous materials are stored on the site. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.

**Reporting:** N/A

**Responsible Agency:** Nevada County Planning, County Environmental Health CUPA

35. **Combustible Materials (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.

**Timing:** Applies of hazardous materials are stored on the site. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.

**Reporting:** N/A

**Responsible Agency:** Nevada County Planning, County Environmental Health CUPA

36. **Spark Arresters (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.

**Timing:** Prior to and during construction of the off-site roadway improvement area. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.

**Reporting:** N/A

**Responsible Agency:** Nevada County Planning

37. **Previously Unknown Resources (Mitigation Measure CUL-1).** It is possible that ground-disturbing activities during construction may uncover previously unknown resources that meet the criteria for 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 on the CRHR. 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.

If the archaeologist determines that construction activities could damage a potential historical resource, mitigation will be implemented in accordance with Section 15126.4 of the State CEQA Guidelines. If avoidance of the site is not feasible, a qualified archaeologist will prepare and implement a detailed treatment plan in consultation with the County. Treatment for most historical resources would consist of (but would not be not limited to) documentation of the resource on the appropriate DPR 523-series forms, sample excavation and artifact collection (if appropriate), and historical research. The treatment plan will include provisions for analysis of data in a regional context, reporting of results in a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

**Timing:** Prior to and during construction of the off-site roadway improvement area. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.

**Reporting:** N/A

**Responsible Agency:** Nevada County Planning

38. **Discovered Archaeological Resources (Mitigation Measure CUL-2).** In the event that archaeological 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 Public Resources Code (PRC) Section 21083.2(g) shall be applied.

If the archaeologist determines that construction activities could damage a resource that meets the criteria of a unique archaeological resource, mitigation will be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Consistent with Section 15126.4(b)(3), mitigation may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If preservation in place is not feasible, a qualified archaeologist will prepare and implement a detailed treatment plan in consultation with the County. Treatment of unique archaeological resources may consist of (but would not be not limited to) sample excavation, artifact collection, site documentation on DPR 523 forms, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan will include provisions for analysis of data in a regional context, reporting of results in a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

**Timing:** *Prior to and during construction of the off-site roadway improvement area. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning*

39. **Discovered Fossils (Mitigation Measure CUL-3).** In the event a fossil is discovered during construction for the proposed project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist in accordance with 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.

**Timing:** *Prior to and during construction of the off-site roadway improvement area. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning*

40. **Discovery of Human Remains (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. If during project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

- a. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the California Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American(s). The MLD shall make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.
- b. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of MLD or on the project site in a location not subject to further subsurface disturbance:
  - i. The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
  - ii. The descendant identified fails to make a recommendation.
  - iii. The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

**Timing:** *Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction. Prior to commencement of Phase II operations; ongoing throughout project operations. Applies for the duration of the life of the mine.*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning, County Coroner*

41. **Cumulative Considerable Impacts to Mule Deer Heard (Mitigation Measure CUM-1A).** 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 the County and shall include provisions for adjusting the reclamation efforts as needed, before the end of the active mining activities.

**Timing:** *Prior to commencement of Phase II operations, and for duration of project operations (including post reclamation monitoring). This measure will be incorporated into the Reclamation Plan for the project*

**Reporting:** *N/A*

**Responsible Agency:** *Nevada County Planning*

## **B. BUILDING DEPARTMENT**

1. Prior to any disturbance and/or construction a Grading Permit Application must be submitted to the Building Department and a Grading Permit approved for the above project description.
2. Clearly reflect on your grading permit submittal plans those items required by Code including but not limited to:
  - Construction and disturbance areas including staging and storage
  - Placement of vegetation protective fencing, temporary and permanent erosion control measures
  - Construction ingress and egress
  - Emergency ingress and egress
3. Special Inspection Agreement: Completion of the County of Nevada Special Inspection Agreement will be required at time of grading permit submittal for all required special inspections.
4. Implement project erosion and sediment control plan: The Use Permit will include the final version of the Management Plan's Erosion and Sediment Control Plan and will specify water quality control measures to be applied to the project area and shown on project improvement plans and grading plans as required by the County and identification of any corrective measures to address unexpected water quality impacts.

## **C. DEPARTMENT OF PUBLIC WORKS**

1. Any improvements on the public right of way would require an encroachment permit prior to construction. (Note: In addition to grading, paving and construction, vegetation management to maintain egress safety and fire safety within the public right of way also requires an encroachment permit.)

**D. WASHOE TRIBE OF NEVADA AND CALIFORNIA**

1. Coordinate with the tribe to develop a standard operating procedure, points of contact, timeline and schedule for the project so all possible damages can be avoided or alternatives and cumulative impacts can be properly assessed.

**E. CALIFORNIA DEPARTMENT OF FISH & WILDLIFE**

1. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Wildlife Code, a fee in the amount of \$3,271.00 must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department within 5 days of the permit approval with the check made payable to the County Clerk, County of Nevada. Without payment of this fee, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity. This fee is required to be collected on behalf of the State Department of Fish & Wildlife.