TEHAMA COUNTY PLANNING DEPARTMENT
TEHAMA COUNTY, CALIFORNIA

MITIGATED NEGATIVE DECLARATION FOR THE FOLLOWING TRACT MAP

PROJECT TITLE: USE PERMIT/RECLAMATION PLAN #21-01; THOMES CREEK ROCK, INC.

DESCRIPTION/LOCATION OF PROJECT: The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. A portion of section 34, T25N, R3W, MDBM.

The proposed Use Permit #21-01 will include a Reclamation Plan that will ensure the end use of the mine complies with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The request to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area and transport it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permits. APNs: 067-090-009 & 067-090-015

It has been determined by the Tehama County Planning Department that the above described project will have no significant adverse effect on the environment with the addition of three (3) mitigation and will not substantially increase the demand for county services.

This project has been evaluated through the use of the Tehama County Environmental Impact Check List. Copies of this Declaration are available upon request form the Tehama County Clerk & Recorder's Office.

The Planning Department will be accepting comments on the Mitigated Negative Declaration from **January 6, 2023 to February 6, 2023.**

Those wishing to comment regarding this Mitigated Negative Declaration must do so on or before **February 6, 2023.**

FILED

#1

Jessica Martinez
Planner III

1/5/2023
DATE

JAN 05 2023

JENNIFER A. VISE
TEHAMA COUNTY CLERK & RECORDER
BY Tina Robinson

PLANNING DEPARTMENT
COUNTY OF TEHAMA

Courthouse Annex, Room "I"
444 Oak Street
Red Bluff, California 96080
530-527-2200 Telephone
530-527-2655 Facsimile
Email: Planning @co.tehama.ca.us

Scot Timboe
Planning Director

NOTICE OF INTENTION

A "Mitigated Negative Declaration" has been filed on the below described project.

A Mitigated Negative Declaration means a statement describing the reasons that the proposed project will not have a significant effect on the environment.

The Mitigated Negative Declaration is available for public review at the Tehama County Clerk & Recorder's Office, Tehama County Courthouse, Red Bluff, CA 96080. The Planning Department will be accepting comments on the Mitigated Negative Declaration from **January 6, 2023 to February 6, 2023.**

If you have any comments after reading the Mitigated Negative Declaration they are to be made in writing to this department and should address only significant environmental impacts associated with Sections 15072(f) of the California Environmental Quality Act Guidelines as amended (copy available for referral in the Planning Department). All comments must be received on or before **January 6, 2023 to February 6, 2023.**

PROJECT TITLE: USE PERMIT/RECLAMATION PLAN #21-01; THOMES CREEK ROCK, INC.

DESCRIPTION/LOCATION OF PROJECT:

The proposed Use Permit #21-01 will include a Reclamation Plan that will ensure the end use of the mine complies with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The request to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area and transport it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permits. APNs: 067-090-009 & 067-090-015

The above project will be considered by the Tehama County Technical Advisory Committee **on a date to be determined**, in the Board of Supervisor's Chambers at 727 Oak Street, Red Bluff, California, 96080. If you have any comments on the project as opposed to the Mitigated Negative Declaration you should so inform the Planning Department or attend this meeting. You will receive a Notice of Public Hearing stating the specific time the project will be considered.

Contact: Jessica Martinez
Planner III

MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For:

Use Permit #21-01
WOLF MINE
COMMERCIAL GRAVEL EXTRACTION OPERATION
ON
THOMES CREEK

Prepared By:

COUNTY OF TEHAMA
Planning Department
444 Oak Street
Courthouse Annex, Room I
Red Bluff, CA 96080

(November 23, 2022)

TEHAMA COUNTY PLANNING DEPARTMENT
ENVIRONMENTAL SIGNIFICANCE CHECKLIST
Meets requirements of CEQA §15063(d), Initial Study

BACKGROUND

1. **PROJECT TITLE:** Use Permit #21-01-Wolf Mine Commercial Gravel Extraction Operation on Thomes Creek; Thomes Creek Rock, Inc.

2. **LEAD AGENCY NAME AND ADDRESS:**
   Tehama County Planning Department
   444 Oak Street, Room I, Courthouse Annex
   Red Bluff, CA 96080
   (530) 527-2200
   planning@co.tehama.ca.us

3. **CONTACT PERSON:**
   Jessica Martinez, Planner III

4. **APPLICANT/PROJECT PROPONENT NAME AND ADDRESS:**
   Thomes Creek Rock, Inc.
   6069 Highway 99W
   Corning, CA 96021
   Phone Number (530) 824-0191

5. **DESCRIPTION OF PROJECT:**
   The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01). A Use Permit for this type of mining operation is required pursuant to Tehama County Code Section 17.08.010, which will ensure the project complies with all local, state and federal code, including the State Surface Mining and Reclamation Act and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The commercial gravel extraction operation would remove sand and gravel from Thomes Creeks gravel bars and channel area then transport the material via a private haul road to the adjacent gravel processing Plant.

6. **PROJECT LOCATION:**
   The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road, Corning, CA: a portion of Section 34, Township 25N, Range 3W MDBM.

7. **GENERAL PLAN DESIGNATION:**
   VFA; Valley Floor Agriculture

8. **ZONING:**
   AG-2; Agricultural/Valley District

9. **SETTING AND SURROUNDING LAND USES:**
   The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. A portion of section 34, T25N, R3W, MDBM. The mining area is within the streambed of Thomes Creek. The area consists of the active stream channel, as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian area are included in the mining area since they are locations that could become part of the active stream bed area in the future, therefore they are considered within the recent meander belt of Thomes Creek. There is no intention to mine the area of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian

vegetation to the north. Industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east. To the west riparian vegetation, creek bed and vacant land. To the south there is vacant land and an orchard. The mining operations will not have an impact on surrounding land uses since there are no sensitive receptors such as residences near the site. The transportation of aggregates does not use public roads, since the project site is adjacent to the processing plant; the mining area is not used by adjacent properties for access to their lands.

10. CALIFORNIA NATIVE AMERICAN TRIBES CONSULTATION:

There have been no California Native American tribes traditionally and/or culturally affiliated with the project area that requested consultation pursuant to Public Resources Code section 21080.3.1.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☒ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

ENVIRONMENTAL DETERMINATION

After Review of the Initial Study, the Environmental Determination:

☐ Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared. See Attached Mitigation Measures & Monitoring Program.

☐ Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jessica Martinez, Planner III

Date: 1/5/2023

EXHIBITS

AERIAL MAP (Exhibit "A")	PAGE 6
SITE MAP #21-01 (Exhibit "B")	PAGE 7
LAND USE MAP (Exhibit "C")	PAGE 8
ZONING MAP (Exhibit "D")	PAGE 9
FEMA MAP (Exhibit "E")	PAGE 10
SOILS MAP (Exhibit "F")	PAGE 11
DOC FARMLAND MONITORING MAP (Exhibit "G")	PAGE 12

Exhibit "A"
Aerial Map

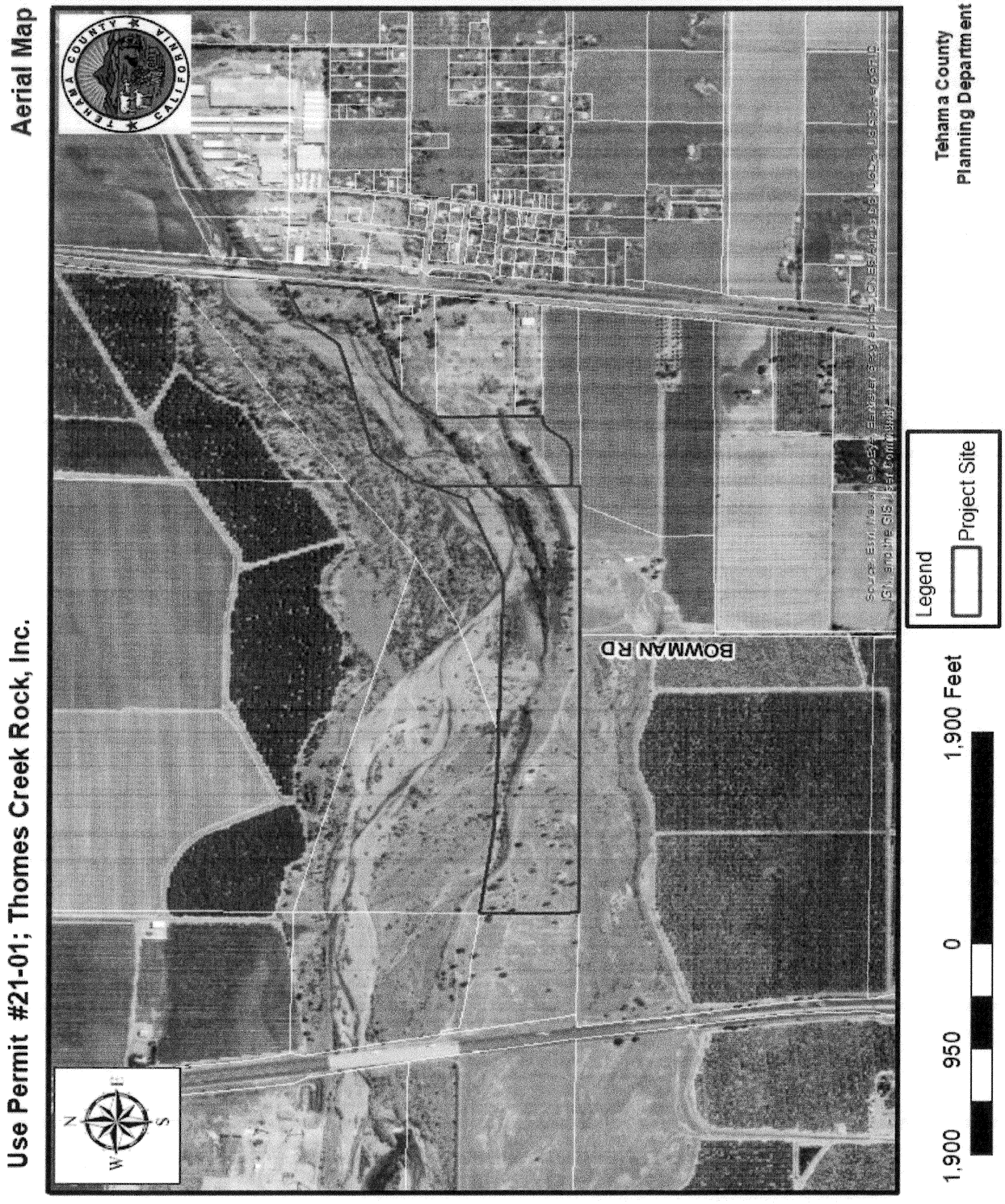


Exhibit "B"
SITE PLAN #21-01

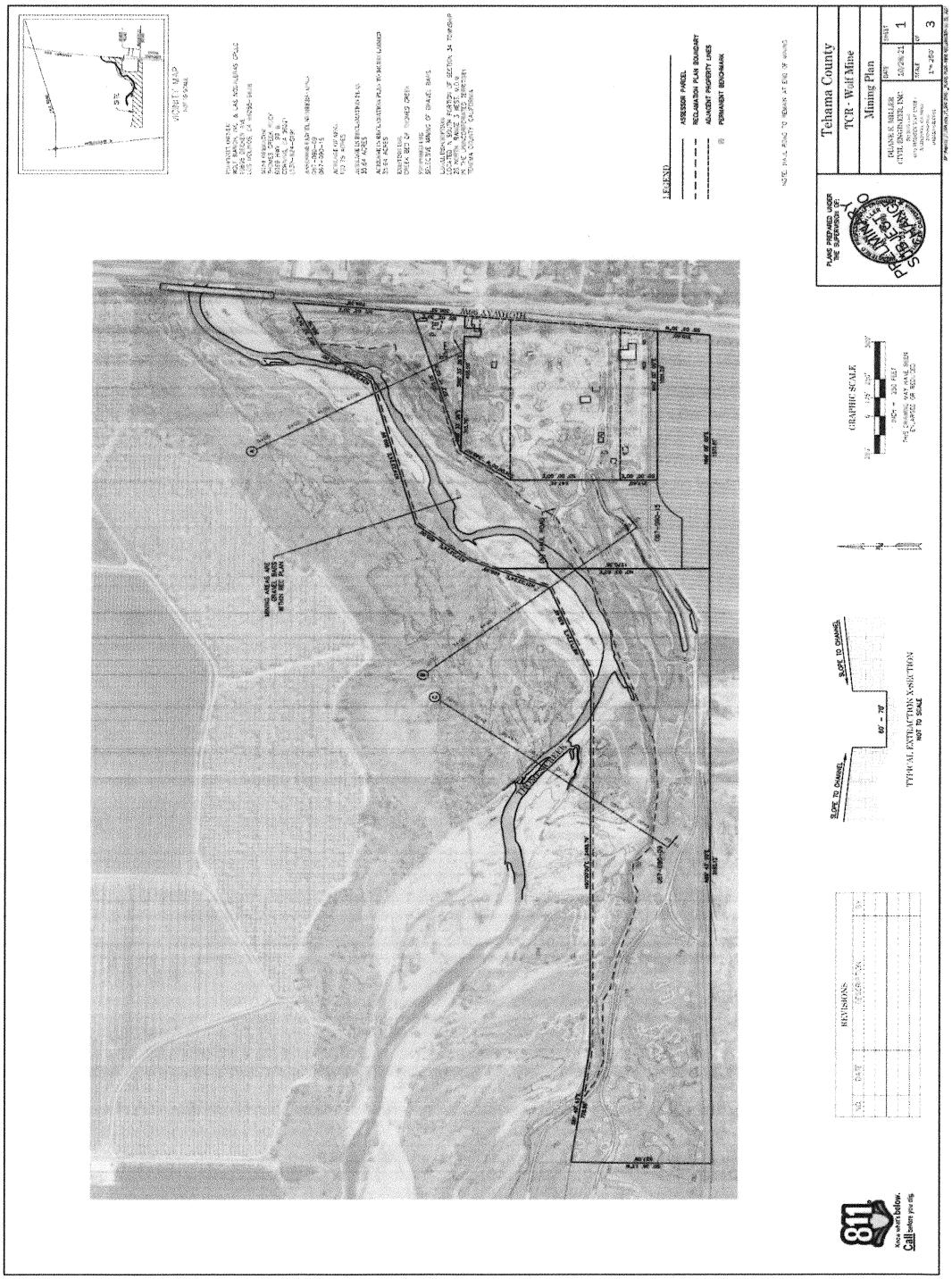


Exhibit "C"
Land Use Map

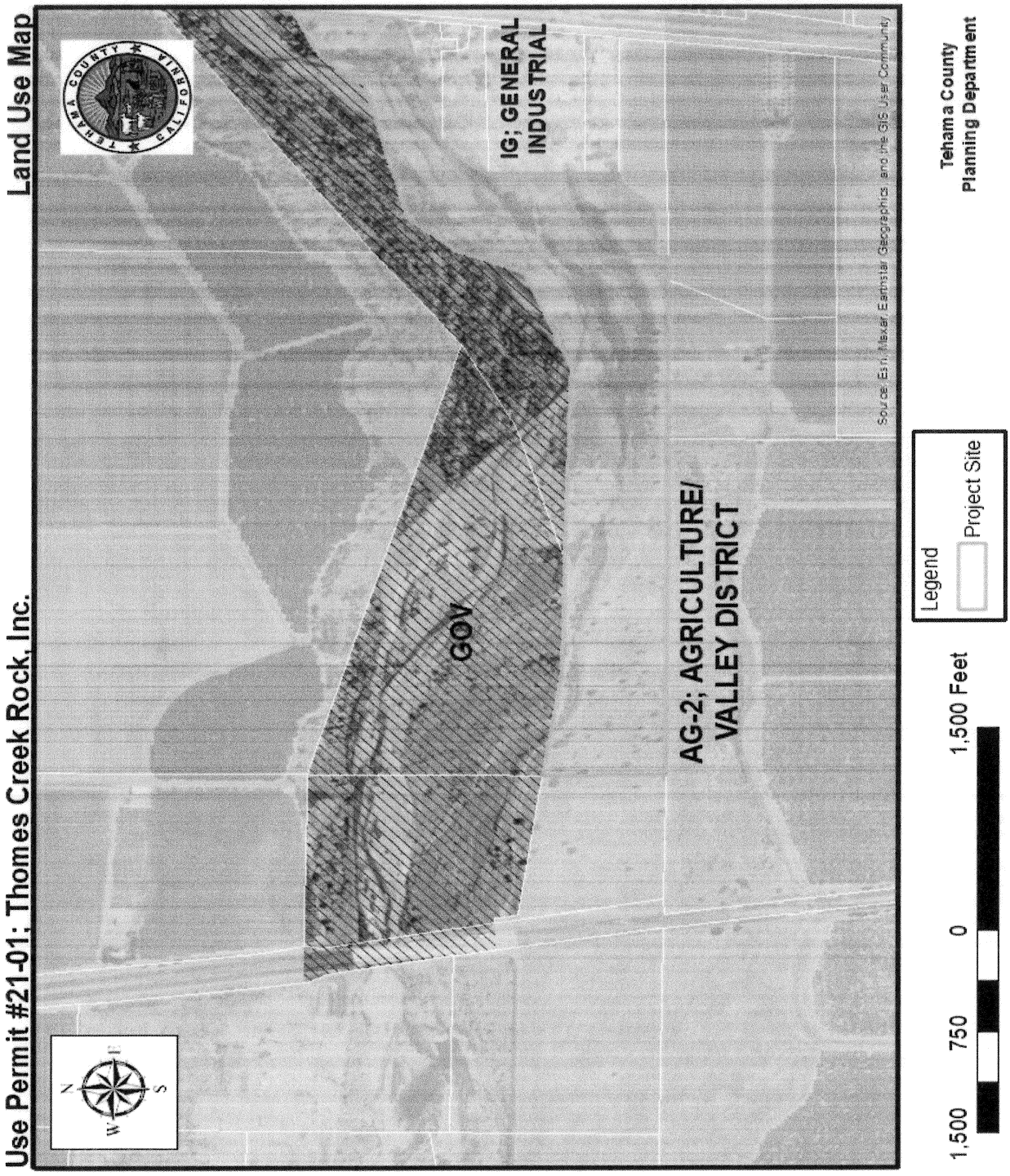


Exhibit "D"
Zoning Map

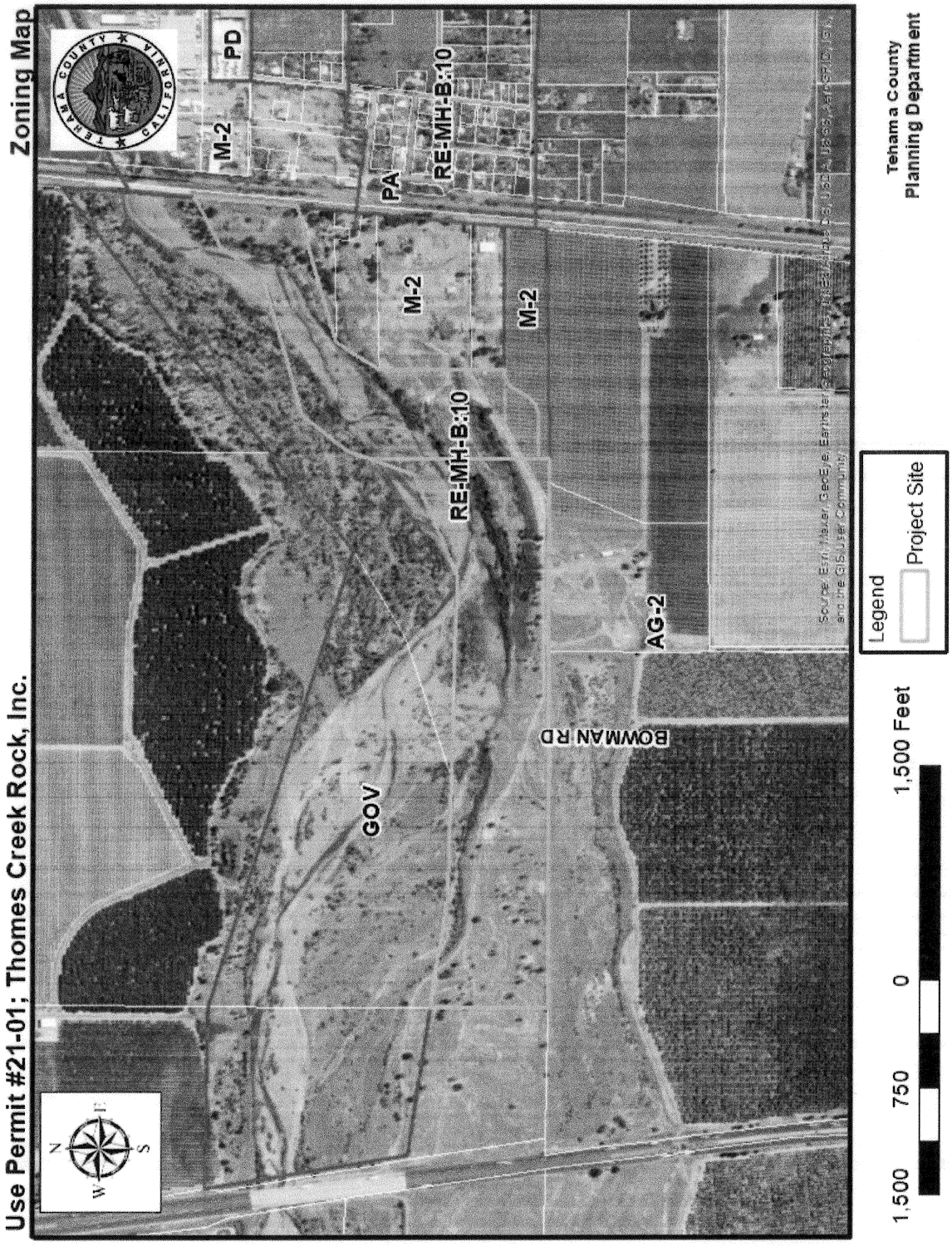


Exhibit "E"
FEMA Map

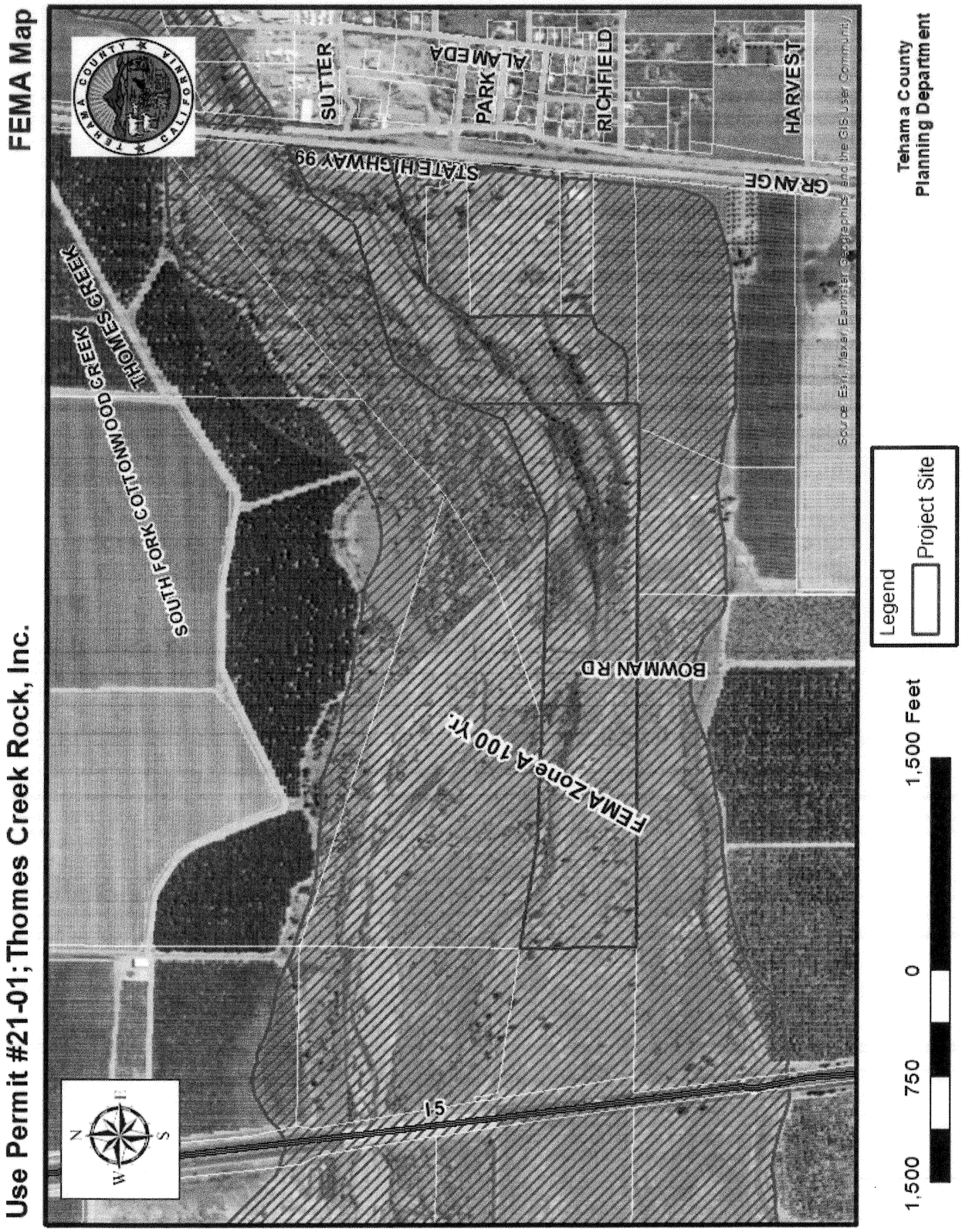


Exhibit "F"
SOILS Map

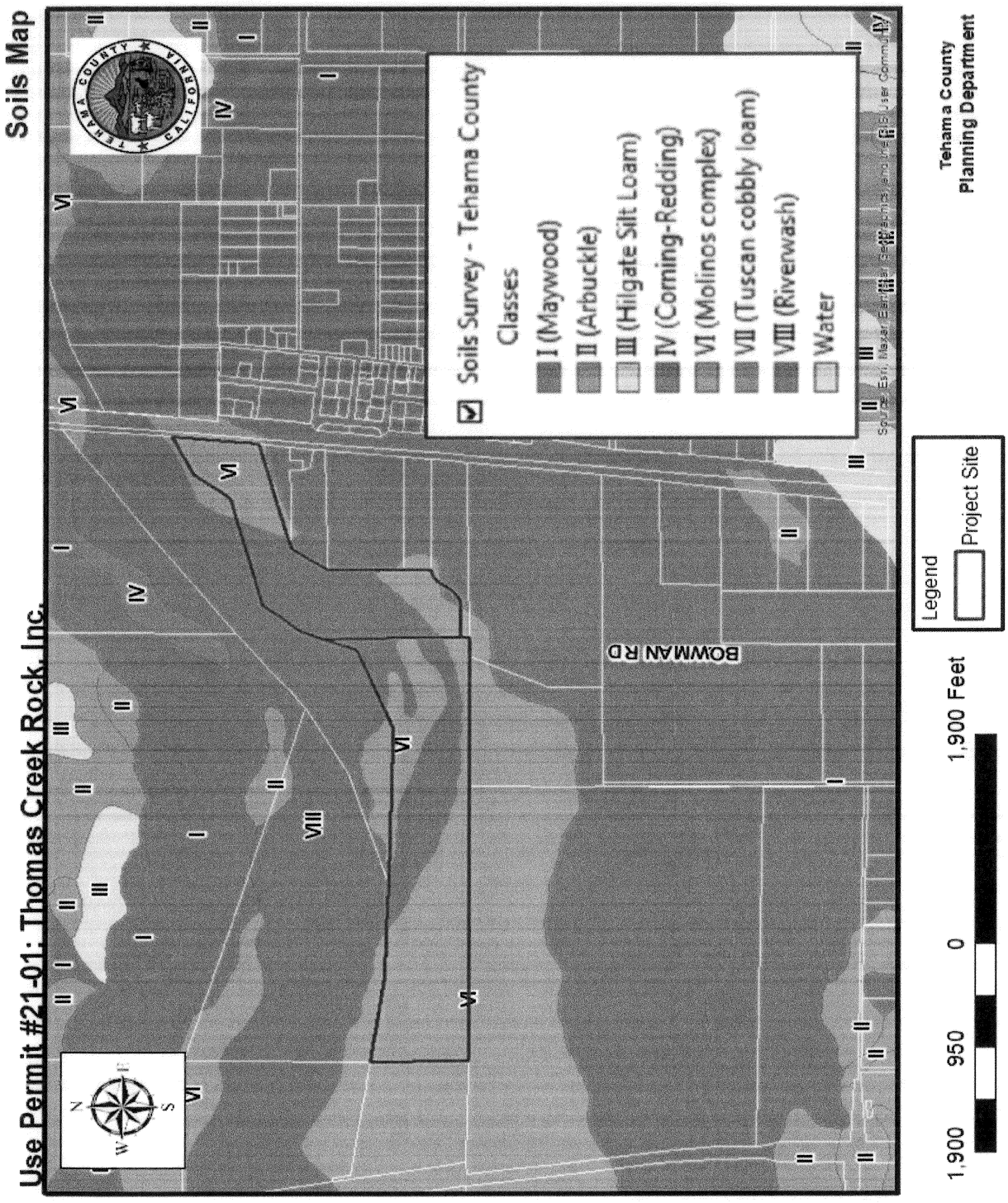
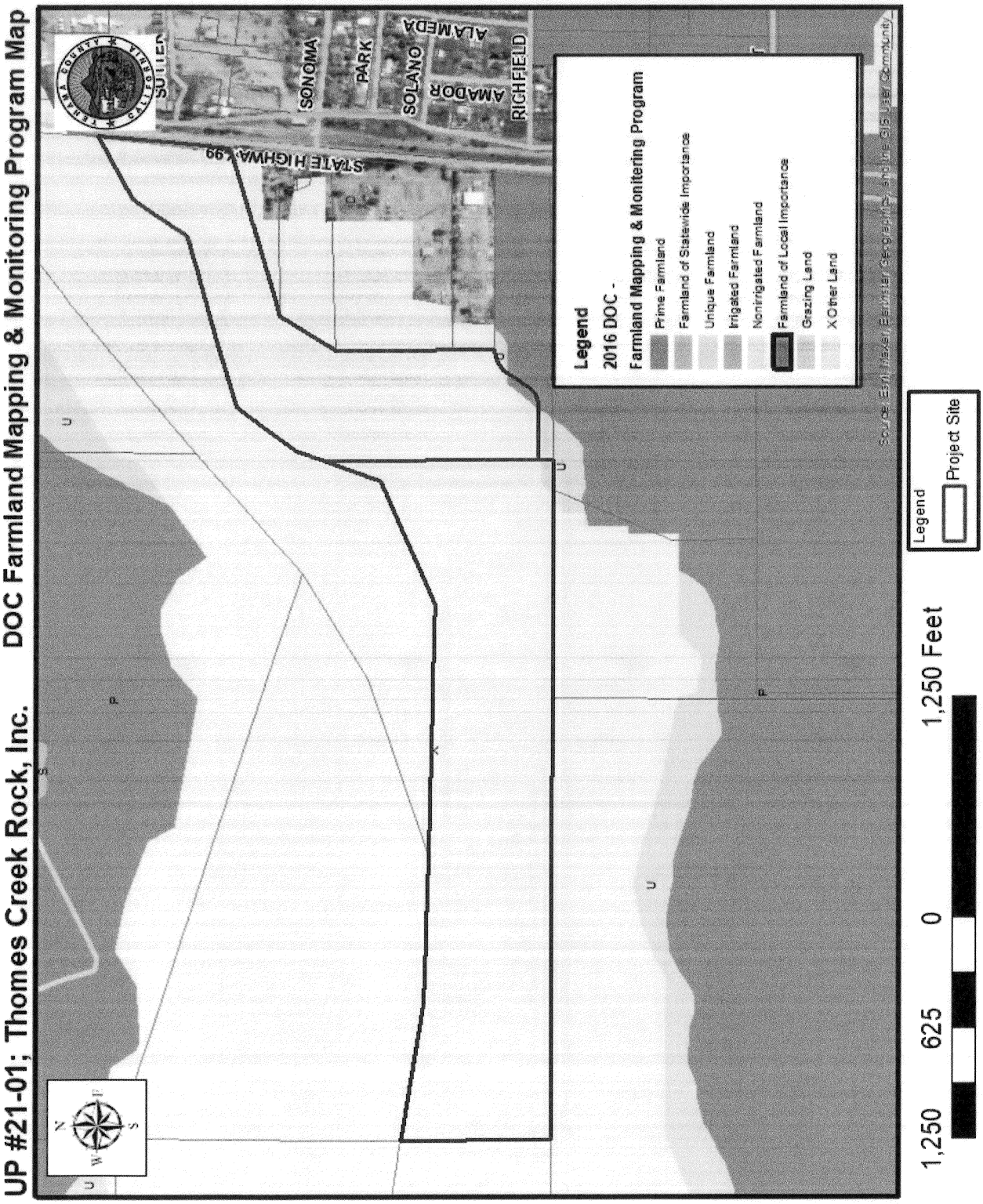


Exhibit "G"
DOC-Farmland Monitoring Program Map



EVALUATION OF ENVIRONMENTAL IMPACTS

This section discusses potential environmental impacts associated with approval of the proposed project.

The following guidance, adapted from Appendix G of the State CEQA Guidelines, was followed in answering the checklist questions:

1. A brief explanation is required for all answers except "*No Impact*" answers that are adequately supported by the information sources cited following each question. A "*No Impact*" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "*No Impact*" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the Tehama County Planning Department has determined that a particular physical impact may occur, then the checklist answers will indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "*Potentially Significant Impact*" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "*Potentially Significant Impact*" entries when the determination is made, an EIR is required.

4. "*Negative Declaration: Less Than Significant With Mitigation Incorporated*" applies where the incorporation of mitigation measures has reduced an effect from "*Potentially Significant Impact*" to a "*Less Than Significant*" impact. The mitigation measures, and a brief explanation as to how they reduce the effect to a less than significant level will follow each issue section (mitigation measures from "Earlier Analyses," may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
I. AESTHETICS				
Would the project:				
a) Have a substantial adverse effect on a scenic vista or scenic highway?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public view of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The adopted 2009-2029 Tehama County General Plan Update discusses implementation measures set to preserve the aesthetic quality of Tehama County and encourage new construction projects to minimize alteration to scenic views. A scenic vista is generally defined as a view shed that provides a source of aesthetic value.

a) No Impact. The project is not located within or near a scenic vista.

b) No Impact. The project would not damage scenic resources in the area.

c) No Impact. The project will not degrade the visual character of the site or surroundings.

d) No Impact. The project will not create a new source of substantial light or glare.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

a) **No Impact.** As indicated on the page 12 (DOC Farmland Map) the project area is designated X; Other. Due to the projects location in the creek bed, which is unable to be used as farmland. Therefore the project would not convert any Prime Farmland, Unique Farmland or any other lands mapped by the Farmland Mapping and Monitoring Program.

b) **No Impact.** The land in the project is contracted under the Williamson Act. However, the Use Permit and Reclamation Plan for the gravel skimming mining operation within Thomes Creek will maintain compliance pursuant to GC51238.3, as the Wolf Creek gravel skimming operation submitted an application to the County and received approval in 1991 for the same compatible use proposed herein.

c) **No Impact.** The project is not within an area contracted for timber production. The applicants will continue to utilize this project site for agricultural purposes. Therefore the proposed mining operation will not conflict with existing zoning or

any Timber Production Harvest Plans.

d) **No Impact.** The project will not cause the conversion or loss of forest land to non-forest land use. The applicants will continue to utilize the project site for grazing land. The project site does not include forest lands.

e) **No Impact.** The project will not involve changes to the existing environment that will convert any farmland to a non-agricultural uses or convert forest land to non-forest use.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c)	Expose sensitive receptors to substantial pollutants concentrations?	☐	☐	☐	☒
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Tehama County is considered a non-attainment area for State Ozone and PM_{10}. All new developments in the County are required to pay a standard Air Pollution Control fee (Indirect Source Fee) to help mitigate the effects of new construction and population growth. The fee is collected by the Tehama County Air Pollution Control District (TCAPCD). Contractors are given the option of paying the Indirect Source fee or provide on or off-site mitigation through an Alternative Emission Reduction Plan. Therefore, at the time future development is proposed, TCAPCD will impose their standards for construction.

a) No Impact. The project will not conflict with or obstruct any applicable air quality plan. Any future development on the proposed parcels would be subject to Air Quality Control measures discussed in the General Plan. There are no structures proposed on the project site.

b) Potentially Significant Unless Mitigation Incorporated. The project can create a substantial amount of fugitive dust when operating, especially on dry, windy days. Incorporating the following mitigation will reduce the effects to less than significant.

Mitigation Measure #III.1.

The project appears to expand upon the existing operations at an adjoining parcel operated by Thomes Creek Rock. This expansion will create additional fugitive dust emissions from exposed soil, stockpiles, and mining operations. The applicant shall obtain an Authority to Construct application from the District prior to commencing mining operations on APNs: 067-090-009 & 067-090-009

Mitigation Measure #III.2.

The project will create emissions of ozone precursors and particulate from construction equipment used in the mining process. These emissions can be mitigated to less than significant by requiring equipment owners to have diesel equipment registered and compliant with current California standards for on road, off road, or portable equipment via the California Air Resources Board's DOORS, TRUCRS, or PERP programs. In lieu or PERP, Portable diesel equipment greater than 50

horsepower such as generators or compressors may be permitted by the Air District.

c) **No Impact**. The project will not expose any sensitive receptors to substantial pollutant concentrations.

d) **No Impact.** The project will not result in other emissions such as odors that will adversely affect a substantial number of people.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
IV. BIOLOGICAL RESOURCES				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local polices or ordinances protecting biological resources , such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. A portion of section 34, T25N, R3W, MDBM. The mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine area of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north. Industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east. To the west riparian vegetation, creek bed and vacant land. To the south there is vacant land and an orchard. The mining operations

will not have an impact on surrounding land uses since there are no sensitive receptions such as residential properties near the site. The transportation of aggregates does not use public roads to the processing plant, and the mining area is not used by adjacent properties for access to their lands.

The 2009-2029 Tehama County General Plan Update, maps and defines areas of important biological resources. The County works closely with the California Department of Fish and Wildlife to protect biological resources and mitigate effects that future growth will have on these resources and their habitat. Therefore, to mitigate the potentially significant impacts identified in the special studies and Department of Fish and Wildlife correspondence dated January 25, 2022 and March 24, 2022 to less than significant, the following mitigation measure will be incorporated.

a-b) Potentially Significant Impact Unless Mitigated. The Botanical surveys (Biological Resource Assessment Appendix A) identified the presence of Stony Creek spurge (*Euphorbia ocellata* ssp. *rattanii*) and silky cryptantha (*Cryptantha crinita*), within the Project area, which have the potential to be significantly impacted by the gravel skimming operation in the creek unless appropriately mitigated. Both species are California Native Plant Society Rank 1B.2 species, meaning that they are rare, threatened, or endangered in California and elsewhere, and are moderately threatened in California with 20-80% of occurrences threatened with a moderate degree and immediacy of threat.

The Biological Resource Assessment (BRA) concludes that compensatory mitigation is not feasible or appropriate for mitigating impacts to these rare plants and recommends the development of site-specific avoidance and/or mitigation measures by the Project applicant or lead agency in consultation with the Department. The Department concurs with this conclusion and recommends working collaboratively to develop appropriate measures to protect these special-status species. The following avoidance and/or mitigations options that can be employed are: (1) Avoiding the impact all together by not taking a certain action; (2) Minimizing impacts by limiting the degree or magnitude of the action; (3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; or (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the project. Mitigation and avoidance measures to protect the plants will be required as part of the California Department Fish and Wildlife's Lake and Streambed Alteration Agreement (LSAA) for this project. One or more of the above measures will be part of this agreement, which mitigate the potential impacts to Less than Significance, see Mitigation Measure #IV.1.

Mitigation Measure #IV.1:
LAKE OR STREAMBED ALTERATON AGREEMENT. Based on correspondence with the CA Department of Fish and Wildlife, the Department will require a Lake and Streambed Alternation (LSA) Notification and agreement, pursuant to Section 1600 et seq. of the Fish and Game Code (FGC). The Lake and Streambed Alteration Agreement shall consider information contained in this CEQA document when issuing the LSA agreement. To obtain information about the LSA notification process, please access our website at https://www.wildlife.ca.gov/Conservation/LSA. As of October 1, 2021, LSA notifications for a Gravel, Sand, or Rock Extraction Agreement must be submitted through the online Environmental Permit Information Management System (EPIMS) Permitting Portal.

c) Potentially Significant Unless Mitigation Incorporated The Department's *Restoring Central Valley Streams; A Plan for Action (*1993) document indicates that mining in Thomes Creek, especially between the Interstate 5 bridge and the confluence of the Sacramento River, has resulted in changes in channel cross-section and stream stability, thus altering the suitability of the stream for salmon. The mining operation occurs during the summer months when the stream bed is dry so there are no fish present. The finished grades of the mining area at the end of the mining season fill in any depressions that could trap fish prior to the steam flowing in the winter season. One of the objectives of the mining plan is to not mine all the gravel bars in a single season, but to selectively mine various locations so there are future mining areas and to maintain the stream system of gravel bars and stream channel. Another objective is to attempt to maintain as few main stream channels through the mining area as possible for fish passage. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, with the incorporation of Mitigation Measures IV.1 thru IV.10.

Mitigation Measure #IV.2:
SEDIMENT BUDGET. The Department will require an annual Pre-extraction Plan to include a quantifiable procedure for determining the upcoming season's extraction volume estimates (e.g. comparison of post-extraction cross sections from the last extraction with current pre-extraction cross sections) along with the estimated extraction volume.

d) **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

Mitigation #IV.3:
Slope Stabilization/Backfilling and Grading. Finished slopes around the perimeter of the extraction area or around vegetation to be preserved shall be graded to a maximum slope of 2:1. 2:1 is considered a stable slope per SMARA regulations. There shall be no restriction to the mine operator creating flatter slopes such as 3:1 or less. Mining of the gravel bars is above the thalweg of the stream and the bars shall be graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area shall be graded smooth to match the final graded slope. Any depressions shall be filled in so as not to trap fish in the extraction area.

Mitigation #IV.4:
PRE-CONSTRUCTION NESTING SURVEYS. A pre-construction surveys for nesting birds shall be conducted, if vegetation removal and/or construction activities are to take place during the nesting season (February 1 through August 31). The surveys shall be conducted by a qualified biologist within seven (7) days prior to vegetation removal or mining activities that are to take place during the nesting season, within 100-feet of project activities for passerines, 300-feet for raptors, and 450-feet for special-status-raptors, unless species specific guidance exists. If an active nest is located during the pre-disturbance surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. If a lapse in project-related work of seven (7) days or longer occurs, another focused survey and if required, consultation with CDFW and FWS, will be required before project work can be reinitiated. The results of the pre-disturbance surveys shall be sent electronically to the Department at R1CEQARedding@wildlife.ca.gov.

Mitigation #IV.5:
SWAISON'S HAWK NESTING SURVEYS. If project activities must begin between July 1 and September 1, Permittee shall have a qualified biologist conduct preconstruction nesting surveys according to the May 31, 2000, Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley-Attachment A prior to beginning project activities. If no breeding/nesting birds are observed, project activities may begin. If active nests are found, a no-disturbance buffer radius of up to ¼ mile (1,320 feet) will be required around the nest for Swainson's hawks. The actual size of the buffer may be modified based on an evaluation by a qualified biologist of the sensitivity of the birds to the level of project disturbance. The timing restriction and/or the no-disturbance buffer may be lifted prior to September 1, if it is determined safe to do so by a qualified biologist and approved by CDFW in writing.

Mitigation #IV.6:
TRICOLORED BLACKBIRD NESTING SURVEYS. The BRA indicates that there is a low potential for tricolored blackbird (Agelaius tricolor, State Threatened) to occur within the Project footprint and that the blackberry shrubs present provide marginal nesting habitat. Because of the possibility for this state-listed species to occur on the Project site, the pre-construction nesting bird surveys conducted (Mitigation Measure IV.4) for this Project shall pay particular attention to the presence of this species. If tricolored blackbird are determined to nest onsite, the Department should be consulted for the development of species specific buffers. If "take" or adverse impacts to tricolored blackbird cannot be avoided during Project activities, a CESA Incidental Take Permit must be obtain pursuant to FGC section 2080 et seq, as discussed above.

Mitigation #IV.7:
WESTERN POND TURTLE. The projects Biological Resource Assessment (Appendix A) shall be consulted regarding the Western Pond Turtle, with the following exceptions recommends avoidance and minimization measures for Western Pond Turtle, including the requirement for a 50-foot buffer around turtle nests, if found instead of 25 feet. Also it is herein clarified that if a turtle needs to be relocated, it can only be done by a qualified biologist holding a current Scientific Collecting Permit, and relocation area needs to be determined prior to the initiation of Project activities to determine and appropriate suitable location for release. Furthermore, areas where turtles have been found should be closely monitored, as Western Pond Turtle exhibit high site fidelity.

Mitigation #IV.8:
BATS. Mature trees proposed for removal shall be removed and/or fallen between September 16 – March 15, outside of the bat maternity season. Trees shall not be removed during the bat hibernation season of November 1- March 1, unless trees are removed in a humane fashion using a two-day process to prevent accidental death of bats if no precipitation is forecast and if the forecasted nighttime low temperatures do not drop below 45°F or less. If weather is cold (i.e., forecasted nighttime low temperatures reach 45°F or less for that evening) or if precipitation is forecast, then no removal can occur. The two-day tree removal process includes removing the non-habitat trees and brush along with certain tree limbs on the first day and the remainder of the tree on the second day.

Mitigation #IV.9:
CALIFORNIA ENDANGERED SPECIES ACT. A California Endangered Species Act (CESA) permit must be obtained if the project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain CESA Permit. Information on how to attain a CESA permit is available here: https://wildlife.ca.gov/Conservation/CESA/Permitting.

e-f) **Potentially Significant Unless Mitigation Incorporated.** With the implementation of the above mitigation measure # IV.1 thru IV.9 and Mitigation Measure IV.10, the proposed project will not be in conflict with any local polices or ordinances protecting biological resources , such as a tree preservation policy or ordinance**,** provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, state habitat conservation plan.

Mitigation #IV.10:
INVASIVE SPECIES. Several invasive species occur on the project site including giant reed (Arundo donax) and Tamarisk (Tamarix sp.); all best management practice should be followed regarding invasive species management in order to reduce their potential for spreading, which may include onsite eradication.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
V. CULTURAL RESOURCES				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, flumes, cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. Often such sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water.

The adopted 2009-2029 Tehama County General Plan Update addresses the need to protect and preserve historic and archeological resources in the County (Policy OS-10.1) and the project will be conditioned to reflect that. Construction of a residence and/or accessories structures are anticipated in the future as indicated above and therefore it is possible that cultural resources could be discovered at that time, which could including human remains. To reduce the projects potential impacts to less than significant, a mitigation measure consistent with Northeast Information Centers (NEIC) standard feedback shall be incorporated into the project.

a) No Impact. The project would not cause substantial adverse change to any historical resource because the areas designated for development are currently void of structures.

b-c)Potentially Significant Impact with Mitigation Incorporated. Although there is no development plans for the project site, it is a possibility that resources or remains could be uncovered during the bar skimming process, and therefore in order to reduce potential cultural resources impacts to less than significant, the following Mitigation Measure shall be applied and incorporation into the project:

Mitigation Measure #V.1:

CULTURAL RESOURCES PROTECTION. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include, but would not be limited to researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

	Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
VI. ENERGY				
Would the project:				
a) Result in potentially significant environmental impact to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

DISCUSSION:

In 2008, California became the first state in the nation to include mandatory green building through the Title 24 California Green Building Standards Code (CAL Green Code). This groundbreaking step meant that every structure built in the state – whether a home, school, commercial building or other structure – would have to meet guidelines for energy and water efficiency, low emission flooring and building materials and more. The County is responsible for enforcing the energy conservation regulations, which also extends to building renovations. The Tehama County Building Dept. uses the most recently adopted version of Title 24. The County will continue to enforce the provisions of Title 24 of the California Administrative Code, which sets forth mandatory energy standards for new development. It is anticipated no development will occur at the project site, however if any development does occur, it will be required to comply with local/state laws and codes.

a) **No impact.** This project would not generate environmental impact that are wasteful, inefficient, or require unnecessary consumption of energy resources, during the project construction or operation. The County participates in the Green Building Code Waste Management Plan for all construction projects.

b) **No impact**. The project will not cause any conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
VII. GEOLOGY AND SOILS Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
ii) Strong Seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction and seiche/tsunami?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in table 18-1-B of the latest Uniform Building Code (1994), creating substantial direct or indirect risk to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Tehama County is relatively safe from earth quake activity because of its geographic location and lack of proximity to any active fault lines. Based on the California Geological Survey maps nothing more than the potential for minor seismic ground shaking secondary to earthquakes outside of Tehama County. The County may also experience minor ground shaking as a precursor to eruption of Mt. Lassen. The Alquist-Prilio Earthquake Fault Zoning Act restricts new construction in zones which soils are at risk of displacement; however, Tehama County does not fall within this zone. All new construction in the county is required to meet California Building Code which addresses seismic design requirements, such as automatic earthquake gas shutoff valves in high-occupancy facilities and

engineered assessment of potential soil and seismic impacts in the case of earthquake activity. Grading and excavation done by new developments are closely monitored by the Public Works Department and an engineered plan for these procedures is required.

a) **No Impact**

i. The project will not expose people or structures to the risk of harm or death involving rapture of known earthquake fault.

ii. The project will not expose people or structures to the risk of harm or death involving strong seismic shaking.

iii. The project will not expose people or structures to the risk of harm or death involving seismic related ground failure including liquefaction.

iv. The project will not expose people or structures to the risk of harm or death involving landslides.

b) **Potentially Significant Impact with Mitigation Incorporated**. The project will not result in unacceptable or substantial soil erosion or loss of topsoil that will significantly impact the environment due to the applicants requirement to comply with the Department of Conservation Division of Mine Reclamation, State Surface Mining and Reclamation Act (SMARA) and Tehama County's Municipal Code Chapter 13.29 Surface Mining and Reclamation, which will require an approved and adopted Mining Reclamation Plan, which will ensure the projects design, including storm run-off and grading activity within the stream bed and bank will meet all local, state and federal standards/regulations. Therefore with the incorporation of Mitigation Measure #VII.1 below the project will be considered less than significant:

Mitigation Measure #VII.1:
Mining Operation Reclamation Plan. The applicant and/or mining operator shall not commence with the gravel mining operation and/or start to extract material from Thomas Creek until a Reclamation Plan with a Financial Assurance Mechanism and a Financial Assurance Cost Estimate has be approved pursuant to state policies for the reclamation of mined lands and the conduct of surface mining operations in accordance with Public Resources Code, Division 2, Chapter 9, Section 2710 et seq. (Surface Mining and Reclamation Act of 1975, as amended by Statutes of 1980), including SMARA Sections 2772 thru Section 2773, the applicable state regulations (California Code of Regulations, Title 14, Sections 3500 through 3505, and Sections 3700 through 3713), and the County's SMARA Ordinance (Chapter 13.28 of the Tehama County Code).

c-e)No Impact. The mining area is within the streambed of Thomes Creek and will have no development structures or septic.

f) **No Impact.** The mining area is within the streambed of Thomes Creek. There does not appear to be any paleontological resources or unique geological features based on the environmental studies on record. Therefore, the project will be considered to have no impacts on said resources and features.

	Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
VIII. GREENHOUSE GAS EMISSION				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. Global surface temperatures have risen by 0.74°C ± 0.18°C over the last 100 years (1906 to 2005). The rate of warming over the last 50 years is almost double that over the last 100 years. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other greenhouse gases (GHGs) are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities that lead to an increase in the greenhouse effect.

As part of the 2009-2029 General Plan Update process, the County considered a wide range of policies and actions to reduce greenhouse gas emissions, and all feasible measures are included. However, they do not ensure that the County will meet its reduction goal, so the impact is considered cumulatively significant and unavoidable.

Section 15064 (h)(3)of the CEQA Guidelines specifies that a project's contribution to a cumulative effect may be found 'not cumulatively considerable' if the project will comply with the requirements in a previously approved plan or mitigation program, including plans or regulations for the reduction of greenhouse gas emissions. While Tehama County has not adopted a plan or mitigation program for the reduction of greenhouse gases as of the publication of this study, the potential additional development is consistent with the Tehama County General Plan whose EIR incorporated a statement of overriding considerations for cumulative impacts of greenhouse gas emissions.

a) **No impact.** Greenhouse gas (GHG) emissions contribute to the significant adverse environmental impacts of global climate change on a cumulative basis. This project would not generate enough GHG emissions to noticeably change the global average temperature whether it is measured directly, indirectly, or cumulative.

b) **No impact**. Tehama County implements AB32 and SB375 to acknowledge GHG emissions and its level of significance within environmental quality review. The project does not propose any GHG emission levels that would cause any adverse effect upon the state's air quality.

	Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
IX. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The proposed project lies within an area of Tehama County which is primarily Local Responsibility Area (LRA) for wildland fire suppression provided by the California Department of Forestry and Fire Protection (CAL FIRE). Structural fire protection and other related emergency services are the responsibility of the Tehama County Fire Department which is administered under contract by CAL FIRE. This project area is not rated for wildland fire severity. The closest career staffed fire station is TCFD Fire Station #12, located at 988 Colusa St., Corning, approximately 3 miles south of the project site. The current Insurance Service Office (ISO) Public Protection Class Rating for this area is a 4Y.

a-b) Less than Significant Impact. The project requires a Use Permit for the proposed gravel skimming operation within Thomes Creek, wich is adjacent to the operators gravel plant. There is no refueling of equipment or vehicles within the mining area. This activity occurs at the plant site. All equipment and vehicles will be parked outside the mining area at the Thomes Creek Rock gravel processing plant when not in use. All equipment and vehicles will be checked regularly for leaks or accumulations

of grime and sediment and these items will be fixed as soon as possible. The Thomes Creek Rock gravel plant has a shop to maintain and repair equipment and vehicles. Any crossings of the dry stream bed by haul roads will use clean native gravels from the gravel bars or from the processing plant. Raised native gravel creek crossings will have their raised portion removed prior to the yearly closure. At final closure of the mine all equipment and vehicles will be removed from the mining area. The project does not include the transport, use or disposal of hazardous material. Furthermore, there is no reasonable foreseeable cause for a significant hazard to the public through the upset or an accidental conditions resulting in the release of hazardous material into the environment. With the incorporation of the proposed mining operations protocols, the project will have less than a significant impact on the environment regarding any hazardous materials.

a) **No Impact.** The project site is not within one quarter mile of a school.

b) **No Impact.** The project is not located on a site which is included on a list of hazardous material sites.

c) **No Impact.** The project is not located within an airport land use plan or within two miles of an airport.

d) **No Impact.** The project will not impair or interfere with an adopted emergency response plan.

g) **No Impact.** The project will not expose people or structures to a significant risk involving wildland fires due to the type of mining operation.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
X. HYDROLOGY AND WATER QUALITY				
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☒	☐	☐
i) result in substantial erosion or siltation on-or off-site;	☐	☒	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impeded or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The request to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The extraction area is reviewed prior to mining each year to determine if certain areas should be left as is so as not to contribute to bank erosion and/or to aid in gravel recruitment. The mined gravel bars are graded so they slope towards the creek channel for positive drainage. Any mounds in extraction areas are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. Finished slopes around the perimeter of the extraction area or around vegetation to be preserved are graded to a maximum slope of 2:1. 2:1 is considered a stable slope per SMARA regulations. There is no restriction to the mine operator creating flatter slopes such as 3:1 or less. The only disturbance to the stream banks is the single haul road connecting the stream bed to the processing plant. This haul road into the mining area will be blocked off with at the end of each mining season with a gravel berm placed across it to act as a sediment trap. At final mine closure, the haul road into the mining area will remain so the property owner has access to this portion of the property.

Any crossings of the dry stream bed by haul roads will use clean native gravel from the gravel bars or from the processing plant. Raised crossings in the channel area will have the raised portion removed prior to yearly closure. Compacted soils will be ripped to a depth of twelve inches. Grading is designed to conform to the existing topography and end use. If there are signs of erosion along the streambank, these locations will be prevented from eroding by filling them in with sand, gravel or cobbles depending on the size and location of the eroding bank. A site is considered to be eroding if there are rills greater than six inches in depth and longer than four feet in length. Erosion control facilities shall be maintained until the location is stabilized. Portions of the channel of Thomes Creek may be realigned if the stream is eroding stream banks and/or to maintain the meander pattern of the stream. Reclamation of newly mined areas occurs the year a location is mined.

The primary source of water in unincorporated areas of Tehama County is groundwater. There are over 10,000 wells meeting the water needs of 59 percent of the population.

The 2009-2029 General Plan recognizes the need to encourage population density growth in areas which can support further use of the water table and will not deplete the water source. Tehama County General Plan policy states that for all new large construction projects, proposed water supply and delivery system shall be in place before construction begins. Goals of the 2009-2029 Tehama County General Plan are set out to protect water resources in the county for future needs, encouraging water conservation and protection of groundwater supplies from urban pollutants in runoff.

a) **Potentially Significant Unless Mitigation Incorporated.** The project has the potential to significantly degrade water quality. However, based on past performances, it is anticipated that the project will continue to meet the proscribed water quality standards and discharge requirements. The requirements of the California Reginal Water Quality Control Board have been an effective mitigation in assuring that any potential adverse impacts are reduced to a less than significant level.

Mitigation Measure #X.1:
The project proponent shall obtain all necessary permits, providing the CRWQCB with the requisite documentation, and otherwise comply with the proscribed operational conditions required by the California Regional Water Quality Control Board.

b) **No Impact.** The project will not substantially deplete groundwater supplies, interfere with groundwater recharge or impede sustainable groundwater management of the basin. The project will create a mining operation; on approximately 103.75 acres, which will be consistent with the surrounding land uses and setting. The project will not violate any water quality standards or waste discharge requirements.

c& i-iv) **Potentially Significant Unless Mitigation Incorporated.** The project may substantially alter existing drainage pattern of the Thomes Creek each year. Even so, the ongoing use will not resulted in substantial erosion or siltation either on-or-off-site. The conditions set for in the LSA 1600 Lake and Streambed Alteration Agreement and RWQCB discharge requirements, as provided in Biological Resources Mitigation Measure IV.1, IV.2 and IV.3; Geology and Soils Mitigation Measure VII.1 will be an effective mitigation in assuring that any potentially substantial erosion nor siltation impacts will occur; there by reducing the project to less than significant regarding hydrological impacts on the environment.

d) **No Impact**. The project is not located within a seiche or tsunami zone and therefore there is no risk of releasing pollutants due to project inundation.

e.) **No impact**. The project will not substantially affect water quality control plan or sustainable groundwater management plan. A mining operation developed on parcels will not deplete groundwater supplies or interfere with groundwater recharge. Any future development on the site is encouraged to promote water conservation.

		Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XI. LAND USE AND PLANNING					
Would the project:					
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. A Use Permit for this type of mining operation is required pursuant to Tehama County Code Section 17.08.010, which will ensure the project complies with all local, state and federal code, including the State Surface Mining and Reclamation Act and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The commercial gravel extraction operation would remove sand and gravel from Thomes Creeks gravel bars and channel area then transport the material via a private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The 2009-2029 Tehama County General Plan Update encourage growth in an organized, cohesive pattern through the use of existing major roadways, utilities, public facilities and the expansion of these services as they are needed. The 2009-2029 General Plan update anticipated this type of development and density in this area. Therefore, the project is not considered growth inducing and is consistent with the surrounding Land Use Designations and Zoning.

a.) ***No impact.*** The project will not divide an established community.

b.) ***Less than significant Impact.*** The project will not conflict with any applicable land use plan, policy etc. The project does not propose any new development on the property or interference with the existing agricultural operation. Project requires a Use Permit in order to operate at the project site. A Use Permit is required to establish a commercial gravel extraction operation in Tehama County pursuant to TC Code Section 17.08.010, which will incorporate conditions that will help avoid or mitigate any environmental effect. An approved Reclamation Plan with a Financial Assurance Mechanism and Financial Assurance Cost Estimate are also required for the project. The purpose of a Reclamation Plan is to ensure that at the end of the mining use the land will be returned to its original condition. Therefore, the project will have a less than significant effect on the environment if the Use Permit is approved.

	Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
XII. MINERAL RESOURCES				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Tehama County offers an abundance of mineral resources derived from the extraction of non-metallic sources such as sand, gravel and volcanic cinder. The County currently recognizes 20 mineral excavation sites which are permitted in the county. Mineral excavation sites are identified and monitored by the State Geologist as Mineral Resource Zones (MRZs) or Scientific Zones in order to conserve mining resources for future use. These areas are to be protected and buffered from future development through buffer zones and setback requirements from non-compatible land use.

a - b) No Impact. The project would not result in the loss of availability of a known mineral resource of value, Thomes Creek Mine Use Permit is based on a Sediment Budget study that material harvested to be done in a Sustainable manner due to reoccurring storm events moving material downstream to the site.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XIII. NOISE				
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

DISCUSSION:

The Noise Element of the Tehama County General Plan identifies land use compatibility standards for exterior community noise for a variety of sensitive land uses. In addition Tehama County Noise Element standards are in coordination with Government Section 65302(f). The 2009-2029 Tehama County General Plan Update promotes the mitigation and control of noise causing sources. Sources of existing noise-producing areas have been identified as near airports (Corning and Red Bluff), near railways and busy roadways (I-5, Southern Pacific Railway). The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. The mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian area are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine area of mature native vegetation unless the plants are first removed by the fluvial processes of the stream, which is consistent with the Valley Floor Agricultural setting.

a) No Impact. The project would not result in the exposure of persons to ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

b) No Impact. The project is consists the agricultural General Plan and Zoning designation.

c) No Impact. The project is not within the vicinity of a private air-strip.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XIV. POPULATION AND HOUSING				
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The population for Tehama County was estimated to be 65, 973 in 2020 and 63,463 in 2010, resulting in a total population growth of about 2,510 during this 10-year period (US Census), an average of 22 residents per square mile. The 2009-2029 General Plan recognizes population growth will occur and has implemented goals to prepare and accommodate this growth in nearly all of its elements (ex: Economic Development, Land Use, Transportation, Safety, Public Services and Open Space and Conservation). General Plan goals are set to encourage growth in an organized, cohesive pattern through the use of existing major roadways, utilities, public facilities and the expansion of these services as they are needed. The proposed project is not considered growth inducing and is consistent with the surrounding Land Use Designations and Zoning.

a.) **No impact**. The project is not considered growth inducing and is consistent with the surrounding Land Use Designations and Zoning.

b.) **No impact.** The creation of the Use Permit on 103.75 acres of land will not displace a substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1)	Fire protection?	☐	☐	☐	☒
2)	Police protection?	☐	☐	☐	☒
3)	Schools?	☐	☐	☐	☒
4)	Parks?	☐	☐	☐	☒
5)	Other public facilities?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

The 2009-2029 Tehama County General Plan Update recognizes several goals to further meet the public service needs of Tehama County. The County works closely with related agencies in order to monitor and develop the need for local services. Goals of the 2009-2029 Tehama County General Plan Update are set with an objective to meet the goals quickly, efficiently and in a cost-friendly manner at the time services are needed or underfunded. The 2009-2029 Tehama County General Plan Update recognizes the possibility of future population growth and that public services will need to increase to meet these needs. Periodic evaluation of and communication with public service departments will ensure the proper growth of these services when the time comes whether that be through the construction of new facilities or increased funding to existing ones.

a)

1. **No Impact.** The project will not have adverse physical impacts on or physically alter fire protection and facilities. Should future development occur on the site, public service needs will be periodically reevaluated to consider any new population growth.

2. **No Impact**. The project will not have adverse physical impacts on or physically alter police protection and facilities. Should future development occur on the site, public service needs will be periodically reevaluated to consider any new population growth.

3. **No Impact.** The project will not have adverse physical impacts on or physically alter school facilities. Should future development occur on the site, public service needs will be periodically reevaluated to consider any new population growth.

4. **No Impact.** The project will not have adverse physical impacts on or physically alter parks and recreation facilities. This project may reduce pressure on local public facilities such as parks due to its potential use.

5. **No Impact.** The project will not have adverse physical impacts on or physically alter any other public facilities. Should future development occur on the site, public service needs will be periodically reevaluated to consider any new population growth.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XVI. RECREATION				
a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or construction or require the expansion of recreational facilities which might have an adverse effect on the environment?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

Because of its geographic setting, Tehama County offers an abundance of recreational outlets within its several national parks and access to the Sacramento River. The 2009-2029 Tehama County General Plan encourages the growth of recreation facilities in order to meet the needs of a growing population. It is to be expected that with new development, the recreational needs of the population will grow and new parks or facilities will need to be built, or existing ones be updated.

a-b.) ***No impact.*** Increase in the demand for recreational facilities is typically associated with substantial increases in population. As discussed in Section *XIII. Population and Housing,* the proposed project will generate a negligible amount of growth in the local population, because it has already been anticipated and planned for by the 2009-2029 General Plan. The project will not result in a substantial increase in demand for recreational facilities or adversely affect Tehama County park/population standards in an AG-2; Agriculture Valley District. The proposed project does not include plans for additional publicly operated/supported recreational facilities nor would it require expansion of existing recreational facilities. Therefore, the proposed project would result in no adverse physical effects on the environment from construction or expansion of recreational facilities.

		Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
XVII. TRANSPORTATION					
Would the project:					
a)	Conflict with program plan, ordinance or policy addressing the circulation system, including taking into account all modes of transportation including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 10564.3,subdivision (b)?	☐	☐	☐	☒
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d)	Result in inadequate emergency access?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

a-c.) **No impact.** The creation of a mining operation on a 103.75 acres is consistent with the surrounding Land Use Designations and Zoning will generate a negligible amount of vehicular miles traveled to and from the nearest service centers, which are located along State Highway 99. Infact the mine operation will utilize non-public roads to transport material from creek to gravel plant.

d.) **No impact.** The project is not required to develop a secondary access as it is a mining operation and transportation of aggregates does not use public roads to the processing plant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XVIII. TRIBAL CULTURAL RESOURCES				
Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as eiter a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i)Listed or eligible for listing in the California register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii)A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision(c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015..

Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, flumes, cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. Often such sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water. Staff reviewed the relative sources regarding the identification of tribal cultural resources possibly located on the project site. There is a possibility that resources within the proposed areas to be disturbed may meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a Mitigation Measure for inadvertent discovery and the protocol required to protect such a discovery has been incorporated into the project.

The adopted 2009-2029 Tehama County General Plan Update addresses the need to protect and preserve historic and archeological resources in the County (Policy OS-10.1) and the project will be conditioned to reflect that. There have been no California Native American tribes traditionally and/or culturally affiliated with the project area that requested consultation pursuant to Public Resources Code section 21080.3.1. To date, the tribes have not requested consultation for the purpose of preserving or mitigating impacts to places, features, and/or objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that are located within project boundaries.

ai) No Impact. The areas designated for development do not contain any structures and/or development other than a conventionally built modern house. The site does not contain any listed or eligible features within the California register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

aii) **Potentially Significant Impact with Mitigation Incorporated.** The lead agency has considered sources regarding the identification of tribal cultural resources possibly located on the project site. There is a possibility that resources within the proposed areas to be disturbed may contain resources that meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a Mitigation Measure for inadvertent discovery and the protocol required to protect such a discovery has been incorporated into the project.

Mitigation Measure #XVIII.1

INADVERTENT DISCOVERY PROTOCOL. The Use Permit shall contain the following Note, "If any new cultural resources are located during project activities, all work in the vicinity of the discovery must stop and a qualified archaeologist must immediately be notified. Archaeological and historic-period resources in the region may include:

§ **Archeological materials**: flaked stone tools (projectile point, biface, scraper, etc.) and debitage (flakes) made of chert, obsidian, etc., groundstone milling tools and fragments (mortar, pestle, handstone, millingstone, etc.), faunal bones, fire-affected rock, dark middens, housepit depressions and human interments.

§ **Historic-era resources:** may include, but are not limited to, small cemeteries or burial plots, cut (square) nails, containers or miscellaneous hardware, glass fragments, cans with soldered seams or tops, ceramic or stoneware objects or fragments, milled or split lumber, earthworks, feature or structure remains and trash dumps."

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XIX. UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined) with an annual anticipated production of 44,000 cubic yards and a total anticipated production of 1,100,000 cubic yards. The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transporting it via private haul road to the adjacent gravel processing Plant. The proposed project is located in an AG-2; Agricultural/Valley District in a Valley Floor Agricultural General Plan designation that allows the facility with a use permit. APNs: 067-090-009 & 067-090-015.

a) No Impact. The project will not cause significant effects on the environmental due to new construction related to water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities.

b) *No impact.* The project will not substantially deplete groundwater supplies, interfere with groundwater recharge or impede sustainable groundwater management of the basin.

c) *No impact.* There is no wastewater treatment provider within the vicinity of the project site.

d) *No impact.* The project will not have any impact on the landfill's capacity to accommodate project needs.

e) *No impact.* Compliance with all federal, state and local statutes related to solid waste is required.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
XX. WILDFIRE-				
If located in or near state responsibility areas or lands classified as Very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plans?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled speed of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risk, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes?	☐	☐	☐	☒

DISCUSSION:

The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. A portion of section 34, T25N, R3W, MDBM. The mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian area are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine area of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north. Industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east. To the west riparian vegetation, creek bed and vacant land. To the south there is vacant land and an orchard. The mining operations will not have an impact on surrounding land uses since there are no sensitive receptions such as residential properties near the site. The transportation of aggregates does not use public roads to the processing plant, and the mining area is not used by adjacent properties for access to their lands.

The proposed project lies within an area of Tehama County which is primarily Local Responsibility Area (LRA) for wildland fire suppression provided by the California Department of Forestry and Fire Protection (CAL FIRE). Structural fire protection and other related emergency services are the responsibility of the Tehama County Fire Department which is administered under contract by CAL FIRE. This project area is not rated for wildland fire severity. The closest career staffed fire station is TCFD Fire Station #12, located at 988 Colusa St., Corning, approximately 3 miles south of the project site. The current Insurance Service Office (ISO) Public Protection Class Rating for this area is a 4Y.

a) **No impact.** The project will not substantially impair an adopted emergency response plan or emergency evacuation plan due to the nature and scope of the use permit.

b) **No impact.** The mine will operate within the streambed of Thomes Creek and therefore will not be expose project occupants to, pollutant concentration form a wildfire or the uncontrolled speed of a wildfire.

c) ***No impact.*** The mine will operate within the streambed of Thomes Creek and will not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d) **No impact.** The mine will operate within the streambed of Thomes Creek and will not expose people or structures to significant risk, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes.

		Potentially Significant Impact (PSI)	*Potentially Significant Unless Mitigation Incorporated (PSUMI)*	*Less Than Significant Impact (LTSI)*	*No Impact (NI)*
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE**				
The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.					
a)	**Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**	☐	☒	☐	☐
b)	**Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**	☐	☐	☒	☐
c)	**Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**	☐	☒	☐	☐

RESPONSE TO CHECK LIST:

The applicants intend to establish a commercial gravel extraction operation on Thomes Creek between I-5 and HWY 99W in Tehama County California through the approval of a Use Permit (UP #21-01), which will comply with SMARA and the Tehama County General Plan. The use of the site as a mine is anticipated to operate for 25 years on 103.75 acres of Thomes Creek (approximately 35.64 acres will be mined). The applicant requests to establish the mine as a bar skimming operation in which scrapers remove sand and gravel from the gravel bars and channel area then transport it via private haul road to the gravel processing Plant.

The project is located in between I5 and State Highway 99 approximately 1,620 feet south of Thomes Creek Road/99w intersection, Corning. A portion of section 34, T25N, R3W, MDBM. The mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian area are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine area of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north. Industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east. To the west riparian vegetation, creek bed and vacant land. To the south there is vacant land and an orchard. The mining operations will not have an impact on surrounding land uses since there are no sensitive receptions such as residential properties near the site. The transportation of aggregates does not use public roads to the processing plant, and the mining area is not used by adjacent properties for access to their lands.

The project will not conflict with any applicable land use plan, policy etc. The project does not propose any new development on the property or interference with the existing agricultural operation. Project requires a Use Permit in order to operate at the project site. A Use Permit is required to establish a commercial gravel extraction operation in Tehama County pursuant to TC Code Section 17.08.010, which will incorporate conditions that will help avoid or mitigate any environmental effect. An approved Reclamation Plan with a Financial Assurance Mechanism and Financial Assurance Cost Estimate are also required for the project. The purpose of a Reclamation Plan is to ensure that at the end of the mining use the land will be returned to its original condition. Therefore, the project will have a less than significant effect on the environment if the Use Permit is approved.

The proposed project lies within an area of Tehama County which is primarily Local Responsibility Area (LRA) for wildland fire suppression provided by the California Department of Forestry and Fire Protection (CAL FIRE). Structural fire protection and other related emergency services are the responsibility of the Tehama County Fire Department which is administered under contract by CAL FIRE. This project area is not rated for wildland fire severity. The closest career staffed fire station is TCFD Fire Station #12, located at 988 Colusa St., Corning, approximately 3 miles south of the project site. The current Insurance Service Office (ISO) Public Protection Class Rating for this area is a 4Y.

As indicated below and based on the information contained in this environmental document the project will need to incorporate and apply 16 mitigation measures in order to reduce Air Quality, Biological Resources, Cultural Resources, Geology and Soil, Hydrology and Water Quality, and Tribal Cultural Resources potentially significant impacts to less than significant.

a) **Potentially Significant Unless Mitigation Incorporated.** The project will have potentially significant impacts on the environment, fish and wildlife habitat or reduce the number of rare or endangered species with the incorporation of the following mitigation measures. Specifically Biological Resources MM # IV.1 thru 10; for a detailed discussion of the topic please see Biological Resources Section IV, IV.3; Geology and Soils Mitigation Measure VII.1; for a detailed discussion of the topic please see Geology and Soils Section VII, and Hydrology and Water Quality MM#X.1; for a detailed discussion of the topic please see Hydrology and Water Quality Section X..

b) **Less than Significant Impact.** Cumulative impacts of the project have been considered and based on the size, location and use have been determined to be Less than a significant impact on the environment and the county.

c) **Potentially Significant Unless Mitigation Incorporated.** The project does not have environmental effects that will cause substantial adverse effects of human beings with mitigations incorporated. Specifically Air Quality MM#III. 1 and MM#III.2; for a detail discussion the top of Air Quality please see Air Quality Section III. Cultural Resources MM# V.1; for a detailed discussion of the topic please see Cultural Resources Section V, and Tribal Cultural Resources MM # XVIII.1; for a detailed discussion of the topic please see Tribal Cultural Resources Section XVIII.

PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF TEHAMA

- Tehama County Planning Department
- Tehama County Air Pollution-Control District
- Tehama County Fire Department
- Tehama County Public Works Department
- Tehama County Environmental Health Department
- Tehama County's Surface Mining Reclamation Act (SMARA)

B. OTHER AGENCIES/ORGANIZATIONS

- California Department of Fish and Wildlife

C. REFERENCES

1. Tehama County General Plan Update 2009-2029;
2. Tehama County Zoning Ordinance
3. Tehama County Williamson Act Program
4. Tehama County Preserve Security Maps
5. Tehama County Environmental Health Provisions & Regulations
6. Tehama County Air Pollution Control Guidelines
7. Alquist-Priolo Geological Maps
8. Alquist-Prilio Earthquake Fault Zoning Act
9. Tehama County's Surface Mining Reclamation Act (SMARA)
10. Thomes Creek Sediment Budget

MITIGATION MONITORING PROGRAM

USE PERMIT # 21-01
TEHAMA COUNTY PLANNING DEPARTMENT
444 Oak Street
Courthouse Annex, Room I
Red Bluff, CA 96080

The size and complexity of the proposed project require development of a formal mitigation monitoring program to ensure that monitoring is carried out in all stages. Monitoring is divided into three categories related to the timing of activities and implementation of mitigations.

1. Pre-Construction Mitigations (PC). These are activities that precede any actual land disturbance. Included among these mitigations are the development of drainage, erosion control and tree management plans. Also included are the delineation of any wetlands that may be subject to development impact and the establishment of Environmentally Sensitive Areas (ESAs) or Zones (ESZs) around archaeological sites and specimen oak trees.

2. Construction-Related Mitigations (DC). These include implementation of the drainage and erosion control plans, building setbacks from sensitive areas, and all other measures required to reduce the impacts of construction and development.

3. Ongoing Mitigations (OG). These include the maintenance programs necessary to ensure long-term control of erosion, protection of surface water quality in runoff, and protection of the wildlife and wildlife habitat resources on the project.

Monitoring will be the responsibility of various county and state agencies, although the physical inspections may be delegated to a private company or individuals chosen by these agencies and/or an environmental coordinator. All costs of mitigation monitoring will be borne by the developers, who are usually required to deposit money with the county or state agency in advance of the required monitoring effort.

The following environmental mitigation measures were incorporated in the conditions of approval for this project in order to mitigate identified environmental impacts to a level of insignificance. For tentative maps, some mitigation measures must be completed prior to map recordation (PR). Others are implemented during permitting stages following map recordation (AR), or are ongoing mitigation measures. A completed and signed checklist for each mitigation measure indicates that the mitigation measure has been complied with and implemented, and fulfills the monitoring requirements with respect to Assembly Bill 3180 (PRC Section 21081.6).

Currently, the applicant is seeking approval of Use Permit #21-01. A description of the pending project can be found in the initial study. Questions about this monitoring program should be directed to the Tehama County Planning Department.

ACRONYMS USED

CDFW	California Department of Fish and Wildlife
CalTrans	California Department of Transportation
CDF	California Department of Forestry
CSD	Community Services District
CVRWQCB	Central Valley Regional Water Quality Control Board
DEV	Developer
HOA	Homeowners' Association
TC	Tehama County
TCAPCD	Tehama County Air Pollution Control District
TCBD	Tehama County Building Department
TCEH	Tehama County Environmental Health
TCFD	Tehama County Fire Department
TCPD	Tehama County Planning Department
TCPWD	Tehama County Public Works Department
USACOE	United States Army Corps of Engineers

Monitoring Phases

PC Pre-Construction

DC During Construction

OG Ongoing

BP During Building Permit Approval

Subdivision Map Phase (Tentative Maps)

PR Prior to Map Recordation

AR After Map Recordation

Monitoring Agency:

Tehama County Air Pollution Control District

MITIGATION MONITORING PROGRAM

ISSUE: Air Quality

IMPACT(S): **Potentially Significant unless Mitigation Incorporated.** The project can create a substantial amount of fugitive dust when operating, especially on dry, windy days. Incorporating the following mitigation will reduce the effects to less than significant:

MITIGATION MEASURES

Mitigation Measure #III.1.

The project appears to expand upon the existing operations at an adjoining parcel operated by Thomes Creek Rock. This expansion will create additional fugitive dust emissions from exposed soil, stockpiles, and mining operations. The applicant shall obtain an Authority to Construct application from the District prior to commencing mining operations on APNs: 067-090-009 & 067-090-009

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Air Pollution Control District

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

Tehama County Air Pollution Control District

MITIGATION MONITORING PROGRAM

ISSUE: Air Quality

IMPACT(S): **Potentially Significant unless Mitigation Incorporated.** The project can create a substantial amount of fugitive dust when operating, especially on dry, windy days. Incorporating the following mitigation will reduce the effects to less than significant:

MITIGATION MEASURES

Mitigation Measure #III.2.

The project will create emissions of ozone precursors and particulate from construction equipment used in the mining process. These emissions can be mitigated to less than significant by requiring equipment owners to have diesel equipment owners to have diesel equipment registered and compliant with current California standards for on road, off road, or portable equipment via the California Air Resources Board's DOORS, TRUCRS, or PERP programs. In lieu or PERP, Portable diesel equipment greater than 50 horsepower such as generators or compressors may be permitted by the Air District.

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Air Pollution Control District

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Impact Unless Mitigated.** The Botanical surveys (Biological Resource Assessment Appendix A) identified the presence of Stony Creek spurge (*Euphorbia ocellata* ssp. *rattanii*) and silky cryptantha (*Cryptantha crinita*), within the Project area, which have the potential to be significantly impacted by the gravel skimming operation in the creek unless appropriately mitigated. Both species are California Native Plant Society Rank 1B.2 species, meaning that they are rare, threatened, or endangered in California and elsewhere, and are moderately threatened in California with 20-80% of occurrences threatened with a moderate degree and immediacy of threat.

The Biological Resource Assessment (BRA) concludes that compensatory mitigation is not feasible or appropriate for mitigating impacts to these rare plants and recommends the development of site-specific avoidance and/or mitigation measures by the Project applicant or lead agency in consultation with the Department. The Department concurs with this conclusion and recommends working collaboratively to develop appropriate measures to protect these special-status species. The following avoidance and/or mitigations options that can be employed are: (1) Avoiding the impact all together by not taking a certain action; (2) Minimizing impacts by limiting the degree or magnitude of the action; (3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; or (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the project. Mitigation and avoidance measures to protect the plants will be required as part of the California Department Fish and Wildlife's Lake and Streambed Alteration Agreement (LSAA) for this project. One or more of the above measures will be part of this agreement, which mitigate the potential impacts to Less than Significance, see Mitigation Measure #IV.1.

MITIGATION MEASURES

Mitigation Measure #IV.1:
LAKE OR STREAMBED ALTERATON AGREEMENT. Based on correspondence with the CA Department of Fish and Wildlife, the Department will require a Lake and Streambed Alternation (LSA) Notification and agreement, pursuant to Section 1600 et seq. of the Fish and Game Code (FGC). The Lake and Streambed Alteration Agreement shall consider information contained in this CEQA document when issuing the LSA agreement. To obtain information about the LSA notification process, please access our website at https://www.wildlife.ca.gov/Conservation/LSA. As of October 1, 2021, LSA notifications for a Gravel, Sand, or Rock Extraction Agreement must be submitted through the online Environmental Permit Information Management System (EPIMS) Permitting Portal.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated** The Department's *Restoring Central Valley Streams; A Plan for Action (*1993) document indicates that mining in Thomes Creek, especially between the Interstate 5 bridge and the confluence of the Sacramento River, has resulted in changes in channel cross-section and stream stability, thus altering the suitability of the stream for salmon. The mining operation occurs during the summer months when the stream bed is dry so there are no fish present. The finished grades of the mining area at the end of the mining season fill in any depressions that could trap fish prior to the steam flowing in the winter season. One of the objectives of the mining plan is to not mine all the gravel bars in a single season, but to selectively mine various locations so there are future mining areas and to maintain the stream system of gravel bars and stream channel. Another objective is to attempt to maintain as few main stream channels through the mining area as possible for fish passage. The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, with the incorporation of Mitigation Measures IV.1 thru IV. 10.

MITIGATION MEASURES

Mitigation Measure #IV.2:
SEDIMENT BUDGET. The Department will require an annual Pre-extraction Plan to include a quantifiable procedure for determining the upcoming season's extraction volume estimates (e.g. comparison of post-extraction cross sections from the last extraction with current pre-extraction cross sections) along with the estimated extraction volume.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.3:
Slope Stabilization/Backfilling and Grading. Finished slopes around the perimeter of the extraction area or around vegetation to be preserved shall be graded to a maximum slope of 2:1. 2:1 is considered a stable slope per SMARA regulations. There shall be no restriction to the mine operator creating flatter slopes such as 3:1 or less. Mining of the gravel bars is above the thalweg of the stream and the bars shall be graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area shall be graded smooth to match the final graded slope. Any depressions shall be filled in so as not to trap fish in the extraction area.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.4:
PRE-CONSTRUCTION NESTING SURVEYS. A pre-construction surveys for nesting birds shall be conducted, if vegetation removal and/or construction activities are to take place during the nesting season (February 1 through August 31). The surveys shall be conducted by a qualified biologist within seven (7) days prior to vegetation removal or mining activities that are to take place during the nesting season, within 100-feet of project activities for passerines, 300-feet for raptors, and 450-feet for special-status-raptors, unless species specific guidance exists. If an active nest is located during the pre-disturbance surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. If a lapse in project-related work of seven (7) days or longer occurs, another focused survey and if required, consultation with CDFW and FWS, will be required before project work can be reinitiated. The results of the pre-disturbance surveys shall be sent electronically to the Department at R1CEQARedding@wildlife.ca.gov.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.5:
SWAISON'S HAWK NESTING SURVEYS. If project activities must begin between July 1 and September 1, Permittee shall have a qualified biologist conduct preconstruction nesting surveys according to the May 31, 2000, Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley-Attachment A prior to beginning project activities. If no breeding/nesting birds are observed, project activities may begin. If active nests are found, a no-disturbance buffer radius of up to ¼ mile (1,320 feet) will be required around the nest for Swainson's hawks. The actual size of the buffer may be modified based on an evaluation by a qualified biologist of the sensitivity of the birds to the level of project disturbance. The timing restriction and/or the no-disturbance buffer may be lifted prior to September 1, if it is determined safe to do so by a qualified biologist and approved by CDFW in writing.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.6:
TRICOLORED BLACKBIRD NESTING SURVEYS. The BRA indicates that there is a low potential for tricolored blackbird (Agelaius tricolor, State Threatened) to occur within the Project footprint and that the blackberry shrubs present provide marginal nesting habitat. Because of the possibility for this state-listed species to occur on the Project site, the pre-construction nesting bird surveys conducted (Mitigation Measure IV.4) for this Project shall pay particular attention to the presence of this species. If tricolored blackbird are determined to nest onsite, the Department should be consulted for the development of species specific buffers. If "take" or adverse impacts to tricolored blackbird cannot be avoided during Project activities, a CESA Incidental Take Permit must be obtain pursuant to FGC section 2080 et seq, as discussed above.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

California Department of Fish and Wildlife

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.7:
WESTERN POND TURTLE. The projects Biological Resource Assessment (Appendix A) shall be consulted regarding the Western Pond Turtle, with the following exceptions recommends avoidance and minimization measures for Western Pond Turtle, including the requirement for a 50-foot buffer around turtle nests, if found instead of 25 feet. Also it is herein clarified that if a turtle needs to be relocated, it can only be done by a qualified biologist holding a current Scientific Collecting Permit, and relocation area needs to be determined prior to the initiation of Project activities to determine and appropriate suitable location for release. Furthermore, areas where turtles have been found should be closely monitored, as Western Pond Turtle exhibit high site fidelity.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

Monitoring Agency:

California Department of Fish and Wildlife

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.8:

BATS. Mature trees proposed for removal shall be removed and/or fallen between September 16 – March 15, outside of the bat maternity season. Trees shall not be removed during the bat hibernation season of November 1- March 1, unless trees are removed in a humane fashion using a two-day process to prevent accidental death of bats if no precipitation is forecast and if he forecasted nighttime low temperatures do not drop below 45°F or less. If weather is cold (i.e., forecasted nighttime low temperatures reach 45°F or less for that evening) or if precipitation is forecast, then no removal can occur. The two-day tree removal process includes removing the non-habitat trees and brush along with certain tree limbs on the first day and the remainder of the tree on the second day.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** This is a gravel bar skimming operation in which scrapers remove the sand and gravel from the gravel bars or channel areas and transport it via a private haul road to the gravel processing plant. Mining of the gravel bars is above the thalweg of the stream and the bars are graded so they slope towards the creek channel for positive drainage. Any mounds in the extraction area are graded smooth to match the final graded slope. Any depressions are filled in so as not to trap fish in the extraction area. This work is usually completed before October 15 of each year that mining occurs. With that in mind, the mining area is within the streambed of Thomes Creek. The area consists of the active stream channel as well as adjacent gravel bars. There are small areas along the fringe of the active streambed that contain riparian vegetation. These riparian areas are included in the mining area since they are locations that could become part of the active stream bed area in the future since they are within the recent meander belt of Thomes Creek. There is no intention to mine areas of mature native vegetation unless the plants are first removed by the fluvial processes of the stream. Adjacent land uses are creek bed and riparian vegetation to the north; industrial, vacant land, orchard, and the Thomes Creek Rock gravel processing plant to the east; riparian vegetation, creek bed, and vacant land to the west; and vacant land and orchard to the south. By confining mining to the active stream bed area there is less impact to existing riparian vegetation. However, under the Migratory Brid Treaty Act (MBTA) of 1918, migratory bird species, their nests, and their eggs are protected from injury or death, and any project-related disturbances during the nesting period. In addition, California Fish and Game Code Section's 3503 and 3503.5 provide regulatory protection to resident and migratory birds and all birds of prey within the state. The projects proposed and anticipated development could potentially disturb nesting resident and migratory or birds of prey in and/or adjacent to the study area. Therefore, the following mitigation measure will reduce any potentially significant impacts of the project to nesting birds to less than significant:

MITIGATION MEASURES

Mitigation #IV.9:
CALIFORNIA ENDANGERED SPECIES ACT. A California Endangered Species Act (CESA) permit must be obtained if the project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required to obtain CESA Permit. Information on how to attain a CESA permit is available here: https://wildlife.ca.gov/Conservation/CESA/Permitting.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Biological Resources

IMPACT(S): **Potentially Significant Unless Mitigation Incorporated.** With the implementation of the above mitigation measure # IV.1 thru IV.9 and Mitigation Measure IV.10, the proposed project will not be in conflict with any local polices or ordinances protecting biological resources , such as a tree preservation policy or ordinance, provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, state habitat conservation plan.

MITIGATION MEASURES

Mitigation #IV.10:
INVASIVE SPECIES. Several invasive species occur on the project site including giant reed (Arundo donax) and Tamarisk (Tamarix sp.); all best management practice should be followed regarding invasive species management in order to reduce their potential for spreading, which may include onsite eradication.

Implementing Agency: Project applicant

Monitoring Agency: California Department of Fish and Wildlife

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Cultural Resources

IMPACT(S): **Potentially Significant Impact with Mitigation Incorporated.** Although there is no development plans for the project site, it is a possibility that resources or remains could be uncovered during the bar skimming process, and therefore in order to reduce potential cultural resources impacts to less than significant, the following Mitigation Measure shall be applied and incorporation into the project:

MITIGATION MEASURES

Mitigation Measure #V.1:

CULTURAL RESOURCES PROTECTION. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include, but would not be limited to researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Planning Department

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Geology and Soils

IMPACT(S): Potentially Significant Impact with Mitigation Incorporated. The project will not result in unacceptable or substantial soil erosion or loss of topsoil that will significantly impact the environment due to the applicants requirement to comply with the Department of Conservation Division of Mine Reclamation, State Surface Mining and Reclamation Act (SMARA) and Tehama County's Municipal Code Chapter 13.29 Surface Mining and Reclamation, which will require an approved and adopted Mining Reclamation Plan. which will ensure the projects design, including storm run-off and grading activity with in the stream bed and bank will meet all local, state and federal standards/regulations. Therefore with the incorporation of Mitigation Measure #VII.1 below the project will be considered less than significant:

MITIGATION MEASURES

Mitigation Measure #VII.1:

Mining Operation Reclamation Plan. The applicant and/or mining operator shall not commence with the gravel mining operation and/or start to extract material from Thomas Creek until a Reclamation Plan with a Financial Assurance Mechanism and a Financial Assurance Cost Estimate has be approved pursuant to state policies for the reclamation of mined lands and the conduct of surface mining operations in accordance with Public Resources Code, Division 2, Chapter 9, Section 2710 et seq. (Surface Mining and Reclamation Act of 1975, as amended by Statutes of 1980), including SMARA Sections 2772 thru Section 2773, the applicable state regulations (California Code of Regulations, Title 14, Sections 3500 through 3505, and Sections 3700 through 3713), and the County's SMARA Ordinance (Chapter 13.28 of the Tehama County Code).

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Planning Department

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Hydrology and Water Quality

IMPACT(S): **Potentially Significant Impact with Mitigation Incorporated.** The project has the potential to significantly degrade water quality. However, based on past performance, it is anticipated that the project will continue to meet the proscribed water quality standards and discharge requirements. The requirements of the California Reginal Water Quality Control Board have been an affective mitigation in assuring that any potential adverse impacts are reduced to a less than significant level.

MITIGATION MEASURES

Mitigation Measure #X.1:

The project proponent shall obtain all necessary permits, providing the CRWQCB with the requisite documentation, and otherwise comply with the proscribed operational conditions required by the California Regional Water Quality Control Board.

Implementing Agency: Project applicant

Monitoring Agency: Central Valley Regional Water Quality Control Board

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: PC/OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note: _____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____

MITIGATION MONITORING PROGRAM

ISSUE: Tribal Cultural Resources

IMPACT(S) : **Potentially Significant Impact with Mitigation Incorporated.** The lead agency has considered sources regarding the identification of tribal cultural resources possibly located on the project site. There is a possibility that resources within the proposed areas to be disturbed may contain resources that meet the criteria set forth in subdivision(c) of Public Resources Code section 5024.1, and that the lead agency would consider to be a significance resource to a California Native American Tribe. Therefore, a Mitigation Measure for inadvertent discovery and the protocol required to protect such a discovery has been incorporated into the project.

MITIGATION MEASURES

Mitigation Measure #XVIII.1
INADVERTENT DISCOVERY PROTOCOL. The Final Map shall contain the following Note, "If any new cultural resources are located during project activities, all work in the vicinity of the discovery must stop and a qualified archaeologist must immediately be notified. Archaeological and historic-period resources in the region may include:

§ **Archeological materials**: flaked stone tools (projectile point, biface, scraper, etc.) and debitage (flakes) made of chert, obsidian, etc., groundstone milling tools and fragments (mortar, pestle, handstone, millingstone, etc.), faunal bones, fire-affected rock, dark middens, housepit depressions and human interments.

§ **Historic-era resources:** may include, but are not limited to, small cemeteries or burial plots, cut (square) nails, containers or miscellaneous hardware, glass fragments, cans with soldered seams or tops, ceramic or stoneware objects or fragments, milled or split lumber, earthworks, feature or structure remains and trash dumps."

Implementing Agency: Project applicant

Monitoring Agency: Tehama County Planning Department

Funding Source: Developer/Applicant

Subdivision Map Phasing: N/A

Phase of Monitoring: OG

Performance Standards (standard for success): As determined by Monitoring Agencies.

Additional Note:_____

COMPLIANCE VERIFIED (see attached verification report)

DATE _____