

AGENDA

CITY OF RANCHO CORDOVA

CITY COUNCIL

Tuesday, July 5, 2005

4:30 p.m. – Closed Session
5:30 p.m. – Regular Meeting

Council Chambers
3121 Gold Canal Drive, Rancho Cordova, California



Ken Cooley, Mayor
Robert J. McGarvey, Vice Mayor
Linda Budge, Council Member
David M. Sander, Council Member
Dan Skoglund, Council Member

MAKING YOUR POINT – MAKING IT COUNT

Government decision-making takes time—time for public input, time for analysis, and time for weighing both sides of the issue before making an informed decision.

People sometimes complain that the process takes too long, delay progress, costs extra money and is frustrating for discussion participants. Others say that the process doesn't give people enough time to comment and that decisions are made too quickly without enough consideration for all sides of the issue.

The foundation for democracy in America is our constitutional right to tell our elected leaders what we think about issues that affect us. This right is enjoyed by all citizens, regardless of education, background, or experience. Rancho Cordova leaders welcome you to public meetings and encourage you to participate in discussions that affect you.

The way you present your message at the podium can help or hurt your ability to persuade your audience. It can either facilitate or obstruct the public participation process. Whether you are an experienced public speaker or speaking at the podium for the first time, it may be helpful to remember these public meeting tips:

- Identify your main points. Writing them down will help you organize your thoughts and remember them when you're at the podium.
- Check your facts. Accuracy improves your credibility and helps you make a positive impression.
- Handouts summarizing your position may be distributed to policy makers and staff before or after your presentation. Busy leaders appreciate clear, concise information (one or two pages) that helps them identify your key points and remember your presentation.
- Don't be nervous. If you are, don't apologize for it. Public Officials see many citizens who are nervous when speaking in front of an audience. It may help to take a deep breath and exhale slowly just before you approach the podium.
- As you begin to speak, state your name and address clearly for the record. If you represent a group or organization, please state that information as well.



- Make your position known at the beginning, then present supporting information. You will sound organized, which helps people to understand your position.
- Keep your presentation short and simple. Attention spans are brief and people will remember a short presentation better than they will one that rambles and includes too much information.
- Don't repeat yourself. It uses valuable time and people tune out when they hear the same thing over and over. If a previous speaker has already made the point you planned to make, simply refer to that speaker and emphasize your support for that position.
- Be cautious about using humor which is very subjective. While some may laugh, others may be offended.
- Persuade, don't badger your audience. Compelling presentations can be very persuasive to both policy makers and public meeting audiences; however, insulting or degrading language can make you appear belligerent, reducing your credibility as well as the power of your message.
- Close your comments with an action statement such as, "Adopt this resolution" or "I urge you to vote 'no' on this ordinance."

Rancho Cordova City leaders appreciate your interest in issues that affect the community. We hope these tips will help you prepare and present your remarks so they will be clear, concise, accurate and credible. If you follow these guidelines, your audience is likely to listen, pay attention, and maybe even agree with you!

Rancho Cordova City government is not the City Council, City staff or Rancho Cordova citizens – it's all of us working together to understand each others' opinions so we can make the best decisions for our community.

THANK YOU FOR PARTICIPATING!



CITY COUNCIL AGENDA
City Council Chambers
3121 Gold Canal Drive, Rancho Cordova

Tuesday, July 5, 2005

4:30 P.M. – Closed Session
5:30 P.M. – Regular Meeting

CLOSED SESSION

Call to Order

Roll Call: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Oral Communications

A. Public Comment

Citizens wishing to address the Council for any matter on the Closed Session agenda may do so at this time. **Please keep your comments to three minutes or less and provide a Speaker Card to the City Clerk.** Please state your name and community of residence.

Adjourn to Closed Session for the Following Purpose:

- B. Conference with Legal Counsel -- Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9 (one case).**
- C. Existing Litigation Government Code Section 54956.9 - Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova and Sunrise Douglas Property Owners Association.**

REGULAR MEETING

Call to Order

Roll Call: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Reports from Closed Session

Metro Cable TV Telecast Announcement (meeting will not be videotaped)

Agenda Item #2A

**Material received during the
Council Meeting of July 5, 2005.**

REGIONAL TRANSIT **ISSUE PAPER**

Page 1 of 2

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
13	06/13/05	Open	Information	06/06/05

Subject: Passenger Education of Light Rail Reconfiguration

ISSUE

Public Information Campaign to Educate Passengers of Light Rail Reconfiguration

RECOMMENDED ACTION

None

FISCAL IMPACT

None

DISCUSSION

On Sunday, June 19, 2005, RT will implement a major change in light rail direction of travel.

Starting June 19, trains departing the Watt/I-80 station travel to the Meadowview station, and trains departing the Sunrise station terminate at the St. Rose of Lima Park station. This modification is necessary to prepare for the opening of light rail extensions to Historic Folsom and the Sacramento Valley Station (Amtrak), as well as to improve the overall reliability of the rail system. As a reminder, the issue paper that went to the Board on March 14, 2005 concerning configuring the light rail in preparation for the Amtrak/Folsom extension is presented in Attachment 1. As a result of the light rail reconfiguration, most connecting south area and Rancho Cordova bus service is being modified to maintain timed connections to the light rail service.

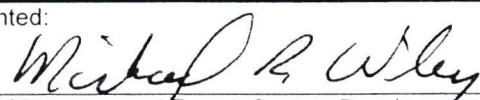
In June, Public Information staff will produce and distribute various print materials to notify and educate passengers:

- Light Rail Guide and Bookmark - a comprehensive guide to all light rail stations (featuring a map of the new configuration) and a coordinating bookmark
- Next Stop News - passenger newsletter placed on all buses and trains
- Mini-Poster - placards placed on all buses and trains
- News Release - distributed to all print media, and television and radio stations
- A-frame Signage - placed at every fare vending machine at each light rail station
- Train Maps - updated maps placed on each light rail train
- Bus & Light Rail Timetable Book - new edition effective June 19, 2005
- System Map - new edition effective June 19, 2005
- Pocket Timetables - new edition effective June 19, 2005

Approved:


General Manager/CEO

Presented:


AGM of Planning and Transit System Development

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Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
13	06/13/05	Open	Information	06/06/05

Subject: Passenger Education of Light Rail Reconfiguration

- Web Site – list of all open house meetings, community events, a map of the new LR configuration, a listing of bus route changes, printable versions of the service changes power point presentation
- New signage - at all light rail stations and on trains

In addition, RT staff will be stationed at three key light rail stations for the June Service Changes Customer Assistance Program on June 19 - 22. Staff will be available to assist passengers with questions about the June service changes, specifically the change in light rail direction of travel, at the Broadway station, 16th Street station and St. Rose of Lima Park station. These locations will be staffed from 6 a.m. until 7 p.m.

RT staff has also conducted outreach at the recent RT Open House community meetings held in April and May and at various community events, including:

- Bike to Work Day event at CalEPA (May 19)
- Pacific Rim Street Fest (May 22)
- Sacramento City College Summer Pass Promotion (May 23, 24, June 6, 7)
- McClellan Park Transportation Fair (June 9)
- Franchise Tax Board Alternative Transportation Fair (June 15)

In addition, a broadcast email was sent to community, neighborhood and senior groups; transit and disability advocates; DECAT, community based and ethnic organizations; public information officers and transportation management associations.

A double truck ad was placed in the Sacramento News & Review special supplemental section "Goin' Sac" (May 26-August 25 issue).

REGIONAL TRANSIT ISSUE PAPER

Page 1 of 3

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	03/14/05	Open	Action	02/18/05

Subject: Approve June 2005 Service Changes

ISSUE

To approve service changes for implementation in June 2005, and related Negative Declaration.

RECOMMENDED ACTION

Adopt Resolution No. 05-03____, Adopting the Negative Declaration and Approving the June 2005 Service Changes.

FISCAL IMPACT

The proposed changes (Exhibit A) will not result in a significant change in operating cost or peak vehicle (bus or train) requirement. A revenue hour summary is included in Attachment 1. The presented service changes are consistent with the FY05 and FY06 Budget and Service Plan.

DISCUSSION

For implementation in June of 2005, staff is proposing changes to Route 17 and Light Rail. The realignment of Route 17 is proposed as an effort to increase productivity and in order to provide a needed service to a new area trip generator. The proposed reconfiguration and schedule change of light rail will accommodate the upcoming extensions to Folsom and the Sacramento Valley Station in October of 2005.

Three individuals provided testimony at the public hearing held on February 14, 2005 concerning June 2005 service changes. The comments received during this public hearing are summarized in Attachment 2.

Route 17, Del Paso Hqhts-McClellan (Attachment 3)

Route 17 is proposed to be realigned to serve Pride Industries new training facility and the Marconi/Arcade Light Rail Station. Route 17 has been identified as a low performer in the past fiscal year and has failed to meet or exceed productivity standards since its implementation. In an attempt to increase productivity and in consideration of Pride Industries' upcoming relocation to the McClellan Business Park, staff recommends realigning Route 17 as described below (Attachment 3).

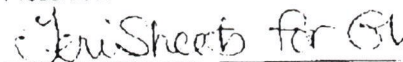
Proposed Alignment: from the Luce and Dudley Blvd south on Dudley Blvd, west on Palm, south on Luce, east on Peacekeeper Way, south and west on Dudley, south on Forcum Ave, turnaround, north on Forcum Ave, west on Bell Ave, south on Marysville Blvd,

Approved:



General Manager/CEO

Presented:



Planner

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Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	03/14/05	Open	Action	02/18/05

Subject	Approve June 2005 Service Changes
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east on Arcade Blvd, west on Kenwood and south on Academy Way to the Marconi/Arcade Light Rail Station.

Pride Industries' training facility on Forcum Ave will initially house 420 employees with the potential to eventually reach 600. Of the initial 420 employees and staff members, seventy-five will rely on transit for transportation. Pride Industries has indicated that the first week in September of 2005 will be the latest time frame in which the staff move will be complete. In order to provide service with the opening of the facility and to allow for training opportunities prior to employee and staff presence at the site, staff is proposing this change for implementation in June of 2005. Pride Industries employees and staff members at the Forcum Ave facility will work traditional work hours. In order to accommodate high passenger volumes expected during the AM and PM peak times, staff proposes running one short trip per peak time period. The short trips would provide service only between the Marconi/Arcade Light Rail Station and Forcum Ave, decreasing the amount of time between trips between for passengers using this portion of the route. The segment of Route 17 that operates north and east of Forcum Ave will not be served on these short trips. No change is proposed to service span or frequency of Route 17 and will, therefore, not result in a change in revenue hours or cost.

As Route 17 failed to meet productivity standards in Fiscal Year 2004, the implementation of the alignment change will begin a six-month special monitoring period. Should the route fail to show significant increases in productivity, the route will be subject to elimination by the RT Board.

In addition to working with Pride Industries and the McClellan Business Park, staff has solicited input from the shuttle advisory community that assisted in the initial planning of Route 17 and the Hagginwood Community Association.

Light Rail (Attachment 4)

In preparation for the opening of the Amtrak/Folsom light rail extension and in keeping with a previously prepared environmental impact report, staff recommends reconfiguring the light rail system to operate from the Watt/I80 station to the Meadowview station, and from Downtown (7th and K Streets) to the Sunrise station (Attachment 4). Currently, the light rail system operates from the Watt-I/80 station to the Sunrise station, and from Downtown (7th and K Streets) to the Meadowview station. Since the opening of the light rail system in 1987, service has operated from the Watt-I/80 station, through Downtown, to the terminal station on the Folsom line. This configuration has remained consistent despite two extensions of the Folsom line and the opening of the South Line. The current configuration has resulted in an unbalanced division of running time and mileage between the two operational lines that would be further exaggerated with the opening of the extensions to Folsom and the Sacramento Valley Station.

In realigning the operation of the light rail system, staff hopes to improve the reliability and safety of the system. By equalizing the length of each line, RT balances the workload between the two controllers assigned to the task of controlling train movements. This enhances safety by not overloading one controller with the majority of train movements. System reliability may be

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
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Subject: Approve June 2005 Service Changes

improved by balancing the length of each line and equalizing the number of train movements on each line allowing for a much quicker response to and recovery from service disruptions.

RT is scheduled to open the extensions to the City of Folsom and the Sacramento Valley Station simultaneously in October of 2005. The environmental impact report for these extensions as well as the operating plan assumed that the Folsom extension would operate from the Sacramento Valley Station to the City of Folsom.

The proposed reconfiguration is accompanied by an updated light rail schedule. Based on passenger surveys conducted in October of 2004, staff estimates that 82% of current light rail passengers' travel patterns (all lines) will not be effected by the proposed reconfiguration. Approximately 12% of light rail passengers do not currently transfer, but would need to under the proposed configuration. Attachment 5 contains a passenger transfer rate comparison by existing line between the existing configuration and the proposed configuration.

The proposed schedule allows ample transfer time from one line to the other in order to ensure connections. Approximately 6% of existing passengers that currently transfer would no longer have to with the proposed reconfiguration. In addition to the new light rail schedule, bus service schedules may need modification in order to maintain timed connections to the light rail service. Specifically, routes 4, 5, 6, 8, 21, 26, 28, 34, 36, 38, 37, 38, 47, 50E, 51, 54, 59, 61, 62, 63, 64, 67, 68, 72, 73, 74, 75, 76, 79, 80, 81, 82, 83, 84, 87, 91, 205, 220, 237, 239, 252, 261 and 262 may be affected. The new light rail schedule would accommodate the extensions to Folsom and the Sacramento Valley Station. The reconfiguration and schedule changes are proposed for implementation in June of 2005 in order to ease the transition period associated with the extension openings planned for October of 2005.

Further bus service changes may be proposed in coordination with the opening of the light rail extensions to the Sacramento Valley Station and Old Folsom. These changes may include realignment of Route 143 or other downtown shuttle routes to serve Old Sacramento. Should alignment changes be pursued to better serve Old Sacramento, RT will work closely with area stakeholders to create an alignment.

The proposed change will not result in a significant change in revenue hours or cost. The proposed configuration will not result in an increase in train requirements. The environmental effects associated with the light rail reconfiguration proposed for implementation in June of 2005 have been addressed in a previous document. The Downtown Sacramento-Folsom EIS/EIR (Volume 1, March 2000) addressed environmental issues associated with the proposed reconfiguration on page 2-85. As such, the proposed light rail reconfiguration is not addressed in the proposed Negative Declaration shown in Exhibit B.

Staff recommends that the Board adopt the attached resolution that approves the proposed June 2005 service changes set out in Exhibit A and the related Negative Declaration (Exhibit B).

Proposed June 2005 Service Change

Cost and Revenue Hour Estimate



Existing Line	Proposed Line	Proposed change	Annual Revenue Hours*		
			Existing	Proposed	Difference
Route 17	Route 17	Realign	3,400	3,400	-
LRT Watt/I-80-Sunrise	LRT Watt/I-80-Meadowview	Reconfigure	59,200	41,200	(18,000)
LRT Downtown-Meadowview	LRT Downtown-Sunrise	Reconfigure	24,000	41,000	17,000
<i>LRT Subtotal</i>			<i>83,200</i>	<i>82,200</i>	<i>(1,000)</i>
TOTAL			86,600	85,600	(1,000)

* per train for Light Rail



June 2005 Service Changes
Public Hearing on Proposed Service Changes
Held on February 14, 2005

Routes Summary of Comment

17, Light Rail Speaker thinks the proposed light rail reconfiguration is a positive step, as it will result in compliance with the EIS/EIR for the Amtrak & Folsom extensions. Speaker would like schedule consideration given to Amtrak connections; specifically, the first Capitol Corridor train trip departing from Sacramento.

17, Light Rail Speaker stated that the proposed light rail change looks good and thanked RT for giving Route 17 one more chance. Speaker would like to see an aggressive marketing campaign implemented to promote the realignment of Route 17.

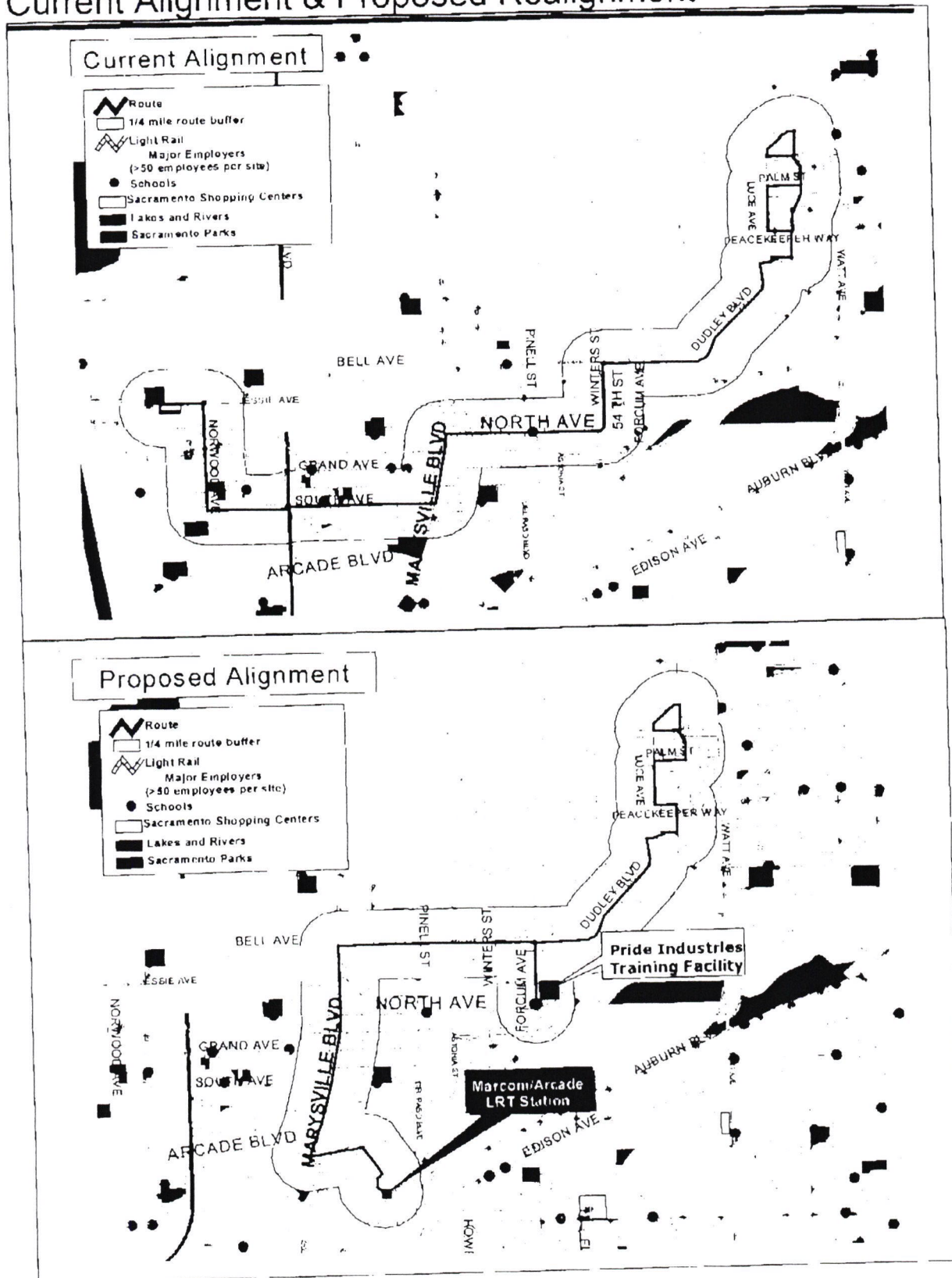
17, Light Rail Speaker wants to know more about how Route 17 passengers will be made aware of the proposed two short trips (one in the morning and one in the evening). Speaker expressed interest in light rail to bus transfers and wondered if it would be possible to purchase some type of fare media that could track light rail passengers travel patterns. Speaker also asked for consideration of self-cleaning restrooms.

Route 17

ATTACHMENT 3



Current Alignment & Proposed Realignment



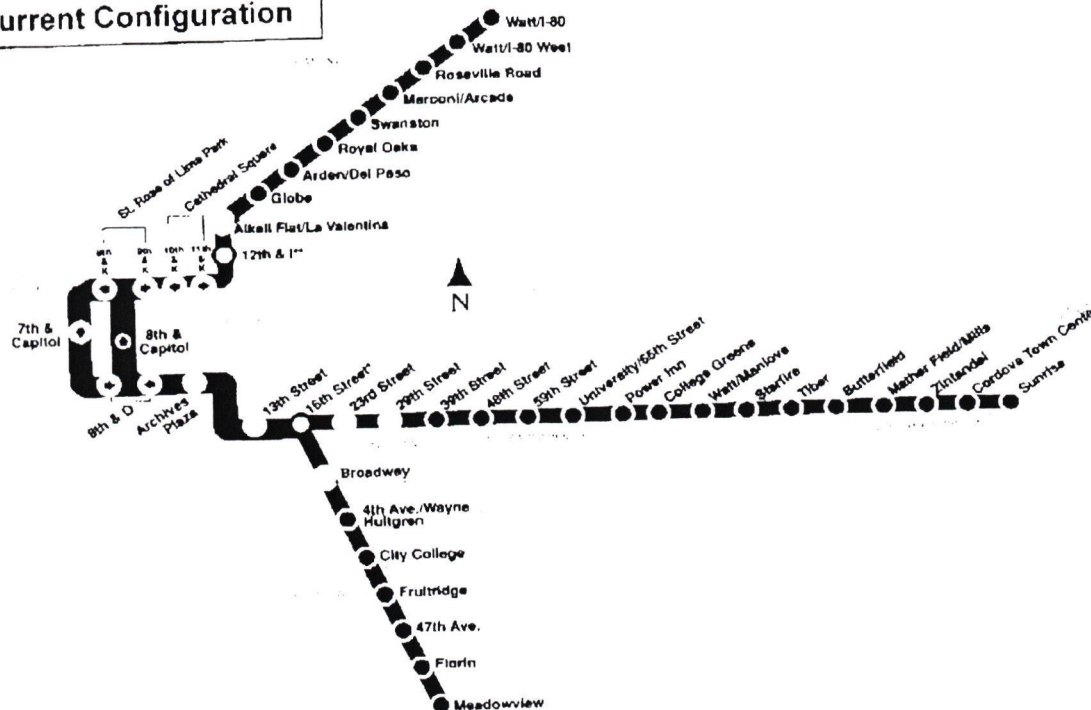
Regional Transit Board Meeting 03/14/05
Proposed June 2005 Service Changes

Light Rail Current Configuration & Proposed Configuration

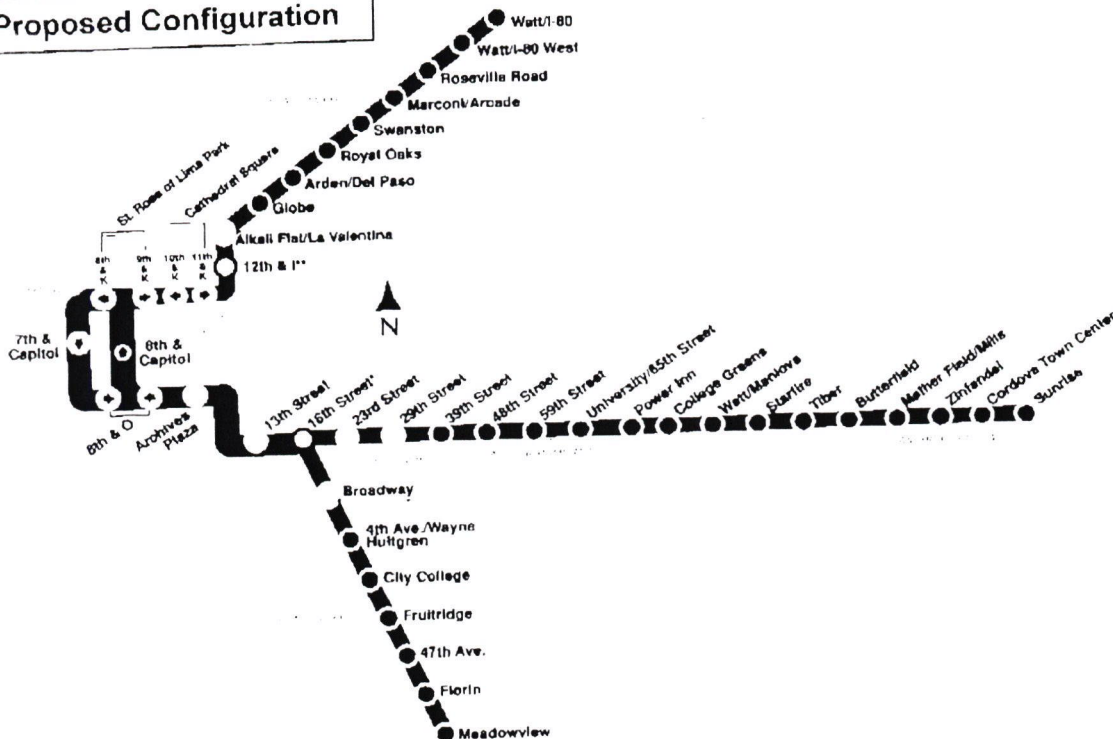
ATTACHMENT 4



Current Configuration



Proposed Configuration



Regional Transit Board Meeting 03/14/05
Proposed June 2005 Service Changes

ATTACHMENT 5

Light Rail Passenger Transfer Rates Comparison for Current vs. Proposed Light Rail Configuration



Starter Line	Percent of Passengers
Do NOT transfer now, but will with reconfiguration	18%
Transfer now , but will NOT transfer with reconfiguration	5%
Transfer now and will continue to transfer with reconfiguration	4%
Do NOT transfer now and will NOT transfer with reconfiguration	74%
TOTAL	100%

South Line	Percent of Passengers
Do NOT transfer now, but will with reconfiguration	0%
Transfer now, but will NOT transfer with reconfiguration	8%
Transfer now and will continue to transfer with reconfiguration	18%
Do NOT transfer now and will NOT transfer with reconfiguration	74%
TOTAL	100%

TOTAL - All Lines	Percent of Passengers
Do NOT transfer now, but will with reconfiguration	12%
Transfer now, but will NOT transfer with reconfiguration	6%
Transfer now and will continue to transfer with reconfiguration	8%
Do NOT transfer now and will NOT transfer with reconfiguration	74%
TOTAL	100%

RESOLUTION NO. 05-03- 0052

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

March 14, 2005

**ADOPTING THE NEGATIVE DECLARATION AND APPROVING THE
JUNE 2005 SERVICE CHANGES**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

WHEREAS, Regional Transit staff prepared an Initial Study and Negative Declaration in accordance with the California Environmental Quality Act (CEQA) for the proposed June 2005 Service Changes set out in attached Exhibit A (Project); and

WHEREAS, the availability of the Initial Study and Negative Declaration for the Project and the date, place and time of the public hearing was noticed in a newspaper of general circulation; and

WHEREAS, the public hearing was held on February 14, 2005; and

WHEREAS, based on the information contained in the Initial Study and Negative Declaration for the Project and comments received at the public hearing, there is no substantial evidence that the Project will have significant adverse environmental impacts.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF
DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

Section 1. The Board has considered the initial study, comments and information received during the public review process and both the primary and secondary consequences of the proposed Project set out in attached Exhibit A, which is incorporated herein by reference.

Section 2. The Board finds that there is no substantial evidence that the Project will have an adverse impact on the environment and consequently, no mitigation measures are required.

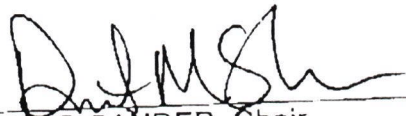
Section 3. The Negative Declaration prepared for the Project set out in attached Exhibit B reflects the independent judgement of the Board of Directors.

Section 4. The Board hereby adopts the Negative Declaration for the Project set out in attached Exhibit B.

Section 5. The Board hereby approves the Project.

Section 6. The General Manager/CEO or her designee is hereby authorized to file a Notice of Determination set out in attached Exhibit C with the Sacramento County Clerk pursuant to Section 21152(a) of the Public Resources Code and Section 15075 of the State CEQA Guidelines and to pay required fees under California Fish and Game Code Section 711.4

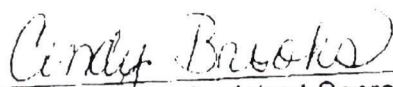
Section 7. A copy of Exhibits A, B and C may be obtained through the RT Board Clerk/Document Coordinator at 1400 29th Street, Sacramento, CA.



DAVID SANDER, Chair

ATTEST:

BEVERLY A. SCOTT, Secretary

By: 

Cindy Brooks, Assistant Secretary



**Proposed June 2005 Service Change
Alignment Description and Service Characteristics**

1. **Route 17 (Weekdays, Saturdays)**- Route is proposed for realignment. New segment will be added within the McClellan Business Park on Forcum Ave. Route will be realigned west of Winters St to continue west on Bell Ave to Marysville Blvd, south on Marysville Blvd and east on Arcade Blvd to serve the Marconi/Arcade Light Rail Station. Segments that operate on Bailey Loop, Delagua Way, Dudley Blvd between Palm and Peacekeeper, Newcastle St, Jessie Ave, Norwood Ave and South Ave and North Ave are proposed for elimination.
2. **Light Rail (All days)**- Light rail lines are proposed to be reconfigured to operate from the Watt/I80 station to the Meadowview station, and from Downtown (7th and K Streets) to the Sunrise station. Currently, the Light Rail system operates from the Watt I/80 station to the Sunrise station, and from Downtown (7th and K Streets) to the Meadowview station.

NOTE: The environmental effects associated with the light rail reconfiguration proposed for implementation in June of 2005 have been addressed in a previous document. The Downtown Sacramento-Folsom EIS/EIR (Volume 1, March 2000) addressed environmental issues associated with the proposed reconfiguration on page 2-85. As such, the proposed light rail reconfiguration is not addressed in the proposed Negative Declaration shown in Exhibit B.

Pledge of Allegiance

Invocation

1. Pastor Jim Boyd, Sun River Church, will give the invocation.

Presentations

2. Sacramento Regional Transit Representatives will present information on the X Configuration Change and the Federal Railroad Administration's Mandated Horn Rule.
3. Eppie G. Johnson, Great Race Founder, will make a presentation on this year's Great Race, the World's Oldest Triathlon.

CONSENT CALENDAR – ROLL CALL VOTE

4. **Subject:** Resolution to Authorize Increase in Amount of Certificates of Participation to be Issued to Acquire the Kilgore Business Park.
Recommendation: Adopt Resolution No. 82-2005.
5. **Subject:** Second Reading of Ordinance No. 12-2005 Amending the Zoning Code from AG-80 to AG-20 on Assessor Parcel Number 067-0100-018 for Project Known as Sierra Sunrise Project.
Recommendation: Waive second reading and adopt Ordinance No. 12-2005. **(Roll Call Vote)**
6. **Subject:** Resolution Authorizing the City Manager to Execute a Contract with DPR Construction, Inc. for Construction Management Services for the New City Hall Improvements at 2729 Prospect Park Drive in Rancho Cordova
Recommendation: Adopt Resolution No. 83-2005.

CONSENT PUBLIC HEARINGS

7. **Subject:** Resolution to Extend Interim Traffic Impact Mitigation Fee
Recommendation: Adopt Resolution No. 79-2005 extending Urgency Resolution No. 58-2005 establishing an Interim Traffic Impact Mitigation Fee, for 30 days.

ORAL COMMUNICATIONS

8. Public Comment

Citizens wishing to address the Council for any matter not on the agenda may do so at this time. If you wish to be heard on a listed agenda item other than a Consent Calendar item, please wait until that point on the agenda. Comments on Consent Calendar items will be heard prior to action on the Consent Calendar by providing a Speaker Card to the City Clerk before the Consent Calendar is discussed. **Please keep your comments to three minutes or less and provide a Speaker Card to the City Clerk.** Please state your name and community of residence. Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

PUBLIC HEARINGS

9. **Subject:** An Urgency Ordinance of the City of Rancho Cordova Extending a Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries, to Become Effective Immediately.

Recommendation: Adopt Urgency Ordinance No. 14-2005. **(Roll Call Vote)**

10. **Subject:** Grantline West Mining – RC-04-145 – SM Overlay and Conditional Use Permit - Surface Mining (SM) zone overlay and a Conditional Use Permit for a 583-acre proposed mining area within a 1,100-acre site of Aerojet. The site is within the existing dredge tailings on the western portion of Aerojet. The mined gravel will be transported by conveyor to the crushing facility on the east side of Grantline Road.

Recommendation: Waive first reading and introduce Ordinance No. 13-2005 placing the Surface Mining (SM) Overlay Zone and adopt Resolution No. 81-2005 approving the Conditional Use Permit, subject to the submitted Reclamation Plan and the Conditions of Approval for the Grantline West mining Operation. **(Roll Call Vote)**

11. **Subject:** Target – RC-05-150 – Design Review - Design Review for Exterior Remodel and Addition to the Existing Store.

Recommendation: Adopt Resolution No. 80-2005 approving the Design Review for the Target Store Remodel RC-05-150, subject to the findings, Conditions of Approval, and Design Review Package.

***7:00 PM BREAK**

REGULAR CALENDAR

12. **Subject:** Resolution to Initiate of Sphere of Influence Annexation with Local Agency Formation Commission (LAFCO)

Recommendation: Adopt Resolution No. 84-2005.

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER'S REPORT

Building Department

ADJOURNMENT

Upcoming Meeting Dates:

<i>Wednesday, July 13, 2005</i>	<i>5:30 p.m. – Special Meeting on Design Guidelines</i>
<i>Monday, July 18, 2005</i>	<i>4:30 p.m. – Closed Session</i> <i>5:30 p.m. – Regular Meeting</i>
<i>Wednesday, July 20, 2005</i>	<i>5:30 p.m. – Special Meeting – Summit with Developers</i>
<i>Monday, August 1, 2005</i>	<i>5:30 p.m. – Regular Meeting</i>

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 942-0255 or lhare@cityofranhocordova.org at least 48 hours prior to the meeting.

City Clerk's Certificate of Posting of Agenda

I, Carolyn Butler, Deputy City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the July 5, 2005 Regular Meeting of the Rancho Cordova City Council was posted on June 30, 2005 at the office of the City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 30th day of June 2005 at Rancho Cordova, California.



Carolyn Butler, Deputy City Clerk

MEMORANDUM

Date: July 5, 2005
To: Mayor and Council Members
From: Ted A. Gaebler, City Manager
William J. Thomas, Finance Director
Subject: **AUTHORIZATION TO INCREASE THE AMOUNT OF CERTIFICATES OF PARTICIPATION TO BE ISSUED TO ACQUIRE THE KILGORE BUSINESS PARK**



RECOMMENDATION:

Adopt Resolution No. 82-2005 amending Resolution No. 23-2005 to increase the authorized amount of Certificates of Participation in connection with financing the acquisition of the Kilgore Business Park

BACKGROUND AND DISCUSSION

The City has entered into a sale and purchase agreement with the owners of the Kilgore Business Park to purchase the entire site for \$6.0 million. Previously, the City Council authorized the City Manager to sign that purchase agreement. The tentative date to close the purchase of the property is scheduled for the last week in July or the first week in August.

On February 7, 2005, the Council authorized the issuance of Certificates of Participation in the amount of \$6.5 million. That amount, less cost of issuance and funding of the reserve fund, would result in a net of \$5.3 million to the City. It has been our intention to use \$1 million of idle City funds to supplement bond proceeds. Therefore, a total of \$300,000 would be available in an improvement fund to cover costs associated with building maintenance and improvements to the Kilgore Cemetery.

Subsequent to the previous Council approval, a decision has been made to utilize the existing two-story office building as the future Police headquarters. Therefore, I feel it is prudent to increase the "improvement fund" so that the City has funds available to renovate the building for Police activities. For this reason, I am proposing that the City increase the "improvement fund" from \$300,000 to \$800,000. To accomplish this, it will be necessary to amend Resolution No. 23-2005 to authorize the issuance of COPs in an amount not to exceed \$6.9 million. This is the amount, less the costs of issuance, that will be necessary to net the City an additional \$500,000 to use for the purposes indicated above.

Attachment

Resolution No. 82-2005

CITY OF RANCHO CORDOVA

RESOLUTION NO. 82-2005

**A RESOLUTION OF THE CITY COUNCIL AMENDING RESOLUTION
NO. 23-2005 TO INCREASE THE AUTHORIZED AMOUNT OF
CERTIFICATES OF PARTICIPATION IN CONNECTION WITH
FINANCING OF ACQUISITION OF REAL PROPERTY BY THE CITY**

RESOLVED, by the City Council of the City of Rancho Cordova (the "City") that:

WHEREAS, the City has determined that it is in the best financial interests of the City at this time to provide for the acquisition of certain parcels of property located within the City, including what is sometimes referred to as the "Kilgore Business Park", improved with an office building and adjacent property (the "Project") and to make improvements to such property, to facilitate office space needs of the City; and

WHEREAS, this City Council on February 7, 2005 adopted Resolution No. 23-2005 (the "Resolution"), Authorizing the Execution and Delivery of Not to Exceed \$6,500,000 Certificates of Participation, Authorizing and Directing Execution of Related Lease Financing Documents, Trust Agreement, and Certificate Purchase Agreement, Approving Official Statement and Authorizing Official Actions," which authorized the documents necessary to cause the issuance of 2005 Certificates of Participation (City Operations Facility Acquisition Project) in the aggregate principal amount of not to exceed \$6,500,000 (the "Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the Lease Agreement, all as described in such Resolution, to facilitate acquisition of the Project; and

WHEREAS, subsequent to the date of adoption of the Resolution, City staff has determined to include in the Certificates financing the cost of additional improvements as a part of the Project and as a result the City desires to increase the authorized amount of the Certificates.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

Section 1. The City Council hereby supplements and amends the Resolution to authorize the execution and delivery of the Certificates, representing the right to receive lease payments under the Lease Agreement (as described in the Resolution), in the aggregate principal amount of not to exceed \$6,900,000.

Section 2. All actions heretofore taken by the City Council and the officers and agents of the City with respect to the execution and delivery of the Certificates are hereby approved, confirmed and ratified, and the proper officers of the City are each hereby authorized and directed to do any and all things and take any and all actions and execute any and all certificates, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful execution and delivery of the Certificates in accordance with this Resolution, and any certificate, agreement, and other document described in the documents herein approved. Any document herein approved and

executed and delivered by any one of the Authorized Officers shall be a valid and binding agreement of the City.

Section 3. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova, California, at a regularly scheduled meeting thereof, held on the 5th day of July, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 12-2005

**AN ORDINANCE OF THE CITY OF RANCHO CORDOVA
AMENDING THE ZONING CODE
ON ASSESSOR PARCEL NUMBER 067-0100-018
FOR A PROJECT KNOWN AS SIERRA SUNRISE
PROJECT NO. RC-05-155**

The City Council of the City of Rancho Cordova does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Zoning Map within the City of Rancho Cordova from AG-80 Agriculture to AG-20 Agriculture, for the parcel specified within the attached exhibit.

Section 2: Findings

1. Finding: The proposal will not have a significant adverse impact on the environment and a Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project that addressed the zone change. On the basis of the Negative Declaration, comments received, and the whole record, there is no substantial evidence the project will have a significant adverse impact on the environment.

2. Finding: The proposed Rezone request would be consistent with goals and policies of the General Plan of the City of Rancho Cordova.

Evidence: The reduction of the minimum lot size from 80 acres to 20 acres would not cause a significant impact in the Agriculture Zone. No development is proposed on the lots and any future development would be required to perform additional environmental assessment at that time.

Section 3: Action

The City Council hereby amends the City of Rancho Cordova Zoning Map for Assessor's Parcel Number 067-0100-018, as shown on the attached exhibits.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or

applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 5th day of July, 2005, by the following vote:

AYES:

NOES:

ABSENT:

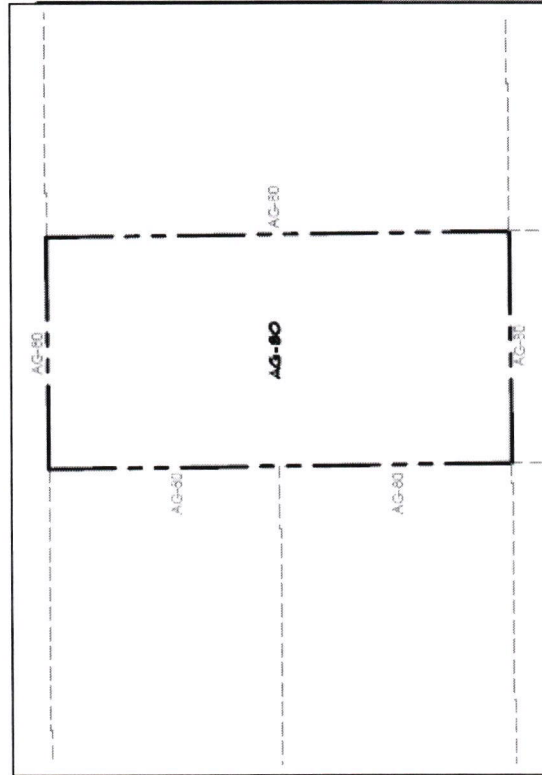
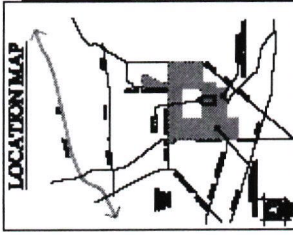
ABSTAIN:

Ken Cooley, Mayor

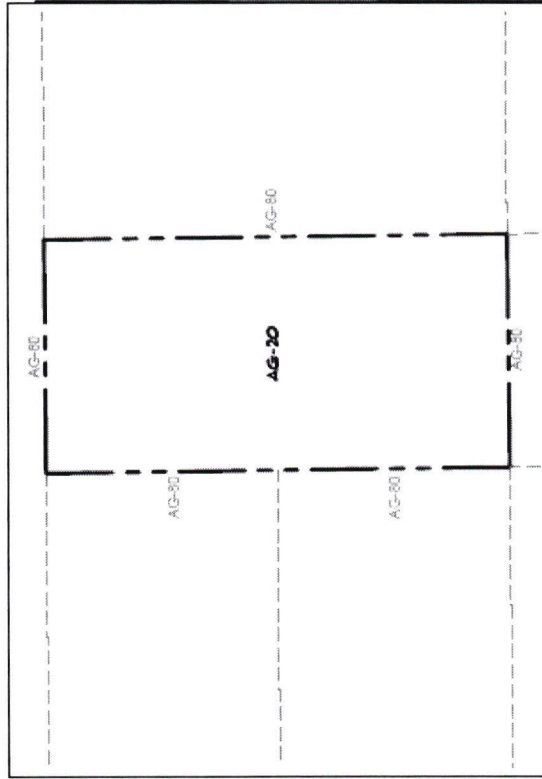
ATTEST:

Lillian E. Hare, City Clerk

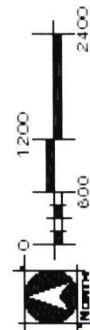
REZONE EXHIBIT
SIERRA SUNRISE
 CITY OF RANCHO CERRITO, CALIFORNIA
 MARCH 8, 2005



Existing Zoning



Proposed Zoning



WOOD RODGERS
 ENGINEERING • PLANNING • MAPPING • SURVEYING
 3180 I STREET, SUITE 100-B, SACRAMENTO, CA 95816
 PHONE: (916) 441-9700 FAX: (916) 441-9705

Exhibit A

MEMORANDUM

DATE: July 5, 2005
TO: Mayor and Council Members
FROM: Jim Carney, Senior Management Advisor
SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DPR CONSTRUCTION INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE NEW CITY HALL IMPROVEMENTS AT 2729 PROSPECT PARK DRIVE, RANCHO CORDOVA



RECOMMENDATION

Adopt Resolution 83-2005.

BACKGROUND

The City seeks to enter into a professional services contract (Attachment "A") with DPR Construction Inc ("DPR") for construction management services in conjunction with the planned city hall facility improvements to 2729 Prospect Park Drive.

On June 23, 2005, the City acquired commercial office buildings on Prospect Park Drive, Rancho Cordova and plans to make approximately \$5.5 million of improvements for new City Hall facilities. Planned improvements include: a 2,500 square foot City Council Chambers; three community rooms totaling 3,600 square feet for use by the community for meetings, weddings and festivities; a one-stop permit facility; Mayor and Council offices; new HVAC, roof and parking and building security; office space for city staff.

Now, the City plans to proceed with construction of those planned improvements and, therefore, desires to hire a construction management firm to represent the City in the public bid process, selection of trade contractors, administration of the multi-trade contracts, as well as supervision of construction per the City's plans and specifications and completion of the project on time and within budget.

AGENDA ITEM # 6

In seeking a construction management firm, City staff interviewed and received cost proposals from several professional construction management firms. As a result of that process, staff selected DPR Construction Inc. DPR is experienced in building, and managing construction of improvements to, government buildings, including city halls in Hayward and Pleasant Hill and the county government center in Yuba County – a conversion of a former retail building to a the county administration building including a Board of Supervisors' chamber and one-stop permit facility. DPR is a locally based company with deep capacity, an extensive cost estimation data-base and skill in managing projects within budget and on time.

Please contact me at 916-042-0241 should you have any questions or need additional information.

Attachment(s): Resolution 83-2005

Professional Services Contract No. CON 09-2005 between DPR Construction Inc. and the City of Rancho Cordova

CITY OF RANCHO CORDOVA

RESOLUTION NO. 83-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DPR
CONSTRUCTION INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE NEW
CITY HALL IMPROVEMENTS AT 2729 PROSPECT PARK DRIVE, RANCHO CORDOVA**

WHEREAS, the City of Rancho Cordova has purchased an existing office building at 2729 Prospect Park Drive, Rancho Cordova, in part, planned for City Hall improvements (herein referred to as the "Project"); and

WHEREAS, the City desires to hire a professional construction management firm to manage the Project; and

WHEREAS, the City has elected to bid construction of the Project to multiple trade contractors and to construct the Project by the City entering into contracts with the successful bidder for each trade contract; and

WHEREAS, the City intends to bid the project to trade contractors and to construct the project with the same set of trade contractors; and

WHEREAS, in connection with reviews of the design documents prepared by the architect for the project, bidding of trade contracts for construction of the Project, the Owner desires to retain and contract with a Construction Management firm to provide construction management services for the Project; and

WHEREAS, the CM submitted a written proposal dated March 23, 2005 setting forth its proposed scope of construction management services for the Project and its proposed price for providing such services; and

WHEREAS, after interviewing and receiving cost estimates from several professional construction management firms, the City desires to hire DPR Construction Inc. ("DPR"), a firm duly qualified and with significant experience successfully managing similar city hall improvement projects within budget and on time; and

WHEREAS, the City desires to retain the DPR to provide certain services in connection with the Project in order to achieve their mutual objectives relating to the Project, including without limitation, review of the Project Design Documents, management of the bidding process for the trade contracts, management of Project construction, expedited completion of Project construction, and to allocate risks for the time/costs to complete Project; and

WHEREAS, construction management services for the Project to be provided by DPR are estimated not to exceed \$252,000 funded by revenues secured by bonds recently issued by the City.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council authorize the City Manager to execute a professional services contract with DPR Construction Inc. for construction management services in conjunction with the improvements to the planned new City Hall at 2729 Prospect Park Drive, Rancho Cordova.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of July, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

CONSTRUCTION MANAGEMENT SERVICES AGREEMENT

This Construction Management Services Agreement ("Agreement") is entered into this ____ day of _____, 2005 by and between City of Rancho Cordova ("Owner") and DPR Construction, Inc. ("CM"). The Owner and the CM are collectively referred to in this Agreement as "the Parties." This Agreement is entered into with reference to the following recitals, all of which are incorporated herein by this reference.

RECITALS

WHEREAS, the Owner is the owner of the real property commonly described as 2729 Prospect Park Drive, Rancho Cordova, CA 95670 ("the Owner Property").

WHEREAS, the Owner has determined that the best interests of the Owner are served by development and construction of a facility on the Owner Property for the new City Hall ("the Owner Project").

WHEREAS, the Owner has retained Calpo, Hom & Dong (hereinafter "CH&D" or "the Architect") to provide and perform certain services in connection with design, bidding and construction of the Owner Project.

WHEREAS, the Architect has completed preparation of the Design Documents for the Owner Project in a series of sequential phases described as the Preliminary Plans and the Working Drawings.

WHEREAS, as of the date of this Agreement, the Architect has completed the Preliminary Plans and Working Drawings Phases of the Design Documents for the Owner Project .

WHEREAS, the Owner has elected to bid construction of the Project to multiple contractors ("Trade Contractors") and to construct the Owner Project by the Owner entering into contracts ("Trade Contracts") with the successful bidder for each Trade Contract.

WHEREAS, the Owner intends to bid the Owner Project to Trade Contractors and to construct the Owner Project with the same set of Trade Contractors (the Owner Project are collectively hereinafter referred to as "the Project").

WHEREAS, in connection with reviews of the Design Documents prepared by the Architect for the Project, bidding of Trade Contracts for construction of the Project, the Owner desires to retain and contract with the CM to provide construction management services for the Project, as further described in this Agreement.

WHEREAS, the CM submitted a written proposal dated March 23, 2005 setting forth its proposed scope of construction management services for the Project and its proposed price for providing such services.

WHEREAS, the Owner desires to retain the CM to provide certain services in connection with the Project in order to achieve their mutual objectives relating to the Project, including without limitation, review of the Project Design Documents, management of the bidding process for the Trade Contracts, management of Project construction, expedited completion of Project construction, and to allocate risks for the time/costs to complete Project construction as set forth in this Agreement.

WHEREAS, the CM is a professional construction manager, duly qualified and capable of providing the Basic Services described herein in accordance with the terms hereof.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is acknowledged by the Parties, the Parties agree as follows:

AGREEMENT

ARTICLE 1: BASIC SERVICES

- 1.1 General; Phases of Basic Services. The CM shall provide and perform the Basic Services more particularly described in this Agreement. The Basic Services shall be performed and completed in a series of sequential Phases generally described as: Pre-Construction, Construction and Post-Construction. The scope of the CM's Basic Services and obligations during each Phase of the Basic Services shall be as set forth herein. All of the Basic Services during the Construction Phase shall be performed or provided by or under the control of an individual employed by the CM and who is a licensed architect, registered engineer or licensed contractor under California law. Basic Services under this Agreement include without limitation the General Conditions items to be provided by the CM during the Construction Phase, as further described in this Agreement and Exhibit A hereto.
- 1.2 Relationship of CM to Other Project Participants. The CM acknowledges that the Owner has entered into, or will be entering into, contracts with other parties pertaining to the design, bidding and/or construction of the Project, including without limitation, contracts with the Architect, the Test/Inspection service providers and others. The CM acknowledges that accomplishing the Project objectives of the Owner require that the CM and other parties under Project related contracts with the Owner each completely and timely perform in accordance with their respective contractual obligations and in a collaborative manner consistent with the Project objectives of the Owner. The CM acknowledges and agrees that its performance of the obligations under this Agreement in a complete and timely manner and in a collaborative manner with other Project participants is a material obligation of the CM under this Agreement. The CM acknowledges and agrees that it will represent and advocate for the Owner's interests in all of the Owner's transactions, dealings, and disputes with parties other than the CM.
- 1.3 CM Standard of Care. CM shall provide the Basic Services using its best professional skill and judgment, acting with due care and in accordance with professional standards of care, the terms of this Agreement and applicable law, code, rule, or regulation. CM's services hereunder shall be provided and completed promptly and in such a manner as to avoid hindrance, interruption or delay to the orderly progress and timely completion of the CM's review of Project Design Documents, Trade Contractors' bidding and Project construction to permit occupancy of the Project in accordance with the Owner's objectives.
- 1.4 CM Project Manager; Field Superintendent. Within five (5) days of the date of this Agreement, the CM shall prepare and submit to the Owner Representative a written statement setting forth the identities and qualifications of the individuals proposed by the CM as the Project Manager and the Field Superintendent in connection with the CM's obligations under this Agreement. The Project Manager and Field Superintendent shall be to the satisfaction of the Owner and the Owner Representative; if the Owner requests alternatives to the individual(s) proposed by the CM as the Project Manager or the Field Superintendent, the CM shall provide such alternatives until the Owner has approved of the Project Manager and the Field Superintendent. Once approved by the Owner, the CM shall not designate

other individual(s) to serve in such capacities in connection with this Agreement without the prior consent and approval of the Owner. The Project Manager shall: (a) be authorized to act on behalf of the CM with respect to this Agreement; and (b) be authorized to render binding decisions on behalf of the CM. The CM shall provide a minimum staffing in accordance with Exhibit "A", and CM shall provide as much additional staff as necessary to timely and completely perform the basic services without additional change, even if the need for additional staff was not anticipated by the CM.

ARTICLE 2: OWNER RESPONSIBILITIES.

- 2.1 Owner Information. The Owner shall provide full information to the CM regarding the Project, as applicable, including its Project objectives, Project schedule requirements, Project budget limitations, and other constraints and requirements that may affect the Project Budget, time for completion of Project construction, or Project scope. The Owner shall provide the CM with its Project and Construction Budgets for review by the CM.
- 2.2 Owner Representative. The Owner shall designate a representative to act on their behalf with respect to the Project and who shall be authorized to render decisions on behalf of the Owner, as applicable, and to carry out the responsibilities of the Owner under this Agreement ("the Owner Representative"), all of which shall be discharged or performed in a manner so as to avoid unreasonable delay in the orderly and sequential progress of the CM's performance of services and other obligations hereunder. Unless modified by subsequent written notice, the Owner Representative is Jim Carney assisted by Winifred DeLeon.
- 2.3 Tests/Inspections. In accordance with applicable law, rule or regulation, the Owner shall retain Test/Inspection Service Providers to conduct Construction Phase tests/inspections of materials/equipment forming a part of the Project, as required by applicable law, rule or regulation. At the sole and exclusive discretion of the Owner, the Test/Inspection Service Providers will be retained for the Owner Project. The retention of the Test/Inspection Service Providers shall not affect the CM's obligations or rights set forth in this Agreement. The foregoing notwithstanding, as set forth below, the Basic Services of the CM include coordination of the inspection services.
- 2.4 Owner Consultants. Except to the extent of Design Consultants retained by the Architect, other consultants required or desired by the Owner in connection with the Project shall be retained and paid for by the Owner. Such other consultants include, without limitation, legal counsel, insurance/surety consultants, insurance consultants, and testing labs.

ARTICLE 3: CONSTRUCTION PHASE

- 3.1 Administration and Coordination of Trade Contracts and Construction. CM shall provide administrative, management and related services necessary to administer the Trade Contracts and to schedule, sequence and coordinate the Work of the Trade Contractors during the Construction Phase of the Project so that the Owner's Project objectives (including without limitation, budgetary and time objectives) are achieved and that the work of each Trade Contract is completed in strict conformity with the requirements of each Trade Contract. The CM's responsibilities include without limit: (a) Issue written notice to the Owner of the CM's intent to issue Notice(s) to Proceed directing commencement of work under the Trade Contracts; (b) scheduling, coordinating and conducting pre-construction and weekly construction meetings; recording, maintaining and distributing minutes thereof; (c) in consultation with the Architect, develop and implement procedures for the submission and processing of Submittals, RFI's, Change Requests and Change Directives required by each Trade Contract; (d) in consultation with the Owner and the Architect, develop and implement

procedures for the handling and disposition of the Trade Contractors' requests for information or clarifications; (e) establish and implement procedures for the transmittal and receipt of communications, drawings and other information between the Owner, Owner Representative, CM, Architect, Inspector, Test/Inspection services and the Trade Contractors relating to Project construction; (f) assist the Owner in selection and retention of Test/Inspection Service Providers; (g) schedule, sequence and coordinate activities of the Trade Contractors; and (h) allocate Site staging and storage areas among the Trade Contractors (i) provide weekly three-week look ahead project schedule to the Owner.

- 3.2 Monitoring of Construction Costs. CM will monitor on-going Construction Costs and advise the Owner of the financial condition of the Project by: (a) development of Project cash flow reports, forecasts and other financial reports to the Owner, including those reflecting variations between actual Construction Costs and the Construction Budget and estimated costs of unperformed Project activities; (b) maintaining records reflecting the actual costs for activities completed or in progress, including records relating to work performed on a unit cost basis and additional work performed by the Trade Contractors on a time and materials basis; (c) monitor and advise the Owner of costs pertaining to potential, pending and completed changes to any Trade Contract; and (d) advising and making recommendations to the Owner for adjustments to the Construction Budget relative to actual or anticipated Construction Costs. The CM shall prepare and submit cost reports (which summarize and present in a logical format the information derived from (a)–(d) above, to the Owner Representative on a monthly basis; provided that if the Owner Representative reasonably determines that more frequent cost reports are required, the CM shall comply with the directive(s) of the Owner Representative. The information compiled by the CM and reports generated by the CM relating to Construction Costs shall be in such detail and format as required by the Owner Representative. In addition the extent of detail and the nature of the format of such reports, the information compiled by the CM and reports generated by the CM shall specifically indicate the original Contract Price of each Trade Contract, the extent of adjustment to the original Contract Price for each Trade Contract by Owner approved Change Orders and the extent of potential further adjustment to the original Contract Price of each Trade Contract as of the date of the CM's report based upon the Change(s) or potential Change(s) known to the CM at the time of the CM's preparation of a cost report for a Trade Contract.

3.3 Payments to Trade Contractors.

- 3.3.1 Trade Contractors' Applications for Progress Payments. The CM shall develop and implement procedures for Trade Contractors' submittal of Applications for Progress Payments and the review, processing and disbursement of Progress Payments to Trade Contractors, along with associated forms and reporting systems. The CM shall, along with the Architect review and certify to the Owner the amount due on Trade Contractors' Application for Progress Payment, CM's Progress Payment certifications shall constitute the CM's representation to the Owner that, based on CM's observations and professional evaluation at the Site, the data in each Application for Progress Payment, and to the best of CM's knowledge, information and belief, the Work has progressed to the point indicated in the Application for Progress Payment and the quality of the Work is in generally in accordance with the Contract Documents for the Trade Contract subject only to results of subsequent tests, inspections and other procedures, minor deviations from requirements of the Trade Contracts correctable prior to completion and any specific qualifications expressed by CM in its certification. CM's issuance of a Certificate pursuant to the preceding shall be a representation that the Trade Contractor(s) is/are entitled to payment in the amount so certified. The CM's review and processing of Applications for Progress Payment shall be undertaken and completed in a timely manner so that its Progress Payments due each Trade Contractor are disbursed within

the time permitted by applicable law without the Owner incurring interest liability or other penalties/liabilities. If interest liability or other penalties/liabilities accrue to the Owner solely as a result of the CM's untimely completion of its obligations relative to review/processing of Trade Contractor's Applications for Progress Payments, the CM shall be liable to the Owner for the same.

3.3.2 Owner Disbursement of Progress Payments. The Owner shall disburse progress payments due Trade Contractors under a Trade Contract upon the CM's presentation of: (a) the Trade Contractor's request for payment; (b) documentation supporting the Trade Contractor's payment request; and (c) the verification/certification from the CM, Architect and Inspector of the amount due the Trade Contractor on such payment request, based on the applicable provisions of the Trade Contract. Within thirty (30) days of the date of the Trade Contractor's submission of all of the foregoing to the Owner, the Owner shall make payment to the Trade Contractor(s) of the amount verified by the CM, Architect and Inspector as being due the Trade Contractor, except to the extent that the Owner's payment of such amount or any portion thereof is subject to withholdings for Stop Notice, Prevailing Wage Rate violations or other withholdings of payment(s) due the Trade Contractor under the terms of the Trade Contract or by operation of law.

3.4 Substantial Completion; Punch list. Upon the Architect issuing a Certificate of Substantial Completion for a Trade Contract, the CM shall inspect the Work of the Trade Contract to verify the Trade Contractor's achievement of Substantial Completion. If upon such inspection, the CM determines that notwithstanding the Architect's issuance of the Certificate of Substantial Completion the Trade Contractor has not achieved Substantial Completion, the CM shall: (a) meet and confer with the Architect and Owner Representative to address/resolve differences between the CM and the Architect; (b) notify the Owner in writing of its determination; (c) identify the portions of the Work of the Trade Contract to be completed in order for Substantial Completion to be achieved; and (d) set forth recommendations to the Owner for measures to secure Substantial Completion of the Trade Contract. If authorized by the Owner, the CM shall enforce measures necessary to achieve Substantial Completion of a Trade Contract.

3.5 Project Progress.

3.5.1 Master Project Schedule. CM shall, within thirty (30) days of the Assignment of Trade Contracts, develop an overall comprehensive Project Schedule for construction of the Project showing the activities of each of the Trade Contractors necessary for completion of Project construction ("Master Project Schedule") which is consistent with the Owner's objectives for completing Project construction. CM will incorporate the Trade Contractors' separate Construction Schedules into the Master Project Schedule, if required, to the extent that the same do not impair the Owner's time objectives for completing Project construction. During the course of Project construction and based upon Trade Contractors' updated Construction Schedules, CM shall monitor and update the Master Project Schedule on a monthly basis or more frequently as may be requested from time-to-time by the Owner so that the Owner is kept fully informed at all times of the status and progress of overall Project construction and the status of each Trade Contractors' construction progress. CM shall obtain approval by each Trade Contractor of the initial Master Project Schedule and all updated Master Project Schedules. Where the actual rate of Project construction progress is behind that indicated by the Master Project Schedule, CM shall advise and make recommendations to the Owner for remedial action. The CM shall implement and enforce remedial measures as authorized by the Owner.

3.5.2 Trade Contractors' Schedules. CM shall review the Trade Contractors' Construction Schedules and updates thereof, advising the Owner of compliance with the terms of the

Trade Contract along with remedial measures appropriate to obtain compliance if necessary. The CM shall implement and enforce remedial measures as authorized by the Owner.

3.5.3 Coordination of Construction Activities. CM shall coordinate the activities of the Trade Contractors with each other and those of the CM, the Architect, Inspector, Test/Inspection Service Providers, Others and the Owner in conformity with the Master Project Schedule, including the coordination and sequencing of Trade Contractors' construction activities so that Site space is appropriately allocated and the progress of construction per the Master Project Schedule is maintained. Material obligations of the CM under this Agreement are scheduling, coordination and sequencing the activities of the Trade Contractors in a manner so that Project construction is completed in accordance with this Agreement.

3.5.4 Progress Records. CM will maintain records of the progress of Project construction, including written progress reports and photographs reflecting the status of Project construction and percentage completion. CM will maintain daily records during Project construction showing weather conditions, Trade Contractors and their Subcontractors at the Site, work accomplished under each Trade Contract, problems encountered and other matters materially affecting the Project, completion of the Project or Construction Costs.

3.5.5 Final Completion. Upon the Architect issuing a Certificate of Final Completion for a Trade Contract, the CM shall inspect the Work of the Trade Contractor and confirm that the Trade Contractor has fully complied with all requirements of the Trade Contract relating to the Work and the Trade Contractor's other obligations under the Trade Contract and that Final Completion under the Trade Contract has been achieved. If upon such inspection and confirmation, the CM determines that notwithstanding the Certificate of Final Completion issued by the Architect, the obligations of the Trade Contractor under its Trade Contract have not been fully performed in accordance with the terms of the Trade Contract and that Final Completion has not been achieved, the CM shall: (a) meet and confer with the Architect/Inspector and Owner Representative to address and resolve differences concerning final completion; (b) notify the Owner in writing of its determination; (c) identify the portions of the Work of the Trade Contract or other obligations of the Trade Contractor to be completed in order for Final Completion to be achieved; and (d) set forth recommendations to the Owner for measures to secure Final Completion of the Trade Contract. If authorized by the Owner, the CM shall enforce measures necessary to achieve Final Completion of the Trade Contract. Upon determining that Final Completion of a Trade Contract has been achieved, the CM shall issue its Certificate of Final Completion for that Trade Contract, as applicable.

3.6 Site Observations.

3.6.1 CM On-Site. During Project construction and at all times during which there are construction activities under the Trade Contracts at the Site, CM shall have its Project Manager or Field Superintendent at the Site, to observe, coordinate and manage the activities of the Trade Contractors. CM shall maintain at the Site the Trade Contracts, Drawings, Specifications, approved Change Orders, Submittals, applicable codes, rules and regulations and other written or electronic materials relating to the Project.

3.6.2 Construction Quality. The CM shall guard the Owner against defects and deficiencies in construction and workmanship on the basis of its Site observations, and a quality control program established and implemented hereunder to monitor the workmanship of the Trade Contractors for conformity with: (a) accepted industry standards; (b) applicable laws, codes, regulations, ordinances or rules; or (c) and the requirements of the Trade Contracts. The CM shall, without adjustment of the Contract Price hereunder be responsible and liable for the correction of any portion of the Project installed or

constructed by a Trade Contractor which is not in conformity with: (a) accepted industry standards; (b) applicable laws, codes, regulations, ordinances or rules; or (c) the requirements of the Trade Contract.

3.6.3 Site Safety.

3.6.3.1 General. The CM shall develop and implement Site safety programs as necessary to comply with applicable law, code, rule or regulation and as appropriate for the Site.

3.6.3.2 Owner's Safety Program or Requirements. Prior to any Trade Contractor's performance of Work at the Site, the CM Shall review the Project safety program or safety requirements, if any, meet and confer with the Owner Representative to review the Owner's safety program/requirements and to incorporate the same into the CM's Site safety programs.

3.6.3.3 Review / Enforcement of Trade Contractor Safety Programs.

CM shall provide oversight and monitoring of safety programs of the Trade Contractors on the jobsite. CM shall require Trade Contractors to provide job hazard analysis sheets for their trade. CM shall require Trade Contractors to hold weekly safety meetings. In the event Trade Contractors fail to hold weekly safety meetings, CM will hold the weekly safety meeting to ensure that safety procedures as identified in the job hazard analysis are upheld and documented.

3.6.3.4 Safety Violations; Safety Conditions. The CM shall promptly notify the Owner Representative in writing of all CM observed instances of Trade Contractors' failure to comply with applicable safety requirements. The CM's written notice shall include identification measures taken by the CM to secure Trade Contractors' compliance with safety programs/requirements. The CM shall monitor and enforce implementation of remedial measures to secure Trade Contractors' compliance with safety programs/requirements. In the event of a safety violation or other unsafe conditions on or about the Project Site which have an immediate potential or actual adverse effect on life or property, the CM is authorized to take all actions deemed necessary and appropriate by the CM under the then existing circumstances to prevent such actual or potential adverse effect. If the CM undertakes action pursuant to the preceding, the CM shall immediately notify the Owner Representative of the: (a) the safety violation or unsafe condition at the Site; (b) the measures undertaken by the CM to remedy or mitigate the safety violation/unsafe condition; and (c) other measures recommended by the CM to prevent further safety violations/unsafe conditions.

3.6.3.5 The CM shall take cognizance of violations of prevailing wage rate requirements and hours of work limitations. If the CM becomes aware of any violation of required prevailing wage rates or limitations on hours of work, the CM shall notify the Owner Representative in writing of same and shall provide the Owner Representative with recommended actions relative to such violations.

3.6.4 Site General Conditions. At all times during construction activities at the Site, the CM shall provide or cause to be provided the items of personal property and services identified in Exhibit A (General Conditions Items) attached to this Agreement. The items and services identified in Exhibit A are included in the General Conditions Costs portion of Contract Price set forth in this Agreement.

3.7 Changes and Claims.

3.7.1 Coordination of Changes. The CM acknowledges that Changes to the scope or Work of a Trade Contract during construction of the Project are likely to increase the Project Construction Costs, extend time for completing Project construction and prevent the Owner from realizing its Project objectives. Accordingly, the CM acknowledges and agrees that a material obligation of the CM under this Agreement is management of

circumstances which may give rise to a Change to a Trade Contract in a manner so that Changes are implemented and that the costs/time for implementation of Changes are minimized to the best of its ability. CM shall coordinate and disseminate correspondence, drawings and other written materials by and between the Trade Contractors, the Owner, Owner Representative, Inspector, Test/Inspection Service Providers and the Architect relating to Changes to the Trade Contracts. CM shall coordinate and oversee the Trade Contractors' performance of Changes authorized by the Owner to ensure timely and full completion of Changes. CM will maintain a log or other written records to monitor the pendency and disposition of Changes and Change Orders to keep the Owner advised of the status of the same and the actual or potential impact of any particular Change or Change Order or the cumulative effects thereof on Construction Costs or time for completion of Project construction.

3.7.2 CM Notice to Owner; Owner Decisions. Upon the CM becoming aware of circumstances which will or may require the issuance of a Change Order, the CM shall: (a) notify the Owner Representative of such circumstances in a prompt and timely manner taking into account the then existing circumstances of Project construction including without limitation the progress of Project construction, safety and factors affecting completion of the potential change; (b) develop, in conjunction with the affected Trade Contractor(s) and the Architect, alternative approaches to addressing the circumstances resulting in a potential change; (c) provide the Owner Representative with written or graphic materials describing, in detail, alternative approaches to the potential Change, along with time/cost impacts of each alternative; and (d) provide the Owner Representative with written recommendations for the Owner's selection of an approach to address the potential Change along with a description of the basis for the CM's recommendation. Upon receipt of all of the foregoing described notices and other information, the Owner shall make timely decisions regarding authorization to proceed with a Change; the Owner's decisions shall be communicated in writing to the CM through the Owner Representative.

3.7.3 Processing of Changes and Change Orders. CM shall prepare Change Orders authorized by the Owner and distribute the same for execution by the Trade Contractor, Owner, Architect and CM. The CM is not authorized, without the prior consent and authorization of the Owner, to effectuate or authorize any Change to any Trade Contract. The CM shall be liable to the Owner for all direct and consequential costs, losses or damages resulting from the CM's direction or authorization to effectuate a Change to any Trade Contract without the prior direction and authorization of the Owner. The CM shall administer submission of Owner authorized changes to regulatory agencies with jurisdiction over such changes by the Architect/Inspector; the CM shall confirm, in writing, to the Owner Representative that all necessary regulatory approvals have been obtained for Owner authorized Changes; if necessary regulatory approvals have not been obtained or not obtained in a timely manner to avoid delay to Project construction and/or to avoid additional Project Construction Costs, the CM shall notify the Owner Representative of such circumstances along with recommendations for securing such necessary approvals.

3.7.4 Claims Handling.

3.7.4.1 General. CM shall develop a process and procedures for the review, evaluation, processing and disposition of claims asserted by Trade Contractors; CM will make recommendations to the Owner as to merit, handling and disposition of Trade Contractors' claims. The CM's obligations relating to Trade Contractor's claim shall continue notwithstanding completion of the Work under a Trade Contract or completion of Project construction, until all Trade Contractor claims are fully and finally resolved. Owner will reimburse CM for cost incurred addressing claims that are asserted more than 60 days after Project Completion.

3.7.4.2 Allocation of Responsibility for Trade Contractor Claims. The Owner shall be liable for payments of a claim asserted under a Stop Notice filed against the Project proceeds for a Trade Contract only to the extent of: (a) undisbursed proceeds for that Trade Contract at the time that a Stop Notice is filed with the Owner; (b) the Owner has directed and authorized additional Work under a Trade Contract.

3.7.5 Emergencies. In the event of emergency circumstances actually or potentially resulting in harm/injury to persons or property, the CM shall, without prior notice or authorization of the Owner, take such actions or direct such actions by Trade Contractors as necessary to prevent or mitigate harm/injury to persons or property.

ARTICLE 4: POST-CONSTRUCTION PHASE

- 4.1 Review and Transmittal of Trade Contractor Close-Out Documents. The CM shall receive from the Trade Contractors the close-out documents, which are to include operations/maintenance manuals, as-builts, warranties, and all other items to be submitted by each Trade Contractor under the terms of their respective Trade Contracts upon completion of obligations under a Trade Contract. The CM shall, in conjunction with the Architect, review each Trade Contractor's close-out submittals to determine conformity with requirements of each Trade Contract; if the CM determines that any Trade Contractor's close-out submittals are not in conformity with requirements of the Trade Contract, the CM shall take necessary actions to secure compliance with the requirements of the Trade Contract. Within ten (10) days of receipt from a Trade Contractor, the CM shall deliver to the Owner Representative all of the Trade Contractor's close-out submittals, except for the Trade Contractor's as-built drawings which the CM shall transmit to the Architect for the Architect's preparation of the Record Drawings.
- 4.2 CM Project Records. Within thirty (30) days of the date of issuance of a Certificate of Final Completion for a Trade Contract, the CM shall assemble and deliver to the Owner all of the Project records maintained during the Construction Phase by the CM relating to the Trade Contract. Notwithstanding any provision of this Agreement to the contrary or any provision of law to the contrary, all documents, work product, whether of a tangible or intangible nature, whether in draft or final form and whether recorded in writing or any other medium, including without limitation, electronic files relating to the Project or this Agreement are the sole and exclusive property of the Owner.
- 4.3 Trade Contractors' Post-Construction Obligations. If any Trade Contractor is obligated under the terms of its Trade Contract to provide work, labor materials or services after completion of Project construction, the CM shall manage Trade Contractors' post-construction activities for conformity with requirements of the Trade Contract. The CM shall secure Trade Contractors' compliance with their respective post-construction obligations.
- 4.4 Project Reports. If the Architect, Inspector or any Trade Contractor have not filed reports or taken other actions required upon completion of Project construction, the CM shall secure compliance by the Architect, Inspector or a Trade Contractor with regard to such requirements. The CM will assist the Owner in completion of actions to be undertaken by the Owner upon completion of Project construction, including without limitation preparation of Notices of Completion for each Trade Contract

ARTICLE 5: CM COMPENSATION

- 5.1 Contract Price for Basic Services. The Contract Price for the CM's performance of the Basic Services under this Agreement shall consist of the following components: (a) a fee not to exceed 2.75% of the total project construction costs for completion of the Construction/Post-Construction, Construction and Post-Construction Phases of the Basic Services ("the

Construction/Post-Construction Price"); and (b) an amount not to exceed Ninety Thousand Eight Hundred Dollars (\$90,800.00) for the costs of General Conditions at the Site during the Construction Phase of the Project ("the General Conditions Price").

5.2 Owner Payments of the Contract Price.

- 5.2.1 Payment of Construction/Post-Construction Price. Commencing in the month in which the CM issues the first Notice to Proceed to a Trade Contractor, the CM shall submit monthly invoices to the Owner for payment based on services actually performed during the previous month charged at the appropriate rate.
- 5.2.2 Owner Payments of Contract Price. Within thirty (30) days of the date of the Owner's receipt of CM's billing invoices, Owner will make payment to CM of undisputed amounts of the Contract Price due for Basic Services, authorized Additional Services, General Conditions costs and Allowable Reimbursable Expenses. No deductions shall be made or withheld from payments due CM hereunder on account of any penalty, assessment, liquidated damages or other amounts withheld by the Owner from payment to the Architect or any Trade Contractor. The Owner may, however, withhold or deduct from amounts otherwise due CM hereunder if CM shall fail to timely and completely perform material obligations to be performed on its part under this Agreement, with the amounts withheld or deducted being released after CM has fully cured its failure of performance, less costs, damages or losses sustained by the Owner as a result of such failure of performance of a material obligation hereunder.

ARTICLE 6: INSURANCE AND INDEMNITY

6.1 CM Insurance.

- 6.1.1 Workers Compensation and Employers Liability Insurance. CM shall purchase and maintain Workers' Compensation Insurance covering claims under workers' or workmen's compensation, disability benefit and other similar employee benefit acts under which CM may be liable. CM shall purchase and maintain Employer's Liability Insurance covering bodily injury (including death) by accident or disease to any employee which arises out of the employee's employment by CM. The Employer's Liability Insurance required of CM hereunder may be obtained by CM as a separate policy of insurance or as an additional coverage under the Workers' Compensation Insurance required to be obtained and maintained by CM hereunder.
- 6.1.2 Commercial General Liability and Property Insurance. CM shall purchase and maintain Commercial General Liability and Property Insurance as will protect CM from the types of claims set forth below which may arise out of or result from CM's services under this Agreement and for which CM may be legally responsible: (i) claims for damages because of bodily injury, sickness or disease or death of any person other than CM's employees; (ii) claims for damages insured by usual personal injury liability coverage which are sustained (a) by a person as a result of an offense directly or indirectly related to employment of such person by CM, or (b) by another person; (iii) claims for damages, other than to the Work itself, because of injury to or destruction of tangible property, including loss of use resulting therefrom; (iv) claims for damages because of bodily injury, death of a person or property damages arising out of ownership, maintenance or use of a motor vehicle; (v) contractual liability insurance; and (vi) for completed operations. The insurance will include a separate additional insured endorsement naming the City of Rancho Cordova, its officials, officers, agents and employees as additionally insured to CM's Commercial General Liability insurance policy.

- 6.1.3 Professional Liability Insurance. CM will procure and maintain professional liability insurance covering claims arising out of the performance of services under this Agreement.
- 6.1.4 Coverage Amounts. Minimum coverage amounts for policies of insurance obtained by the CM hereunder shall be as follows:

Insurance Policy	Minimum Coverage Amount
Workers' Compensation	In accordance with applicable law
Employer's Liability	One Million Dollars (\$1,000,000)
Commercial General Liability (including coverage for automobile liability and property casualty)	Two Million Dollars (\$2,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate,
Professional Liability	One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate

- 6.1.5 Policy Endorsements; Evidence of Insurance. CM shall deliver Certificates of Insurance to the Owner Representative which evidence each of the policies of insurance in the minimum coverage amounts required hereunder. All policies of insurance required hereunder shall be issued by insurer(s) authorized to issue insurance by the State of California and to the reasonable satisfaction of the Owner. Coverages under each policy of insurance, by endorsement, shall provide that such policy will not be materially modified, canceled or allowed to expire without at least thirty (30) days advance written notice to the Owner.
- 6.1.6 Builders Risk Insurance. During the progress of construction of the Project, the Owner shall obtain and maintain one or more policies of Builder's Risk Completed Value Insurance covering all insurable work of the Project, including extended coverage and insurance against vandalism and malicious mischief, perils of fire, sprinkler leakage, acts of civil authorities, collapse and flood, to the full insurable value of the work of the Project and coverage for work of the Project whether in progress or completed. The Owner and CM waive all rights against the other, the Architect, and the Trade Contractors for damages caused by perils covered by insurance obtained under this provision. The policy(ies) of Builders Risk Insurance shall contain express waivers of subrogation by the insurer(s) issuing such policy(ies) to the extent of damages or losses covered thereunder. If the Owner requires the Trade Contractors to obtain a Builders Risk Insurance policy, such policy will contain such waiver of subrogation. Owner may require CM to provide Builder's Risk Insurance. If the Owner elects to have CM provide said insurance, CM shall provide Owner with three competitive quotes for the insurance of which Owner shall select one quote. Owner shall reimburse CM the actual cost of the Builder's Risk Insurance and pay all deductibles required thereunder subject to Owner reimbursement from Trade Contractor(s), if any. The foregoing notwithstanding, the CM shall be liable for the payment of deductibles thereunder (without reimbursement from the Owner) to the extent that the acts, omissions or other conduct of the CM or its employees, agents or representatives cause a loss under the Builders Risk Insurance policy(ies).
- 6.2 Owner General Liability Insurance. Owner shall obtain and maintain General Liability Insurance covering Owner for claims of bodily injury, death or property damage arising out of the Project.

6.3 Indemnity.

6.3.1 CM Indemnity of Owner. CM shall indemnify, defend and hold harmless the Indemnified Parties from all claims, demands, liabilities, losses, expenses, costs, damages, actions and causes of action of any kind, type or nature other third parties arising out of this Agreement or the Project, including without limitation, claims for bodily injury, death, physical property damage (other than to the work of the Project itself and property damage covered by the Builders Risk Insurance obtained by the Owner or Trade Contractors) and demands, damages, expenses, losses, liabilities or other claims arising out of CM's services hereunder or the negligent, willful acts omissions or other conduct of CM. The Indemnified Parties are: the Owner, the Owner's Board of Trustees, officers, agents, and employees of the Owner. The CM's obligations hereunder shall survive termination of this Agreement and the completion of obligations hereunder, until barred by the applicable statute of limitations. The CM acknowledges and agrees that it shall not assert and expressly waives assertion of any defense or diminution of its obligation to defend, indemnify and hold harmless the Indemnified Parties based upon its actions or performance as an agent of the Owner.

ARTICLE 7: TERMINATION; SUSPENSION

7.1 Termination for Default. The Owner may terminate this Agreement upon seven (7) calendar days advance written notice to the CM if there is a default by the CM in its performance of a material obligation hereunder and such default in performance is not caused by the City. Such termination shall be deemed effective the seventh (7th) day following the date of the written termination notice, unless during such seven (7) day period, the CM shall commence to cure it default(s) and diligently thereafter prosecute such cure to completion. In addition to the Owner's right to terminate this Agreement pursuant to the foregoing, the Owner may terminate this Agreement upon written notice to CM if: (a) CM becomes bankrupt or insolvent, which shall include without limitation, a general assignment for the benefit of creditors or the filing by CM or a third party of a petition to reorganize debts or for protection under any bankruptcy or similar law or if a trustee or receiver is appointed for CM or any of CM's property on account of CM's insolvency; or (b) if CM disregards applicable laws, codes, ordinances, rules or regulations. If Owner exercises the right of termination hereunder, the amount due CM, if any shall be based upon Basic Services and General Conditions Costs incurred or provided prior the effective date of the Owner's termination of this Agreement, reduced by losses, damages, or other costs sustained by the Owner arising out of the termination of this Agreement or the cause(s) for termination of this Agreement. Payment of the amount due, if any, shall be made by Owner only after completion of the Construction Phase of the Project. CM shall remain responsible and liable to Owner for all losses, damages or other costs sustained by Owner arising out of termination pursuant to the foregoing or otherwise arising out of CM's default hereunder, to the extent that such losses, damages or other costs exceed any amount due CM hereunder for Basic Services or General Conditions Costs.

7.2 Owner's Right to Suspend. The Owner may, in its discretion, suspend all or any part of the construction of the Project, work under a Trade Contract or CM's services hereunder; provided, however, that if the Owner shall suspend construction of the Project, work under a Trade Contract or CM's services hereunder for a period of sixty (60) consecutive days or more and such suspension is not caused by CM or the acts or omissions of CM, upon recession of such suspension, the Contract Price hereunder will be subject to adjustment to provide for actual costs and expenses incurred by CM as a direct result of the suspension and resumption of Project construction or construction under a Trade Contract or CM's services hereunder.

- 7.3 Owner's Termination of Agreement for Convenience. The Owner may, at any time, upon seven (7) calendar days advance written notice to CM terminate this Agreement for the Owner's convenience and without fault, neglect or default on the part of CM. In such event, the Agreement shall be deemed terminated seven (7) calendar days after the date of the Owner's written notice to CM or such other time as the Owner and CM may mutually agree upon.
- 7.4 CM Suspension of Services. If the Owner shall fail to make payment of the Contract Price when due CM hereunder, CM may, upon seven (7) calendar days advance written notice to the Owner, suspend further performance of services hereunder until payment in full is received. In such even, CM shall have no liability for any delays or additional costs of Project construction due to, or arising out of, such suspension.

ARTICLE 8: GENERAL

- 8.1 Marginal Headings; Captions. The titles of the various Paragraphs of the Agreement and the Articles of these Conditions are for convenience of reference only and are not intended to and in no way shall enlarge or diminish the rights or obligations of CM and Owner hereunder.
- 8.2 Cumulative Rights; No Waiver. Duties and obligations imposed by this Agreement and rights and obligations hereunder are in addition to and not in lieu of any imposed by or available at law or in equity. No action or failure to act by the Owner hereunder shall be deemed a waiver of any right or remedy afforded hereunder or acquiesce or approval of any breach or default by CM.
- 8.3 Notices. Notices CM or Owner are required or desire to serve on the other shall be valid only if addressed to the other as set forth below or as modified by notice hereunder from time to time. Notices shall be effective only if by personal delivery requiring signature acknowledging receipt or by United States Mail, Certified, Return Receipt Requested, First Class, postage fully pre-paid. Notices effectuated by personal service shall be deemed effective as of delivery of such notices. Notices effectuated by United States Mail shall be deemed effective the third (3rd) working day after deposit in the United States Mail. Notices hereunder shall be addressed as follows:

If to Owner:

Jim Carney, Senior Management Advisor
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670
916-942-0222 – Phone
916-853-1680 - Fax

If to CM:

DPR Construction, Inc.
Trish Timothy
2480 Natomas Park Drive
Sacramento, CA 95833
916-568-3434 – Phone
916-568-3442 - Fax

8.4 Disputes.

8.4.1 Continuation of CM Services. Except in the event of the Owner's failure to make undisputed payment of the Contract Price due CM, notwithstanding any disputes between Owner and CM hereunder, CM shall continue to provide and perform services hereunder pending a subsequent resolution of such disputes, or until completion of all services.

8.4.2 Mandatory Mediation. All claims, disputes and other matters in controversy between the CM and the Owner arising out of or pertaining to this Agreement shall be submitted for resolution by non-binding mediation. Proceedings hereunder shall be conducted in Sacramento County. The Owner and CM shall each bear their respective costs and expenses associated with or arising out of any mediation proceeding commenced hereunder, except that the administrative costs of the mediation proceedings and the fees/costs of the mediator(s) shall be borne equally between the Owner and the CM. The commencement and completion of mediation proceedings pursuant to the foregoing shall not act to toll or suspend any period of limitation or deadline for submission of claims or filing of a complaint.

8.5 Severability. If any provision of this Agreement is deemed illegal, invalid unenforceable or void by any court of competent jurisdiction, such provision shall be deemed stricken and deleted herefrom, but all remaining provisions will remain and continue in full force and effect.

8.6 CM Accounting Records. CM shall maintain complete and accurate records of its personnel engaged in performing any service hereunder, personnel expenses and other General Conditions costs incurred in connection with performance under this Agreement. Records shall be maintained on the basis of generally accepted accounting principles applied consistently and shall be available for inspection or reproduction by the Owner upon reasonable request at any time during or after CM's performance hereunder. Following completion of the Project and the Agreement or the termination of this Agreement, CM shall maintain accounting records for five (5) years or such longer period required by applicable law, code, rule or regulation, during which time such records shall be available to Owner or as otherwise required by law, code, rule or regulation for inspection or reproduction.

8.7 Definitions.

8.7.1 Trade Contract. A Contract for Construction awarded by the Owner to a Trade Contractor for the construction of a portion of the Project.

8.7.2 Trade Contractor. A Trade Contractor to the Owner under a Trade Contract awarded by the Owner for construction of the Project.

8.7.3 Design Documents. The Drawings, Specifications, calculations and other work product and Instruments of Service prepared by or on behalf of the Architect for the Project. Design Documents include surveys, soils reports and other documents prepared for the Project by a licensed Architect or registered Engineer, whether under contract to the Architect or Owner.

8.7.4 Architect. The Architect is Calpo, Hom & Dong. References to the Architect include Calpo, Hom & Dong and its consultants retained to prepare or provide any portion of the Design Documents.

8.7.5 Submittals. Shop Drawings, Product Data or Samples prepared or provided by a Trade Contractor or a Subcontractor to a Trade Contractor or suppliers illustrating some portion of the work of the Project.

- 8.7.6 Site. The physical area for construction and activities relating to construction of the Project.
- 8.7.7 Project Budget. The Project Budget is the total costs allocated by the Owner for bidding and construction of the Project by the Trade Contractors, exclusive of fees and costs of the Architect, CM and other consultants of the Owner, Site acquisition costs and the costs of furniture, furnishing and/or equipment for the Project which are not included in the scope of the Trade Contracts. The Project Budget established by the Owner may be modified by the Owner from time-to-time.
- 8.7.8 Construction Cost Estimates. Construction Cost Estimates are estimates of the then current costs of labor, materials, equipment and services plus a reasonable allowance for the Trade Contractors' profit, overhead and administrative cost as necessary to complete construction of the Project in accordance with the Design Documents. Construction Cost Estimates shall include a reasonable allowance for contingencies relating to market conditions at the time of solicitation of Trade Contractor bids for the Project and Changes in the Work during construction of the Project; the allowance for contingency costs shall be consistent with the contingency established by the Owner in the Project Budget, if any.
- 8.7.9 Construction Costs. The costs of labor, materials, equipment (inclusive of the Trade Contractors' administrative costs/profit) necessary to complete construction of the Project.
- 8.7.10 Project Schedule. The Project Schedule is a written or graphic description prepared by the CM showing the various activities necessary to complete Project construction, and the sequencing of such activities. The Project Schedule shall incorporate each Trade Contractors' Construction Schedule.
- 8.7.11 Construction Schedule. A Construction Schedule is the written or graphic description of the scheduling, sequencing and interrelationships of activities necessary to complete a Trade Contract. Construction Schedules are prepared by the Trade Contractors for review by the CM and acceptance by the Owner and for incorporation into the Project Schedule by the CM.
- 8.7.12 Construction Contract Documents. The Contract Documents issued by or on behalf of the Owner under a Trade Contract for construction of a portion of the Project. Construction Contract Documents include all modifications issued by or on behalf of the Owner. Unless otherwise expressly stated, references to the Construction Contract Documents are referenced to all of the Contract Documents issued for all of the Trade Contracts awarded for Project construction.
- 8.7.13 Substantial Completion. Substantial Completion is when the Work of a Trade Contract has been completed and installed and the Work can be used or occupied for its intended purposes, subject only to minor corrections, repairs or modifications.
- 8.7.14 Final Completion. Final Completion is when all of the Work of a Trade Contract has been completed and installed (including items noted for correction, repair or modification upon Substantial Completion) and the Trade Contractor has completed all other obligations to be performed on its part under the Trade Contract.
- 8.8 Entire Agreement. This Agreement constitutes the entire agreement and understanding between the Owner and CM concerning the subject matter hereof, replacing and superseding all prior agreements or negotiations, whether written or verbal. No term or condition of this Agreement shall be modified or amended except by writing executed by the Owner and CM. This Agreement and Exhibit A constitute the entirety of the Agreement.

IN WITNESS HEREOF, the Parties have executed this Agreement as of the date set forth above.

"Owner"
City of Rancho Cordova

"CM"
DPR Construction, Inc.

By: _____
Ted A. Gaebler
City Manager

By: _____
Trish Timothy
Regional Manager

Attest:

By: _____
Lillian Hare
City Clerk

Approved as to Form:

By: _____
Steven R. Meyers
City Attorney

EXHIBIT "A", GENERAL CONDITIONS ITEMS/SERVICES

In accordance with the terms of the Construction Management Services Agreement between the Owner and the CM, the CM shall provide the following general conditions items/services in connection with the Project.

Temporary Facilities

1. Field office of sufficient size for use by the CM and its personnel engaged in the Project, for conducting Project meetings and other Project related functions.
2. Dual gates signage and administration (if required by the circumstances of Project construction).

Field Office Furniture, Furnishings and Equipment**CM Field Office**

Computers and monitors.
Printer.
Copy Machine
Telephones, each with speaker phones and minimum 3-way conference call capacity.
Plain paper fax machine.
Office Furniture
File cabinets and plan holders as necessary.
First aid kit.
Fire extinguishers (for CM field office)

Services for CM Field Offices.

1. Telephone service including DSL lines for telephones, fax machines and computers
2. Internet access/email service for all CM personnel engaged in the Project and the Inspector.
3. Electrical services (the Owner will provide point of connection for electrical utility service to the CM field office, CM to arrange for installation of temporary distributions to the field office; no charges will be assessed for use of electrical utility service to the CM field office unless the Owner reasonably determines that there is waste or abuse of electrical utility service provided by the Owner.

Consumable Items and Other Services.

1. Telephone, fax, DSL service charges.
2. Paper and other general office supplies.
3. Toner for fax machines, copy machines and laser printers.
4. Maintenance and service of all equipment situated in the CM field office.
5. Postage, courier and related services.

Rancho Cordova City Hall
General Conditions Breakdown

General Conditions are based on a 14 week construction duration

Cost Category	Cost of Work	General Conditions Breakdown				Within Precon.	Within Fee	Excluded
		Quantity	Unit	Unit Cost	Total			
Project Superintendent - Tony Walters on site full time.		1	ls	\$ 47,600	\$ 47,600			
Project Manager - Peggy Fisher 1/2 time		1	ls	\$ 23,800	\$ 23,800			
Project Engineer -								
Other Staff (Acctg. Admin) part time		1	ls	\$ 6,720	\$ 6,720			
Daily Clean-up and Safety	X							
Job Office Trailer, set-up and take down				\$ 3,030	\$ 3,030			
Office Equipment (Furniture, Computers, Fax, Copy, Etc.)		1	ls	\$ 2,900	\$ 2,900			
Office Supplies (Drinking Water, Copier Paper, Expendables, Etc.)		1	ls	\$ 675	\$ 675			
Temporary Power, Lighting, Water	X							
Temporary Off-Site Parking Fees (Shuttle, Rent, Etc.)				N/A	N/A			X
Postage / Federal Express		1	ls	\$ 900	\$ 900			
Progress Photographs				Included	Included		X	
Phones		1	ls	\$ 1,800	\$ 1,800			
Vehicles		1	ls	\$ 2,475	\$ 2,475			
Fuel		1	ls	\$ 900	\$ 900			
Flagmen, Traffic Control, Delivery Offload	X							
Storage Van				N/A				
Project Meetings During Construction							X	
Temporary Toilets				N/A	N/A			X
Dumpsters	X							
Protection Equipment	X							
Reproduction Costs (Drawings and Other)	X							
Final Janitorial	X							
Permits, Fees and Inspections	X							
Liability & Builders Risk Insurance								X
As-Built Drawings	X							
Total Project General Conditions					\$ 90,800			

MEMORANDUM



DATE: July 5, 2005
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
**SUBJECT: 30-DAY EXTENSION OF INTERIM TRAFFIC IMPACT
MITIGATION FEE - PUBLIC HEARING**

RECOMMENDATION

Staff recommends the City Council adopt Resolution No. 79-2005 to approve the second 30-day extension of Urgency Resolution No. 58-2005 to continue the Interim Traffic Impact Mitigation Fee in full force and effect until August 13, 2005. Without the extension, the fee increase will expire on July 13, 2005.

BACKGROUND

On May 16, 2005 the City Council enacted Urgency Resolution No. 58-2005 which established an interim Traffic Impact Mitigation Fee applicable to new commercial and residential developments in the City. On June 6, 2005, the Council held a public hearing and adopted Resolution No. 72-2005 continuing the interim fee in full force and effect until July 13, 2005. **Resolution No. 79-2005** attached extends the authorization for the interim fee in full force and effect until August 13, 2005 while the City completes preparation of a Citywide Capital Improvement Program (CIP) and Nexus Study for a permanent Transportation Impact Fee.

Over the past four months, the City has been working with PSOMAS and Revenue & Cost Specialists to develop the CIP and Nexus Study to identify and evaluate the City's overall infrastructure needs for roadway and pedestrian improvements which will be used to establish a permanent Transportation Impact Fee. On-going work on the new CIP clearly shows a fee significantly higher than the interim \$4,400 fee is warranted. A review of updated cost estimates for the CIP for the Sunrise Douglas Community Plan submitted to Public Works on June 3, 2005 for review, clearly indicate continuation of the interim fee at the rates proposed is not unreasonable.

Resolution No. 79-2005 attached continues the Interim Traffic Impact Mitigation Fee in full force and effect until August 13, 2005.

Attachment(s): Resolution No. 79-2005 enacting the second 30-day extension of the Interim Traffic Mitigation Fee; Urgency Resolution No. 58-2005 Establishing an Interim Traffic Impact Mitigation Fee and Exhibit A.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 79-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
EXTENDING THE AUTHORIZATION FOR AN INTERIM TRAFFIC IMPACT
MITIGATION FEE FOR 30 DAYS**

WHEREAS, the City Council enacted Urgency Resolution No. 58-2005 on May 16, 2005, which established an interim Traffic Impact Mitigation Fee applicable to new commercial and residential developments in the City; and

WHEREAS, the City Council found the adoption of the interim Traffic Impact Mitigation Fee was necessary to protect the public health, safety, and welfare, because the City's existing roadway and transit development fee was based on an outdated Sacramento County ordinance and decade-old cost estimates, which left the City with insufficient funding to pay for the roadway, bicycle and pedestrian improvements needed to offset the impacts of new development; and

WHEREAS, Urgency Resolution No. 58-2005 was set to expire on June 14, 2005, by operation of law pursuant to Gov. Code Section 66017(b); and

WHEREAS, the City Council held a public hearing and adopted Resolution No. 72-2005 on June 6, 2005, which extended Urgency Resolution No. 58-2005 for an additional 30 days; and

WHEREAS, the City Council now desires to enact the second, 30-day extension of Urgency Resolution No. 58-2005 while the establishment of a permanent Traffic Impact Mitigation Fee is being studied; and

WHEREAS, Section 2 of Urgency Resolution No. 58-2005 sets forth an adjustment mechanism that will allow fees paid by project applicants under the Urgency Resolution to be adjusted should the permanent Traffic Impact Mitigation Fees later adopted by the City Council differ from the interim Traffic Impact Mitigation Fees shown in Exhibit A; and

WHEREAS, the City held a public hearing on July 5, 2005, to receive public comments on the proposed Urgency Resolution extension.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES HEREBY RESOLVE AS FOLLOWS:

1. To approve the extension of Urgency Resolution No. 58-2005 and continue the Interim Traffic Impact Mitigation Fee amounts shown on Exhibit A in full force and effect until August 13, 2005, which is 30 days from the pending expiration date of July 13, 2005; and

2. To find that extension of Urgency Resolution No. 58-2005 is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15273 because the Urgency Resolution extension involves the establishment of a public agency fee for the purpose of obtaining funds for capital projects that will offset traffic-related development impacts within the City's existing service area.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of July, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

CITY OF RANCHO CORDOVA

RESOLUTION NO. 58-2005

**AN URGENCY RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RANCHO CORDOVA ESTABLISHING AN
INTERIM TRAFFIC IMPACT MITIGATION FEE**

WHEREAS, upon its incorporation, the City of Rancho Cordova ("City") enacted ordinances that continued in effect the Roadway and Transit Development Fees of Sacramento County (Sacramento County Code Chapter 16.87) as part of the Rancho Cordova Development Impact Fee program; and

WHEREAS, the County Roadway and Transit Development Fees are based on outdated information, which has not been revised or updated since 1993; and

WHEREAS, a preliminary evaluation of cost estimates, facility lists and development impact fee information from nearby jurisdictions led the City to conclude that the existing County Roadway and Transit Development Fees are insufficient to achieve the roadway, bicycle, and pedestrian improvements necessary to meet the demand generated by new development in the City; and

WHEREAS, to rectify this situation which imposes an immediate threat to the public health, safety and welfare of the residents of the City of Rancho Cordova, the City Council has hired consultants to prepare a nexus study that will be used to establish a new citywide Traffic Impact Mitigation Fee pursuant to Government Code Section 66000 *et. seq.*; and

WHEREAS, the City Council notified the public of its intent to initiate the nexus study and to adopt a permanent citywide Traffic Impact Mitigation Fee when it enacted Urgency Resolution No. 30-2005 on February 22, 2005; and

WHEREAS, the progress made to date on the preparation of a citywide Capital Improvement Program (CIP) for use as part of the nexus study suggests that an increase in the current \$4,400 interim Traffic Impact Mitigation Fee, adopted February 22, 2005, will be necessary in order to adequately fund construction of the required capital improvement projects; and

WHEREAS, to give the City more time to complete the CIP and nexus study, and to seek input from affected parties, the City desires to establish and maintain a new interim Traffic Impact Mitigation Fee; and

WHEREAS, the purpose of the new interim Traffic Impact Mitigation Fee is to protect the health, safety and welfare of the community by ensuring that

funds are collected to offset the impacts created by new development while the permanent Traffic Impact Mitigation Fee is being formulated; and

WHEREAS, to maintain consistency and equity among all interim Traffic Fee Agreements between the City and project applicants, the new interim Traffic Impact Mitigation Fee amounts shall be the same as those adopted previously as part of Urgency Resolution No. 30-2005; and

WHEREAS, the City published a public notice and held a hearing on May 16, 2005, to receive public comments on this Urgency Resolution.

NOW, THEREFORE, the City Council of the City of Rancho Cordova does hereby adopt, by at least a four-fifths vote of its members, the findings in Section 1 below, and establishes an interim Traffic Impact Mitigation Fee on certain new commercial and residential development built in the City as described in Section 2 below.

Section 1. Findings

1. Collection of the County Roadway and Transit Development Fees, which are based on cost estimates that are more than a decade old, has resulted in a critical shortfall of funding for roadway, bicycle and pedestrian improvements required to mitigate traffic impacts throughout the City. A preliminary analysis of the data used to establish the existing roadway development impact fee identifies extensive deficiencies in the City's roadway system, including a lack of funding for critical roadway, bicycle and pedestrian improvements to maintain effective circulation throughout the City.

2. The City of Rancho Cordova faces a current and immediate threat due to the number of new commercial and residential developments now planned for, or under review, in the City. If development is allowed to occur without increasing the fee intended to fund infrastructure needs to mitigate citywide traffic impacts from new development, the City's circulation system will further degrade without a source of critical funding to implement those improvements. As an example, a review of updated cost estimates for the CIP for the Sunrise Douglas Community Plan submitted to the Public Works Department on April 27, 2005, indicates that some planned improvements would be dramatically underfunded if the 1993 cost estimates and associated impact fees were not increased. Such improvements are necessary to offset the environmental impacts of new development, yet could not be constructed using the County's fee program unless and until substantial, supplemental funding sources were made available.

3. The interim authorization of a citywide Traffic Impact Mitigation Fee is necessary to immediately protect the public's health, welfare and safety. As the City continues to grow, demand on roads will increase. Based on this expected increase, the City will need to construct new, reconstruct and expand existing

roads to ease traffic congestion and improve public safety. The Institute of Traffic Engineers (ITE) has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. It is necessary for and in the interests of the public's health, welfare and safety that the interim fee proposed by this resolution be effective immediately upon adoption in order to provide the roadway, bicycle and pedestrian improvements needed as a result of growth due to new development, as well as to achieve a degree of certainty to allow for the orderly development in the City.

4. A failure to apply a Traffic Impact Mitigation Fee to new development while a permanent Traffic Impact Mitigation Fee is being studied will place the residents of new commercial projects and residential subdivisions or the immediate community, or both, in a condition dangerous to their health or safety.

5. The purpose of the interim Traffic Impact Mitigation Fee is to address the significant shortage of roadway improvements required to serve the residents of the City. Collection of the interim Traffic Impact Mitigation Fee will provide funding for the roadway improvements required to meet the demands of new development in the City.

6. There is a reasonable relationship between the use of the interim Traffic Impact Mitigation Fee and the type of development projects subject to the fee because commercial and residential development projects generate or contribute to the need for roadway, transit and pedestrian improvements.

7. There is a reasonable relationship between the amount of the interim Traffic Impact Mitigation Fee and the potential cost of the facilities attributable to the commercial and residential development projects subject to the fee. The permanent fee will ultimately be calculated based on the number of building permits generated by residential and commercial development, the anticipated demand for and total cost of roadway improvements within the City based on traffic impacts, and the percentage by which development within the City contributes to the need for the improvements.

8. The method of allocation of the interim Traffic Impact Mitigation Fee to a particular residential development bears a fair relationship, and is roughly proportional, to the development's burden on, and benefits from, roadway improvements to be funded by the interim Traffic Impact Mitigation Fee.

9. The City Council plans to replace the interim Traffic Impact Mitigation Fee with a permanent Traffic Impact Mitigation Fee Ordinance once the nexus study and associated CIP are complete. The permanent fee will apply to all pending and new commercial and residential development projects in the City, including tentative and vesting tentative map applications now deemed complete, because the application of such fees is necessary to avoid placing residents of new

residential subdivisions or the immediate community, or both, in a condition dangerous to their health or safety.

10. The adoption of an interim Traffic Impact Mitigation Fee is statutorily exempt from the California Environmental Quality Act under CEQA Guidelines Section 15273 because it involves the establishment of a public agency fee for the purpose of obtaining funds for capital projects that will offset traffic-related development impacts within the City's existing service area.

Section 2. Action

1. An Interim Traffic Impact Mitigation Fee as identified in the attached Exhibit A is hereby established.
2. Payment of the fee shall occur at the issuance of building permits and will be collected with an Interim Fee Agreement.
3. This urgency resolution and associated Interim Traffic Impact Mitigation Fee will go into effect immediately after passage, and remain in effect for 30 days, pursuant to Government Code Section 36937 and 66107(b), at which time it may be extended after notice and public hearing for a maximum of two, 30-day periods.
4. Should the amount of the interim Traffic Impact Mitigation Fee exceed the amount of the permanent Traffic Impact Mitigation Fee subsequently adopted, the City shall provide a timely refund of the excess to the project applicant pursuant to the terms of an Interim Fee Agreement. Should the amount of the interim Traffic Impact Mitigation Fee be less than the amount of the permanent Traffic Impact Mitigation Fee subsequently adopted, the applicant shall pay the difference to the City in a timely manner pursuant to the terms of the Interim Fee Agreement. Any claim that a violation of state or federal law has occurred as a result of the imposition of the interim Traffic Impact Mitigation Fee shall be subject to an administrative hearing; such hearing shall be held concurrently with the City's review of any request by the claimant for a refund.

Section 3. Severability

1. All portions of this Resolution are severable. Should any individual component or any portion of this Resolution be found invalid and unenforceable by a court of competent jurisdiction, it is the City Council's intent and desire that the remaining portions of the Resolution continue in full force and effect.

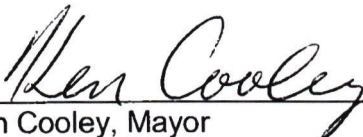
PASSED AND ADOPTED this 16th day of May, 2005, by the following vote:

AYES: Budge, Sander, Skoglund, McGarvey, Cooley

NOES: None

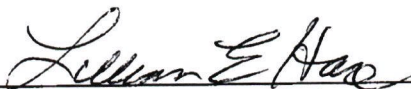
ABSENT: None

ABSTENTIONS: None



Ken Cooley, Mayor

ATTEST:



Lillian E. Hare, City Clerk

EXHIBIT A

CITY OF RANCHO CORDOVA

INTERIM TRAFFIC IMPACT MITIGATION FEE

L A N D U S E T Y P E

	SFR Unit	MFR Unit	COMM'L SF	BP-Office SF	Industrial SF	IND-OFF SF	Churches SF	Private Schools Student	Mini Storage SF	Gas Stations Pump	Convalesc. Hospitals Bed	Child Care Centers SF	Care Facilities Suite/Room	Stadiums Seat	Utility Buildings SF	Golf Courses Hole
Roadway	\$4,400.00	\$3,328.00	\$12.83	\$10.26	\$3.50	\$7.43	\$4.40	\$772.00	\$3.50	\$20,077.00	\$1,097.00	\$2.22	\$1,666.00	\$142.00	\$0.36	\$26,675.00
Transit	\$175.00	\$356.00	\$0.77	\$0.70	\$0.16	\$0.45	\$0.18	\$33.00	\$0.16	\$0.00	\$117.00	\$0.09	\$178.00	\$6.59	\$0.02	\$1,318.00
Adm.(2%)	\$91.50	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

Interim fees based on the rates established for District 3 and shall apply to all new development in the City of Rancho Cordova.

*** 2% of Roadway and Transit Fee

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Staff Report



Date: July 5, 2005
To: Honorable City Council
From: Steven R. Meyers, City Attorney
Subject: Urgency Ordinance Extending a Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries

RECOMMENDATION

1. Open hearing
2. Receive testimony
3. Close hearing
4. Adopt Urgency Ordinance No. 14-2005.

BACKGROUND

On September 7, 2004, the City Council adopted Ordinance No. 48-2004 extending a 45-day moratorium on the establishment and operation of medical marijuana dispensaries in the City for a period of 10 months and 15 days.

As part of the September 7, 2004, ordinance, the Council found that additional study of the potential impacts of medical marijuana dispensaries and possible amendments to the City's Zoning Code related to such dispensaries was necessary in order to ensure the protection of the public health, safety and welfare. Council directed City staff to continue with the review.

During the last 10 months, staff has been monitoring events throughout the state pertaining to the regulation and operation of medical marijuana dispensaries and compiling information in order to assist the City in its consideration of how best to zone for and regulate dispensaries.

Gonzales v. Raich

During its prior meetings on this subject, the Council was also informed that the U. S. Supreme Court had decided to hear the appeal of a Ninth Circuit case, *Raich v. Ashcroft*, 352 F. 3d. 1222 (2003). The Ninth Circuit had ruled that the application of the federal Controlled Substances Act to individual users who grew their own plants or otherwise used only materials bought and sold in California was likely an unconstitutional exercise of Congress' Commerce Clause authority¹.

¹ The Commerce Clause gives Congress the broad authority to regulate matters involving interstate commerce.

On June 6, 2005, the U. S. Supreme Court issued its decision in *Gonzales v. Raich*, Slip. Op. 03-1454, overturning the Ninth Circuit decision and holding that Congress had the authority to apply the Controlled Substances Act to users of medical marijuana even though the marijuana and other materials used may never have actually been a part of interstate commerce. The Supreme Court decision eliminates any doubt as to whether the use and sale of medical marijuana is legal under federal law; it is not.

Impact of Raich Decision

The *Raich* decision creates a clear split between state and federal law – medical marijuana continues to be legal under state law, but illegal under federal law. Federal law, however, will trump any contradicting state law. With respect to medical marijuana dispensaries, this means that cities are not required to recognize them as legal uses. Some cities, such as Roseville, are taking steps to revoke previously adopted regulatory ordinances and prohibit dispensaries.

From a law enforcement perspective, local jurisdictions wishing to stop dispensaries from operating may not be able to rely solely on criminal enforcement. At this time, the extent to which federal authorities are willing to enforce federal law against local dispensaries is unclear, and, while local police agencies can enforce federal laws, actual prosecution will depend on the willingness of federal agencies to do so.

It is staff's opinion that the City should adopt zoning laws that will allow the City to stop medical marijuana dispensaries from operating in the City. Staff recommends the City adopt a zoning amendment that will clearly prohibit as a valid use any activity that is illegal under either state or federal law. This approach will provide the City with a clear basis to seek a civil remedy if necessary to address illegal uses in the City, including medical marijuana dispensaries. Unless the Council directs otherwise, staff will bring such an ordinance before the Planning Commission in the near future.

Although the chances that a new dispensary would choose to open in the City following the Supreme Court decision appear small, news reports on the *Raich* decision have quoted both users and those who distribute medical marijuana as stating that they will continue to use and distribute medical marijuana regardless of the federal decision. Thus, it is not a given that a dispensary will not try to open within the City's boundaries. As a result, staff recommends that the City Council extend the existing moratorium for an additional six months to give the City time to adopt a zoning ordinance applicable to medical marijuana dispensaries.

Extension of Moratorium

The 10 month and 15-day moratorium expires on July 22, 2005. Any ordinance to amend the Zoning Code will need to be reviewed first by the Planning Commission before it can be brought before the City Council for approval. Since the statements of medical marijuana proponents indicate that federal prosecution may not deter them from operating dispensaries, there is still a possibility that individuals or groups

may still try to open one in Rancho Cordova. For reasons cited in Ordinances No. 44-2004 and No. 48-2004, dispensaries pose a threat to the public health, safety and welfare and staff recommends that the Council extend the moratorium to give the City time to adopt an applicable zoning amendment. Per Government Code Section 65858, the Council may, following a public hearing, extend the moratorium for a period of 1 year. It is staff's opinion, however, that an extension of 6 months will be sufficient.

This report constitutes the written report required by Government Code Section 65858(d).

REQUESTED MOTION

"I move that the City Council adopt Urgency Ordinance No. 14-2005 extending the moratorium on the establishment and operation of medical marijuana dispensaries."

ATTACHMENTS

1. Ordinance No. 14-2005

CITY OF RANCHO CORDOVA

ORDINANCE NO. 14-2005

AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA EXTENDING A MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES, TO BECOME EFFECTIVE IMMEDIATELY

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

Section 1. Findings

A. On August 2, 2004, the City Council of the City of Rancho Cordova held a duly noticed public hearing and adopted Ordinance No. 44-2004 as an urgency ordinance imposing a 45-day moratorium on the operation and establishment of medical marijuana dispensaries.

B. Pursuant to Ordinance No. 48-2004, the moratorium was extended for a period of 10 months and 15 days on September 7, 2004. Ordinance No. 48-2004 will, unless extended, expire by its own terms on July 22, 2005.

C. Government Code Section 65858 authorizes the extension of an urgency ordinance, after a noticed public hearing, to prohibit uses of land which may conflict with a contemplated general plan, specific plan or zoning proposal which the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable period of time.

D. City staff has undertaken a study to review the impacts of medical marijuana dispensaries and the possible adoption of Zoning Code provisions pertaining to the regulation of medical marijuana dispensaries.

E. The City Council has received and considered a report prepared by staff describing the study and the measures that have been taken to date to alleviate the condition which led to the adoption of the initial urgency ordinance.

F. The City Council has also considered the impact of the U.S. Supreme Court case, *Gonzales v. Raich*, Slip Op. 03-1454, issued on June 6, 2005, which has confirmed the authority of Congress to declare the use and sale of medical marijuana illegal under the federal Controlled Substances Act.

G. The City Council finds that allowing the establishment and operation of medical marijuana dispensaries prior to the City's adoption of a zoning ordinance

applicable to the operation of medical marijuana dispensaries poses a current and immediate threat to the public health, safety, and welfare. Allowing dispensaries would result in land use conflicts and violations of federal law.

H. The City Council has conducted a properly noticed public hearing pursuant to Government Code Section 65090, and has duly considered all written and verbal testimony presented during the hearing.

I. The City Council finds that the current and immediate threat to the public health safety and welfare, as described in the findings above, and in the findings adopted pursuant to Ordinances No. 44-2004 and No. 48-2004, still exists, and that a temporary moratorium on the issuance of permits, business licenses or other applicable entitlements providing for the operation or establishment of medical marijuana dispensaries should continue to remain in effect pending completion of the City's adoption of a zoning ordinance applicable to medical marijuana dispensaries.

Section 2. Imposition of Moratorium

A. In accordance with the authority granted the City of Rancho Cordova under Government Code Section 65858, from and after the date of this ordinance, no use permit, variance, building permit, or any other applicable entitlement for use, including but not limited to the issuance of a business license, shall be approved or issued for the establishment or operation of a medical marijuana dispensary for a period of six (6) months.

B. For purposes of this ordinance, "medical marijuana dispensary" means any facility or location where a primary caregiver intends to make available, sell, transmit, give, or otherwise provide medical marijuana to two or more of the following: a qualified patient or a person with an identification card, or a primary caregiver in strict accordance with Health and Safety Code Section 11362.5 et seq., including but not limited to Health & Safety Code Section 11362.7 (d) (2) and (3). The terms "primary caregiver", "qualified patient", and "person with an identification card" shall be as defined in Health and Safety Code Section 11362.5 et seq.

C. For purposes of this ordinance, a "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated and legal under applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health & Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health & Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health & Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health & Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of the Health & Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health & Safety Code Section 11362.5 et seq.

D. This ordinance is an interim ordinance adopted as an urgency measure pursuant to the authority granted the City of Rancho Cordova under Government Code Section 65858 and is for the immediate preservation of the public safety, health and welfare. The facts constituting the urgency are: California cities which have permitted the establishment of medical marijuana dispensaries have recognized that doing so has resulted in the creation of negative secondary effects such as an increase in crime, including burglary, robbery and the sale of illegal drugs, in the areas immediately surrounding medical marijuana dispensaries. The U.S. Supreme Court has confirmed the authority of Congress to declare medical marijuana use illegal. The use and sale of marijuana is illegal under the federal Controlled Substances Act. Despite this fact, users and distributors of medical marijuana have indicated their willingness to continue operating despite federal law. The City of Rancho Cordova has received inquiries regarding the permitting and establishment of medical marijuana dispensaries within the City. The City of Rancho Cordova does not currently have standards in the Rancho Cordova Zoning Code related to the location, operation and concentration of medical marijuana dispensaries within the City. Absent the adoption of this urgency ordinance, the establishment and operation of medical marijuana dispensaries in the City would result in the harmful secondary effects identified above. As a result of the harmful secondary effects associated with medical marijuana dispensaries and the current and immediate threat such secondary effects pose to the public health, safety and welfare, it is necessary to, in accordance with Government Code Section 65858, temporarily establish a 6 month moratorium on the establishment and operation of new medical marijuana dispensaries in the City pending the adoption of a zoning amendment applicable to medical marijuana dispensaries.

Section 3. Compliance with California Environmental Quality Act

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of the contemplated Zoning Code review.

Section 4. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date

This ordinance shall become effective immediately upon adoption if adopted by at least four-fifths vote of the City Council and shall be in effect for six (6) months from the date of adoption unless extended by the City Council as provided for in the Government Code.

ADOPTED, THIS 5th day of July, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

769030_1

MEMORANDUM

DATE: July 5, 2005
TO: City Council
FROM: William Campbell, Project Planner
SUBJECT: Grantline West Mining



OWNER:

Aerojet General Corp.
620 Coolidge Drive, Suite 100
Folsom, CA 95630

REPRESENTATIVE:

Grant Line Road Properties, Inc
P.O. Box 15002
Sacramento, CA 95851

PROJECT: Grant Line West Surface Mining

FILE: RC-04-145

LOCATION: The 583 acre proposed mining area is situated within a 1,100 acre parcel owned by Elliott Homes, Inc. The site is located approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road.

APN: 072-0370-071

PLANNER: William Campbell, Principal Planner

REQUEST

• **Surface Mine (SM) Overlay:** The Zoning Code requires the adoption of a surface mining overlay for mines expected to extract over 200,000 cubic yards of material in a year. The estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined.

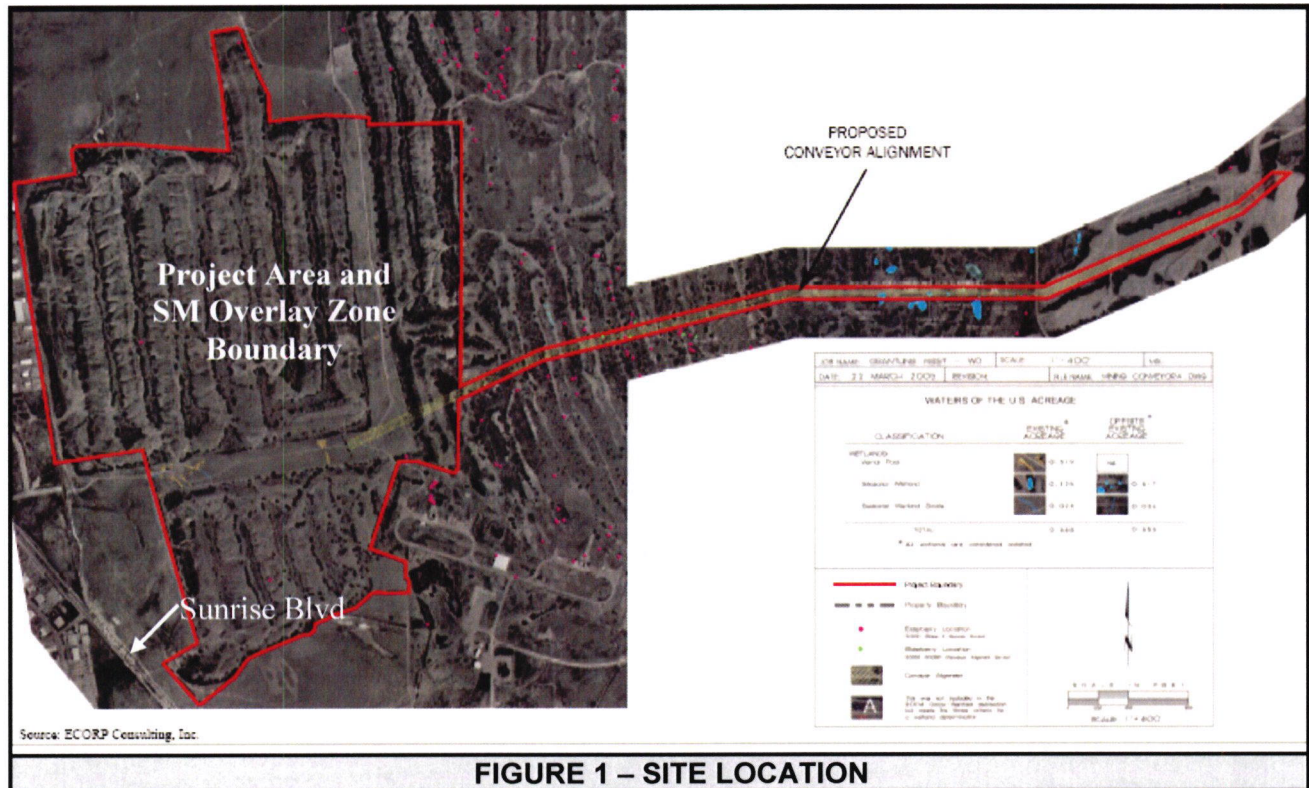
• **Conditional Use Permit:** The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation) requires a Use Permit.

RECOMMENDATION

The Planning Commission recommends that the City Council find the Mitigated Negative Declaration is adequate and has been prepared according to the Guidelines of the California Environmental Quality Act (CEQA), and approve the Surface Mining (SM) Overlay Zone, along with the Use Permit to allow surface mining of gravel material, in accordance with the Mining and Reclamation Plan, and subject to the Conditions of Approval.

BACKGROUND

On June 21, 2004, the City of Rancho Cordova adopted a new Mining and Reclamation Ordinance No. 22-2004 to replace the previously adopted Chapter 20.04 of the municipal code. The new ordinance was certified by the State Mines and Geology Board on July 23, 2004, wherein the City will be the appropriate authority to review and approve existing and future mining operations and reclamation plans.



	General Plan Land Use Designation	Zoning and Community Plan Designations	Existing Land Use
Subject Property	Extensive Industrial	SPA	Aerojet
North	Extensive Industrial	SPA	Aerojet
East	Extensive Industrial	SPA	Aerojet
South	Residential	Sunridge Specific Plan	Residential/Commercial
West	Extensive Industrial	M-1 and M-2	Industrial

ANALYSIS

Grantline Road Properties, LLC is seeking entitlements for its Grantline West Mine, to be situated within a parcel currently owned by Elliott Homes Corporation. Only 355 acres of the proposed mining area, consisting of dredge tailings, will be disturbed. The applicant proposes to mine these tailings to an elevation of 130 to 160 feet. According to Section 230-11, Table IV of the Zoning

Code, surface mining is a permitted use in the M-2 Zone for a short duration and where the volume of removed material does not exceed 200,000 cubic yard in a year. The applicant proposes to mine dredge tailings, consisting of cobbles (up to approximately 8 inches in diameter) intermixed with sand and gravel. All material mined at the Grantline West Site will be transported by conveyor to the existing Grant Line processing plant where it will be washed and processed into various products. All fines recovered in the processing will be deposited into current and planned sediment ponds constructed under an existing WDR on the East Site (CA Mine ID #91-34-0039) or at the existing Plant Site. The Plant Site contains a 25 acre sediment retention basin currently under construction via a Grading Permit issued by Sacramento County. Waste fines deposited on the East Site will be reclaimed to existing grade per the approved Reclamation Plan. Waste fines deposited in the 25 acre sediment basin on the Plant Site will be reclaimed per the specifications contained in the Sacramento County Grading Plan (Permit Number 2067).

Surface Mine (SM) Overlay: The Zoning Code requires the adoption of a surface mining overlay for mines expected to extract over 200,000 cubic yards of material in a year. Production rates will vary as a function of market demand. However, the estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined.

Conditional Use Permit: The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation) requires a Use Permit. This reclamation plan was prepared in accordance with:

- The Surface Mining and Reclamation Act (SMARA) of 1975, as amended (Public Resources Code § 2772 et seq.);
- The State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, § 3500 et seq.).

The applicant has requested the City to approve a Surface Mining Overlay Zone in the M-2 Zone and approve a Use Permit to allow excavation of the gravel mine by an additional 50 feet below existing level (see Figure 2). Teichert Aggregates is the mining operator and has produced a Mining/Reclamation Plan and illustrative diagram that shows the current control elevation set by the original Use Permit. The Reclamation Plan is consistent with the provisions of the City's Mining Ordinance, and includes all the provisions of Section 20.04.070. Accompanying the request is the new Mining/Reclamation Plan, the Financial Assurance Cost Estimate, and Appendix A: Re-vegetation and Grazing Management Plan. All components are required elements by the City's new Mining Ordinance.

Production rates will vary as a function of market demand. However, the estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined. The operation typically involves material carried by a loader to a conveyor system on the mining site and transferred to the crushing facility on the east side of Grant Line Road. The conveyor system is the preferred method of transfer (see Figure 4); however, trucks may be used in the event the conveyor malfunctions for a period of less than a week. The conveyor system greatly reduces air emissions caused by transfer vehicles and eliminates the need for an at-grade crossing on Grant Line Road.

TEICHERT AGGREGATES
**ILLUSTRATIVE
 RECLAMATION PLAN**
 GRANTLINE PROPERTY
 CITY OF RANCHO CORDOVA, CALIFORNIA



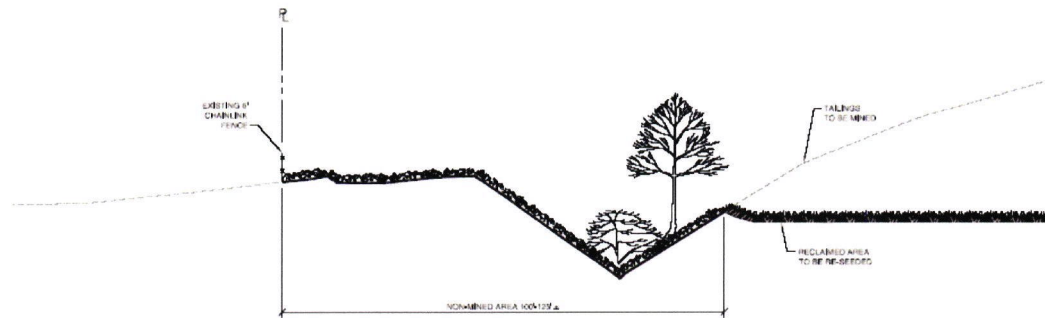
Figure 2 Mining Overlay



TEICHERT AGGREGATES

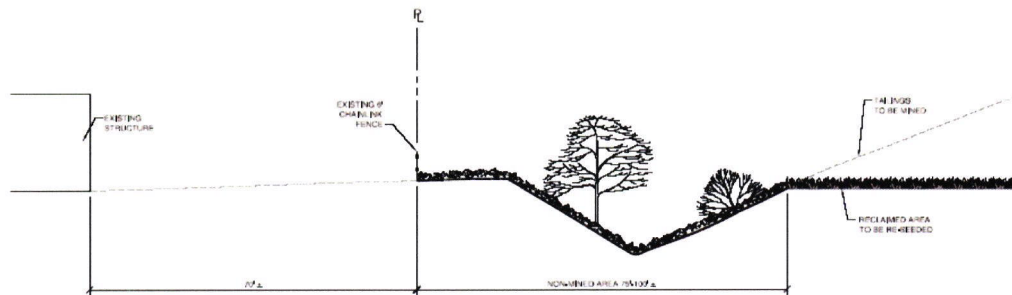
TYPICAL RECLAMATION CROSSECTIONS ALONG WEST BOUNDARY

GRANTLINE PROPERTY
CITY OF RANCHO CORDOVA, CALIFORNIA



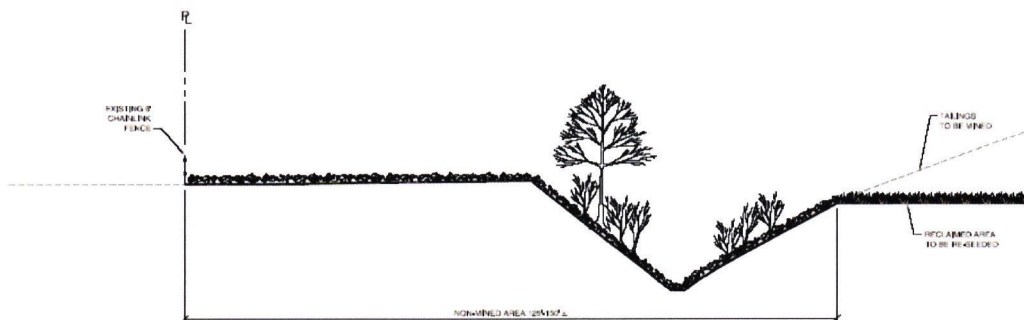
TYPICAL CROSS SECTION

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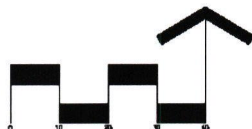
TYPICAL CROSS SECTION

NTA



TYPICAL CROSS SECTION

NTA



FEBRUARY 17, 2005

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
FOR MORE PLANS, SEE THE GRANTLINE PROPERTY, CALIFORNIA
RECLAIMED AREA TO BE SEEDING

SHEET 2 OF 2

Figure 3 Sections of Western Boundary

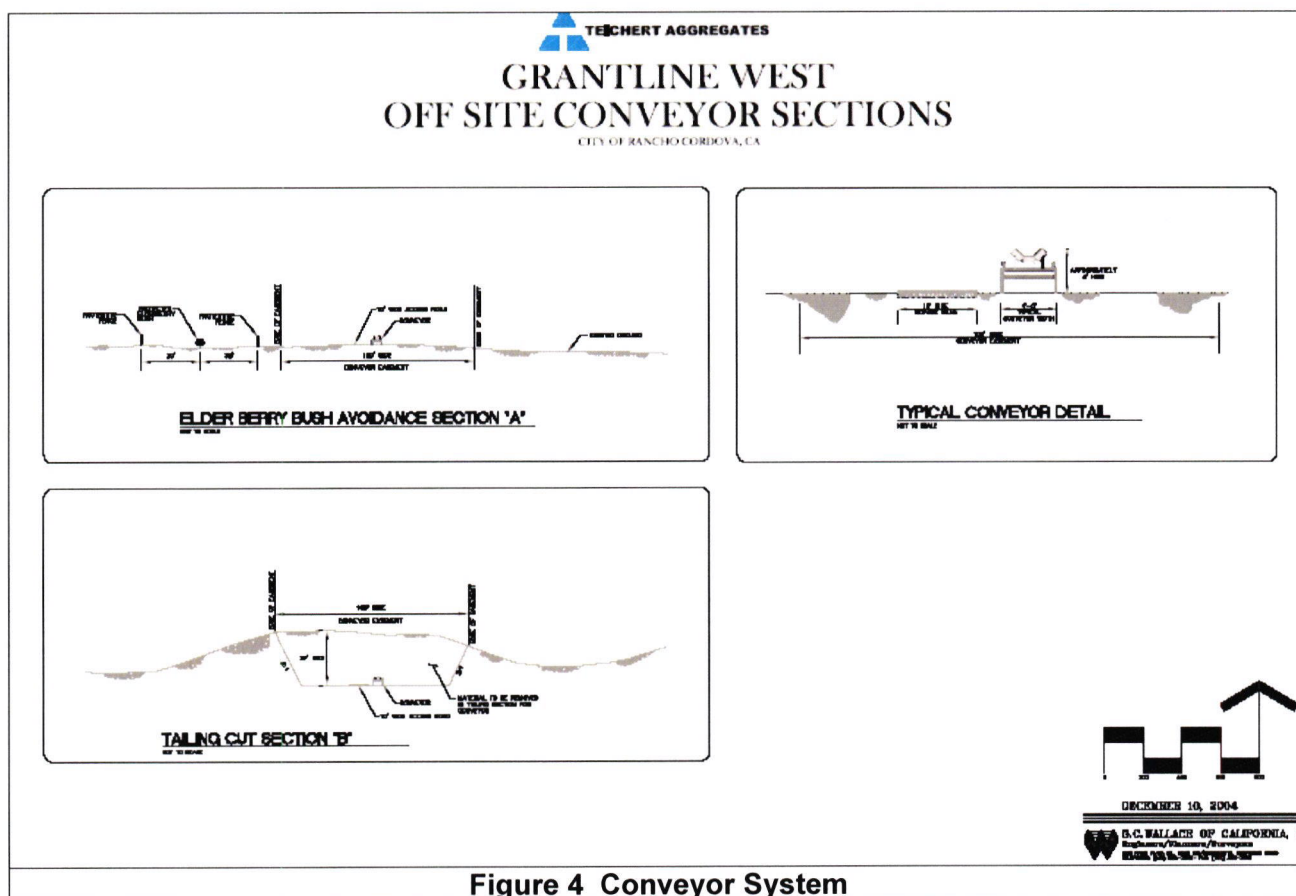


Figure 4 Conveyor System

As part of the mining permit package, a Financial Assurance is required by the City's ordinance (20.04.100 D).

"The amount of the financial assurance shall be based upon the estimated costs of reclamation for the years or phases stipulated in the approved Reclamation Plan, including any maintenance of reclaimed areas as may be required, subject to adjustment for the actual amount required to reclaim lands disturbed by surface mining activities necessary to implement the approved Reclamation Plan, the unit costs for each of these activities, the number of units of each of these activities, and the actual administrative costs."

The Financial Assurance is a negotiable instrument (cash, irrevocable letter of credit, trust fund, security bond or other method acceptable by the City) that guarantees the applicant will perform under the provisions of the plan. Should the applicant not perform to the terms of the agreement, the City will have the monetary means to correct or restore the land to the intended reclamation plan. In addition, the estimated costs include a 3.75% Lead Agency Administrative cost of the total direct and indirect costs for processing the call for funds. A summary is listed in section VI of the Financial Assurance Cost Estimate.

At the completion of the mining operation, the reclamation plan has a re-vegetation management component to plant the mined area to control erosion and aesthetic impacts of the mining operation. The plan requires hydro seeding the slopes and depressions with various annual grasses and forage species characteristic of the area. Noxious weeds will be managed annually throughout the reclamation areas. All the re-vegetation activities will be monitored by the City through the Conditions of Approval/MMRP.

Planning Commission On May 27, 2005, a public hearing notice was published in the Grapevine Newspaper and notices were mailed to all property owners within 500' of the project site. The Planning Commission on June 9, 2005 conducted a public hearing and received testimony from the applicant and one adjoining neighbor to the existing crushing operation on Grant Line Road. After the public hearing was closed, the Planning Commission unanimously approved the request with no changes to the City Council.

Comments received from responsible agencies are attached and any pertinent information has been integrated into the Conditions of Approval.

CONCLUSION:

The new mining and reclamation plan will control the mining operation activities to ensure the protection of the environment. Additional requirements and conditions have been formulated within the plan and the mitigation measures that, in conjunction with, the existing conditions from the previous Use Permit will allow the continuation of the mining operation even though future developments of a more sensitive nature will be in close proximity.

ENVIRONMENTAL ANALYSIS:

The project has been analyzed and a Mitigated Negative Declaration has been prepared according to the California Environmental Quality Act (CEQA) Guidelines. The MND has addressed all environmental issues and has identified feasible mitigation measures that have reduced all impacts on the environment to a less than significant level. The document was circulated for a 30 day period, May 6, 2005 through June 6, 2005, and one written comment was received as of the date of the staff report preparation. Additional comments received on or after the June 6th date will be presented at the public meeting and addressed at that time. The received comment was minor in nature; with no substantive issues and edits were made to the document. Staff believes the document is adequate and complete for the decision makers to take action upon the proposed project.

The plan locates the existing trees and, more importantly, the location of habitat of the Elderberry Beetle, which is federally listed as an *Endangered Species*. The location and preservation of Elderberry shrubs is required and the appropriate mitigation measures have been included within the Conditions of Approval/MMRP for the amended Use Permit. All other stands of existing vegetation are plotted on the Illustrative Plan and will be preserved. It is anticipated that the mining area will be developed in the future and that project will need to be environmentally assessed for its impacts to the environment.

The main issues addressed in the MND focused on the impacts associated with the removal of the dredge tailings within the project area, noise, air quality and the method of transporting the gravel to the processing facility and the preservation of the habitat and protected species currently on site. Listed within the Conditions of Approval/MMRP are the required steps the operator will need to fulfill, prior to receiving the authorization to commence work. The protected areas are a direct by product of the low areas caused by the earlier dredging operation. Plants and trees grew in the soils deposited by the dredging operation, and are now the same areas to be preserved and not impacted by the new surface mining operation. The illustrative plan indicates the protected areas and this plan is part of the approval package and the mitigation measures in the MND address the means to protect these areas.

The nearest proposed off-site residences are located approximately 2,600 feet south of the project site. The nearest off-site active non-residential structures are industrial facilities, located

approximately 100 feet of the project boundary (see Figure 3). This area is zoned M-2 and the drainage swale along the western boundary of the surface mine will be retained and would serve as a transition zone between the industrial uses and the mining operation. Additionally, substantial sources of ambient noise exist in the vicinity of the project site, including frequent jet landings at Mather Airport and vehicular traffic along White Rock Road, Sunrise Boulevard and Douglas Road. The assessed noise generation caused by the loaders would not significantly impact the area, and the Mitigated Negative Declaration did not recommend any mitigation measures.

FINANCIAL IMPLICATIONS TO CITY:

The City of Rancho Cordova will be receiving a portion of the retail sales of aggregate materials as negotiated between the applicant and the City. The exact amount of revenues is not known, at this time and would be based upon the volume of materials sold during the term of operations.

RECOMMENDED MOTION:

"I move the City Council determine the Mitigated Negative Declaration is adequate to address the environmental impacts of the proposed mining activity and approve Ordinance 13-2005 placing the (SM) Mining Overlay Zone, as shown on Attachment 1, and adopt Resolution 81-2005 approving the Use Permit, subject to the submitted Reclamation Plan and the Conditions of Approval for the Grantline West Mining Operation."

ATTACHMENTS:

1. Ordinance 13-2005 including the SM Overlay Zone (Exhibit A).
2. Resolution 81-2005 including the Illustrated Reclamation Plan (Exhibit A), Conditions of Approval (Exhibit B), Reclamation Plan (Exhibit C), and Financial Assurance (Exhibit D).
3. Mitigated Negative Declaration
4. Applicant's Project Description and Justifications
5. Agency Comments

ORDINANCE 13-2005

**AN ORDINANCE OF THE CITY OF RANCHO CORDOVA
AMENDING THE ZONING CODE
ON ASSESSOR PARCEL NUMBER 072-0370-071
FOR A PROJECT KNOWN AS GRANTLINE WEST SURFACE MINING
PROJECT NO. RC-04-145**

The City Council of the City of Rancho Cordova does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Zoning Map within the City of Rancho Cordova to place a Surface Mining (SM) Overlay Zone upon the parcel specified within the attached exhibit.

Section 2: Findings

1. Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project that addressed the zone change and the impacts of the surface mining operation. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence the project would have a significant adverse impact on the environment.

2. Finding: The proposed Surface Mining Overlay request would be consistent with goals and policies of the General Plan of the City of Rancho Cordova.

Evidence: Surface mining is a recognized land use within the General Plan and establishes the policies and objectives to guide these land uses. The Surface Mining Overlay is established by the Zoning Code, as the appropriate mechanism to regulate the mining operation and the City has adopted a certified Surface Mining Ordinance reviewed by the State Mines and Geology Board and the reclamation plan provides for the area that is surfaced mined to be graded, top soil to be imported to cover the area and a planting plan implemented to re-vegetate mined area. The mining operation is an interim land use and in this case, it will be limited to the total volume of material to be excavated to a control depth that would be the existing ground level prior to the dredging operation.

Section 3: Action

The City Council hereby amends the City of Rancho Cordova Zoning Map for Assessor's Parcel Number 072-0370-071, as shown on the attached exhibit.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil

liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this _____ day of July 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

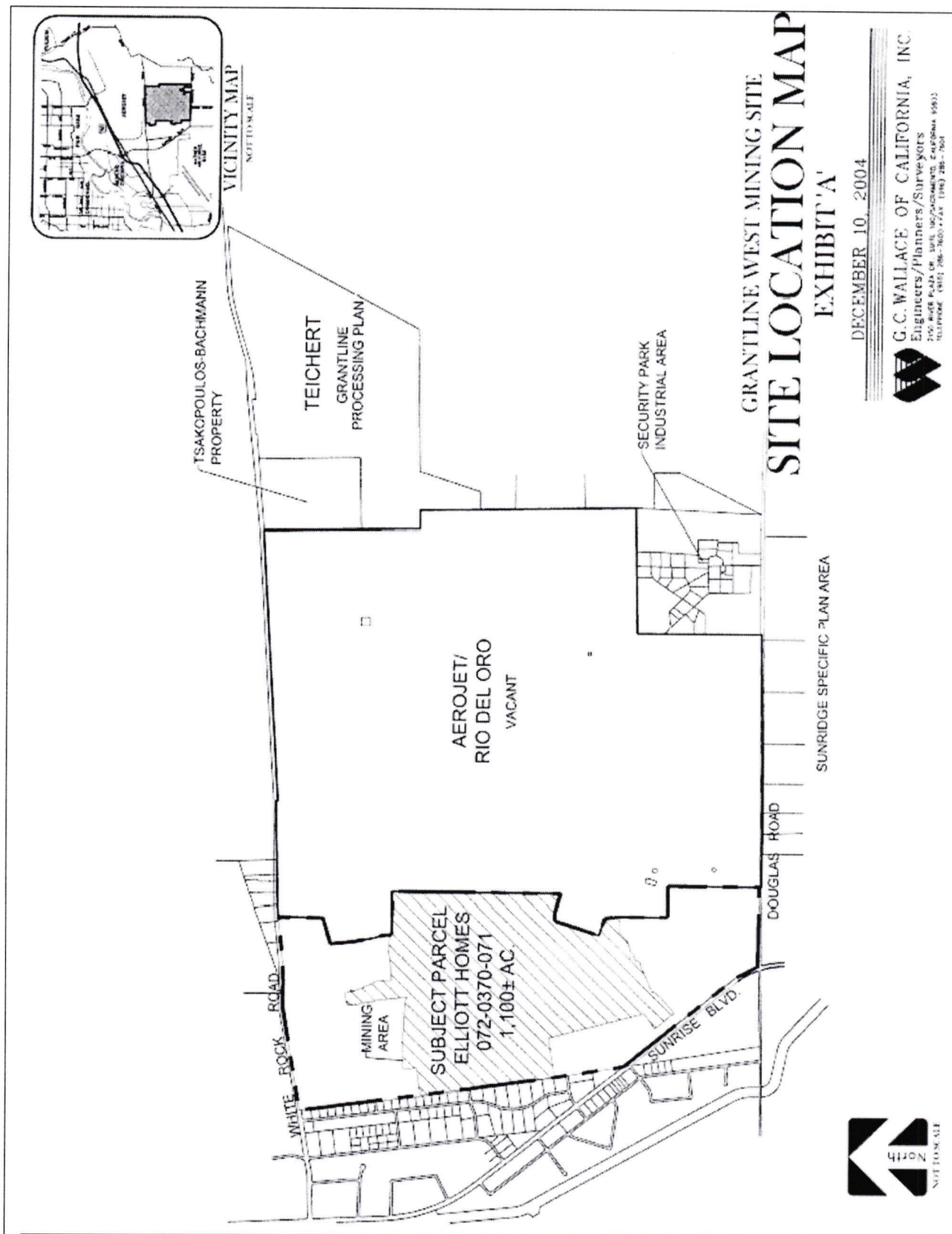
KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

APPROVED AS TO FORM:

LILLIAN HARE
CITY CLERK

STEVE MYERS
CITY ATTORNEY



RESOLUTION NO. 81-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING A USE PERMIT FOR THE GRANTLINE WEST MINING OPERATION,
PROJECT NO. RC-04-145**

WHEREAS, the Grantline West Mining Operation project, represented by Grant Line Road Properties, Inc. (hereinafter referred to as Applicants) filed an application with the City of Rancho Cordova (hereinafter referred to as City) to approve a Use Permit for the surface mining operation, according to the attached exhibit, and

WHEREAS, an Initial Study was prepared for the requested project and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated according to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council is the appropriate authority to hear and take action on the use permit amendment; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on July 5, 2005 and received a staff report and public testimony at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

1. Approve the Conditional Use Permit and Conditions of Approval/MMRP for the Grant Line West Mining/Reclamation Plan RC-04-145, as attached, based on the following findings:

A. California Environmental Quality Act

Finding: The proposal will not have a significant adverse impact on the environment and a Mitigated Negative Declaration has been prepared and completed in accordance with the California Environmental Quality Act (CEQA).

Evidence: An Initial Environmental Study was prepared for the proposed project and mitigation measures have been developed that will reduce potential environmental impacts to less than significant levels. On the basis of the Mitigated Negative Declaration, comments received, and the whole record, there is no substantial evidence that the project will have a significant adverse impact on the environment.

- B. Use Permit and the Conditions of Approval/MMRP for the Grant Line West Mining/Reclamation Plan.

Finding: The following findings shall be made to approve surface mining operation, per Section 20.04.090.

- 1) That the Reclamation Plan complies with SMARA §2772 and §2773, and any other applicable provisions;
- 2) That the Reclamation Plan complies with applicable requirements of State regulations (CCR§§3500-3505, and §§3700-3713).
- 3) That the Reclamation Plan will restore the mined lands to a usable condition that is readily adaptable for alternative land uses that are consistent with this Chapter and either (i) the City's General Plan and any applicable resource plan or element or (ii) probable future uses anticipated by the City to be adopted in future amendments to the City's General Plan which uses are identified in findings made on approval of the Reclamation Plan.
- 4) That the Reclamation Plan has been reviewed pursuant to CEQA and the City environmental review guidelines, and any significant adverse impacts from reclamation of the surface mining operations are mitigated to the extent feasible.
- 5) That the land and/or resources such as water bodies to be reclaimed will be restored to a condition that is compatible with, and blends in with, the surrounding natural environment, topography, and other resources, or that suitable off-site development will compensate for related disturbance to resource values.
- 6) That a written response to the State Department of Conservation has been prepared, describing the disposition of major issues raised by that Department. Where the City's position is at variance with the recommendations and objections raised by the State Department of Conservation, said response shall address, in detail, why specific comments and suggestions were not accepted.

Evidence:

- 1) The original reclamation plan was consistent with the County of Sacramento Surface Mining Ordinance and the new plan is consistent with the City's Mining Ordinance, as certified by the State Mines and Geology Board.
- 2) The reclamation plan was specifically composed to meet the City's Surface Mining Ordinance certified by the State Mines and Geology Board on July 23, 2004. The standards and performance measures have been adhered to, and Conditions of Approval/Mitigation Monitoring Reporting Program has been developed to ensure compliance with the Surface Mining Ordinance.
- 3) The Reclamation Plan for Grant Line West Mining Operation would restore the mined land in accordance with the standards in Ordinance 22-2004 and implemented by the Re-vegetation Management Plan adopted as part of the Use Permit. The Management Plan provides for reseeding and re-vegetation of annual grasses and plants characteristic to the surrounding area. Maintenance will be provided

according to the specifications in the Management Plan on an on-going basis, until the mining operation is closed.

The Vision Plan of the City of Rancho Cordova anticipates the mining operation to vacate after the 8 year term of the use permit and develop according to the proposed Rio Del Oro Specific Plan. Low density residential and support commercial are anticipated for the area, along with parks, schools and wetland preserves.

- 4) A Mitigated Negative Declaration has been prepared according to the Guidelines of the California Environmental Quality Act, and was circulated through the State Clearinghouse. Written comments were received from the State Water Quality Control Board and the Community Service District-1 (Sewers) during the public review period. Responses to the comments have been included in the body of the MND.
- 5) The reclaimed land will be left in a condition to support future urban development. The original condition of the site was severely impacted by gold dredging in the early part of this century. The dredged tailings will be flattened and left in a condition that would permit site grading to accommodate residential and commercial development.
- 6) The MND was circulated to the California State Department of Conservation and no written comment was received during the public comment period.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 5th day of July, 2005.

AYES:
NOES:
ABSENT:
ABSTAIN:

KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

LILLIAN HARE
CITY CLERK

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The Grant Line West Mining and Reclamation Plan is approved by the City Council on July 5, 2005, subject to the Conditions of Approval/MMRP, Re-vegetation and Grazing Plan and the Financial Assurance Cost Estimate. This Use Permit is valid for twelve, 12 years from the date of approval.	For the term of the permit.	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	During all phases of the project	Planning	
3.	The project applicant shall require that the contractors water all haul roads at least twice daily during reclamation activities and more often in the summer months, as specified by the Public Works Department. This requirement shall be included as a note in the reclamation plan submittal. Mitigation Measure	During all phases of the project	Planning	
4.	Grant Line West is authorized to operate on a 24 hours per day, 7 days per week basis. If during the mining, the City receives complaints regarding mining operations, the applicant shall work with the Planning Director to modify mining hours or mining operations, as necessary to resolve the conflict or the hours for the mining operations could be changed to operate at the normal time periods of 6:00 a.m. to 10:00 p.m., Monday through Friday, and 6:00 a.m. until 3:00 p.m. on Saturdays.	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5.	The project applicant shall require that the contractor limit vehicle speed for onsite construction vehicles to 15 mph when winds exceed 20 miles per hour. This requirement shall be included as a note in the reclamation plan submittal. Mitigation Measure	During all phases of the project	Planning	
6.	The project applicant shall require paved streets adjacent to construction sites to be washed or swept daily to remove accumulated dust. This requirement shall be included as a note in the reclamation plan submittal. Mitigation Measure	During all phases of the project	Planning	
7.	The project applicant shall require that, when transporting reclaimed materials by truck during reclamation activities, two feet of freeboard shall be maintained by the contractor, and that the materials are covered. This requirement shall be included as a note in the reclamation plan submittal. Mitigation Measure	During all phases of the project	Planning	
8.	The project shall provide a plan for approval by SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction; and, The project applicant shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. Mitigation Measure			
9.	The project applicant shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations. Mitigation Measure	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
10.	Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during reclamation activities, work shall be suspended and the City of Rancho Cordova shall be immediately notified. At that time, the City will coordinate any necessary investigation of the site with appropriate specialist, as needed. The project proponent shall be required to implement any mitigation necessary for the protection of the cultural resources. 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 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. Mitigation Measure	During all phases of the project	Planning	
11.	Maintain security fencing around the perimeter of the site, and provide warning/trespass signs to comply with the Zoning Code. All perimeter fencing shall be retained until post-reclamation development of the project site occurs.	During all phases of the project	Planning	
12.	Should the City Engineer determine a traffic problem has occurred during the course of the mining operation and transfer of materials to the Grantline Plant, located at 3417 Grant Line Road, the operator shall agree to cooperate and pay its fair share as determined by the Public Works Director for the construction of appropriate improvements. These improvements may include, but are not limited to, horizontal realignments for sight distance, turn lanes, warning signs and traffic signalization.	During all phases of the project	Public Works	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
13.	The proponent shall ensure that the moisture content of the material being conveyed to the processing plant is sufficient to avoid visible dust emissions from the loading and unloading points. Mitigation Measure	During all phases of the project	Planning	
14.	In the unlikely event the mining operation encounters any former waste disposal area, mining activities shall immediately cease and the following agencies shall be contacted to determine the appropriate course of action: • Sacramento County Environmental Management Department, Environmental Health Division: (916) 875-8416. • State Department of Toxic Substances Control: (916) 255-3601. • Central Valley Regional Water Quality Control Board: (916) 255-3000.	During all phases of the project	Planning	
15.	Re-vegetation of all mined areas shall be phased over the life of the project to control wind and water erosion, and to improve the aesthetic quality of the mined land. Each completed phase of mining shall have sufficient soil and/or organic material spread to provide an adequate seed base. The site shall be seeded according to the Management Plan. If after one year of the completion of each phase of mining, the surface area does not demonstrate vegetative cover comparable to nearby unmined areas, then the surface area shall be surveyed to determine if additional soil and/or organic material is necessary and reseeding with the species listed above.	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
16.	Mining equipment and any toxic substance associated with mining or reclamation operations shall be protected from flooding and from contact with surface water.	During all phases of the project	Planning	
17.	The discharge of wastewater (including aggregate process water) to surface waters or surface water drainage courses is prohibited.	During all phases of the project	Planning	
18.	No polluting substance or toxic compound shall be applied to the mining surface area. Any form of pollutant used on the site shall be contained and not disposed of onsite.	During all phases of the project	Planning	
	<i>Prior to Issuance of the Work Authorization Permit</i>			
19.	The applicant shall comply with all the mitigation measures included in the Mitigated Negative Declaration adopted June 9, 2005 and pay the costs of any technical consultant services incurred during implementation of the MMRP. The initial estimate of these costs is \$10,000 . If the initial estimate exceeds the actual monitoring costs, the balance shall be refunded to the proponent, and if the actual monitoring costs exceed the initial estimate, the proponent shall be responsible to pay the additional amount.	Prior to the issuance of the work authorization permit	Planning	
20.	Provide the City of Rancho Cordova with a performance bond in the amount of \$1,643,488.00 made payable to the City of Rancho Cordova	Prior to the issuance of the	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	and the Department of Conservation of the State of California to financially guarantee reclamation of the property. The amount of the bond shall be subject to annual review and adjustment, pursuant to the requirements of the City's Mining Ordinance.	work authorization permit		
21.	The applicant and the City shall negotiate an agreement establishing the terms, conditions and method of determining the payment of a percentage of the retail sales (not to exceed 1% of the gross sales) generated by the sales of mined materials removed from the City and sold off-site.	Prior to the issuance of the work authorization permit	Finance	
22.	The project proponent shall agree to repair any damages to structural paving material in the immediate vicinity of the intersection of the existing 60-foot haul road and Grant Line Road, to the extent such damage is caused by project traffic which occurs during the period of hauling operations. Such agreement with the City shall be formalized with the Public Works Department.	Prior to the issuance of the work authorization permit	Public Works	
23.	Submit written evidence to the Planning Department showing that the mining operator has secured the required NPDS letter from the Central Valley Regional Water Quality Control Board, and clearance from the State Department of Toxic Substances Control to assure that mining does not interfere with groundwater monitoring at the monitoring well site.	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT B

	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
24.	Obtain appropriate permits from Public Works and provide adequate drain facilities into the established flood control system, in accordance with the Sacramento County Improvement Standards. The drainage plan shall mitigate the increase in surface runoff into Morrison Creek and shall show Best Management Practices (BMPs) to prevent erosion and sedimentation in those swale areas.	Water Resources- Drainage	
25.	The project proponents shall conduct (or update) determinate surveys for potentially occurring special status species or their habitat using protocol acceptable to the regulatory agencies with authority over these species. • If any of the special status species or their habitat are indicated, a detailed plan which describes the specific methods to be implemented to avoid any project impacts upon special status species to a less than significant level will be required. This detailed Special Status Species Avoidance Plan shall be prepared in consultation with the USFWS and CDFG, and shall emphasize a multi-species approach to the maximum extent possible. • If on-site shrubs cannot be avoided, or if the City directs them to be transplanted, then a mitigation plan shall be developed and implemented in consultation with USFWS consistent with the conservation guidelines for the valley elderberry longhorn beetle, which includes one of the following options: • Obtain credits at an approved mitigation bank; - or • Implement an onsite mitigation and monitoring plan that includes	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	transplantation of the shrub and planting of elderberry seedlings. The mitigation plan shall be approved by the USFWS prior to acceptance by the City. Any required onsite mitigation shall be incorporated into subsequent improvement and construction plans. Mitigation Measure			
26.	If reclamation activities would result in a loss of Swainson's Hawk foraging habitat, the project's applicants shall mitigate for such loss by implementing one of the following alternatives: - For projects within a one-mile radius of an active nest site, the project proponent shall preserve 1.0 acre of similar habitat for each acre lost within a ten mile radius of the project site. For projects within a one to five mile radius of an active nest site, the project proponent shall preserve 0.75 acre of similar habitat for each acre lost within a ten mile radius of the project site. For projects within a five to ten mile radius of an active nest site, the project proponent shall preserve 0.5 acre of similar habitat for each acre lost within a ten mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the Department of Fish and Game). - The project's proponents shall, to the satisfaction of the CDFG, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat. - The project's proponents shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the City of Rancho Cordova Planning Department in the amount set forth in Chapter	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect. Should the City Council of the City of Rancho Cordova adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee) prior to implementation of one of the measures above, the project proponent may be subject to that program instead. Mitigation Measure			
27.	Each phase of mining, implement the following to reduce impacts to the Valley Elderberry Longhorn Beetle to a less than significant level: - High visibility construction fencing shall be placed 30 feet from the outer edge of each elderberry shrub or group of shrubs nearest to the phase of mining (see Plate U of the Initial Study). The dripline of the shrub(s) shall not be altered. The fencing shall remain in place until mining activities in the area are completed. - The fenced areas nearest the elderberry shrubs shall be adequately signed with the following information: "This area is habitat for the Valley Elderberry Longhorn Beetle, a 'Threatened Species', and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fine, and imprisonment." The signs should be clearly readable from a distance of at least 20 feet. - All on-site personnel shall be informed about the "threatened" status of the Valley Elderberry Longhorn Beetle and the need to protect its elderberry host plant. Mining contractors and work crews shall be briefed on the requirements to avoid damaging the elderberry plants	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	and the possible penalties for incurring damage. The elderberry shrub(s) shall remain on-site at their current location unless alternate mitigation is agreed upon by the U.S. Fish and Wildlife Service (USFWS). <i>Mitigation Measure</i>			
28.	A preconstruction survey shall be performed between April 1 and July 31 to determine if active raptor nesting is taking place in the area. If nesting is observed, consultation with the Department of Fish and Game shall occur in order to determine the protective measures which must be implemented for the nesting birds of prey. If nesting is not observed, further action is not required. <i>Mitigation Measure</i>	Prior to each phase of reclamation activities	Planning	
29.	If wetland impacts occur, the project shall comply with Sacramento County's no net loss policies for wetland habitat acreage and values (CO-62, CO-70, CO-83, and CO-96), which establish minimum performance for a wetland avoidance/mitigation strategy. <i>Mitigation Measure</i>	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT B

	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
30.	If the project needs to obtain a permit under the Clean Water Act, the project proponents shall submit a wetland delineation for the proposed development areas, and a detailed plan which describes the specific methods to be implemented to avoid and/or mitigate any project impacts upon wetlands such that no net loss in wetland habitat or acreage and values is achieved. This detailed Wetland Avoidance/Mitigation Plan shall be prepared in consultation with the US Army Corps, the USFWS, and the CDFG, and shall incorporate the following components. • A wetland delineation of the project site and any proposed off-site wetland preservation/creation site(s), verified by the US Army Corps of Engineers; • The location of proposed wetland preservation, acquisition, and creation site(s); • A detailed map of proposed wetland creation site(s) showing the acreage, distribution, and type of wetlands to be created to ensure no net loss in wetland habitat acreage, values and functions. Compensation wetlands shall be designed to: - Meet or exceed the hydrophytic conditions and operating functions of the existing wetlands proposed for impact. - Mitigate the loss of special status species habitat, including fairy/tadpole shrimp, as required by the USFWS and the CDFG; • A monitoring plan designed to assess whether the compensation wetlands are functioning as intended. Specific performance standards for hydrologic, floral, and faunal parameters shall be proposed to determine success of the created wetlands. The monitoring plan shall specify the corrective measures/modifications	Planning	

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	to be implemented in the event that monitoring indicates that the performance standards are not being met. Monitoring shall occur for at least five years and until success criteria are met, and as required by the US Army Corps of Engineers, and the USFWS; and A maintenance plan for the wetland preservation/mitigation areas describing the measures to be implemented to assure that they are maintained as wetland habitat in perpetuity. The maintenance plan address buffering from adjacent uses, fencing, access, erosion control, and weed eradication. Mitigation Measure			
31.	The project applicants for the Grant Line West Mining project shall submit (or update) a survey identifying the specific type, size, and location of all existing on-site trees. Existing on-site trees shall be protected and preserved to the maximum extent feasible. The removal of any native oak tree measuring six inches or greater in diameter at breast height (dbh) and the removal of any non-oak native tree (excluding cottonwoods and willows) measuring 19 inches or greater dbh shall be avoided. Mitigation Measure	Prior to the issuance of the work authorization permit	Planning	

**GRANTLINE ROAD PROPERTIES, LLC
GRANTLINE WEST MINING OPERATION
RECLAMATION PLAN**

1.0 INTRODUCTION

Grantline Road Properties, LLC is seeking entitlements for its Grantline West Mine, to be situated within a parcel currently owned by Elliott Homes Corporation. This document, together with the referenced exhibits and appendices, constitutes the reclamation plan for the site. Approval of this reclamation plan update is sought from the lead agency, the City of Rancho Cordova.

This reclamation plan was prepared in accordance with:

- The Surface Mining and Reclamation Act (SMARA) of 1975, as amended (Public Resources Code § 2772 et seq.);
- The State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, § 3500 et seq.); and
- The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation).

Reclamation, as defined by SMARA, is the combined process of land treatments that minimize adverse environmental effects on surface mining, so that mined lands are reclaimed to a beneficial end use that is readily adaptable to alternative end uses. This reclamation plan describes a process that will minimize environmental impacts during and resulting from mining, implement reclamation activities as soon as possible, and return the mined lands to a condition suitable for grazing.

1.1 LOCATION

The 583 acre proposed mining area is situated within a 1,100 acre parcel owned by Elliott Homes, Inc. Approximately 355 acres of the mining area will be disturbed as part of this application. The site is located within the City of Rancho Cordova ("City"), approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. The project site is surrounded by industrial uses to the west, vacant land owned by Aerojet to the north and east, and vacant land known as the Sunridge Specific Plan Area to the south. The nearest designated residential area is located approximately 2,600 feet south of the proposed site. Exhibit A is a site location and vicinity map, depicting the location of the proposed mining operation.

1.1.1 Assessor's Parcel Number

This property is also known by Assessor's Parcel Number 072-0370-071.

1.1.2 Township, Range, Section, Quadrangle

The project site is located on the Buffalo Creek USGS 7.5 minute quadrangle map in Townships 8, 9 North, Range 7 East, and Sections 5, 6, 7, 8, 31 and 32, MDBM. Please see Exhibit B, depicting the project site and its vicinity.

1.1.3 Latitude, Longitude

The project site is located at approximately latitude 121.25 North, longitude 38.58 West.

1.1.4 Claim Descriptions

The project site does not have a California Mine ID number, nor is the site currently subject to an existing use permit or reclamation plan.

2.0 DESCRIPTION OF ENVIRONMENTAL SETTING

Reclamation procedures must be designed within the constraints of the mining project and the surrounding environment. The following sections describe the environmental elements that are pertinent to the design of an effective reclamation plan. Section 3.0 will describe the mining project in relationship to the reclamation of the site.

2.1 SITE ACCESS

Access to the site is available most directly from White Rock Road. The property has frontage on Sunrise Boulevard and Douglas Road, however the site is fenced and no gates exist along these property lines.

2.2 TOPOGRAPHIC MAP

Exhibit B depicts the site's location on the 7.5-minute Buffalo Creek quadrangle map.

2.3 GEOLOGY, GENERAL

The site is located in the eastern portion of Sacramento County, an area covered with a significant number of cobble tailings as a result of early gold dredging activities conducted principally by the Natomas Company from about 1900 to 1960. Many of these tailings are visible above ground in large linear piles, although the dredgers had the capability to dig to depths of up to approximately 100 feet, and thus much of the tailings are underground as well.

2.3.1 Site-Specific Geology

Past gold dredging operations significantly disturbed the natural geologic state of the site, leaving linear mounds of cobble tailings throughout the property. These tailing piles vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. The

proposed mining operation will remove these mounds and the end result will be a site with ground configuration similar to the natural configuration of the site prior to gold dredging operations. The undisturbed boundaries of the dredged area indicate that the natural terrain once sloped from elevations of 140 to 170 feet along the north and east edges of the site to elevations of 140 to 170 feet along the south and west edges of the site. Thus, the natural terrain consisted of relatively flat grounds with slopes of approximately 1-2%.

2.3.2 Material Being Mined

The applicant proposes to mine dredge tailings, consisting of cobbles (up to approximately 8 inches in diameter) intermixed with sand and gravel. The expected percentage of fines from the Aerojet Phase II tailings is 30%. All material mined at the Grantline West Site will be transported by conveyor to the existing Grant Line processing plant where it will be washed and processed into various products. All fines recovered in the processing will be deposited into current and planned sediment ponds constructed under an existing WDR on the East Site (CA Mine ID #91-34-0039) or at the existing Plant Site. The Plant Site contains a 25 acre sediment retention basin currently under construction via a Grading Permit issued by Sacramento County. Waste fines deposited on the East Site will be reclaimed to existing grade per the approved Reclamation Plan. Waste fines deposited in the 25 acre sediment basin on the Plant Site will be reclaimed per the specifications contained in the Sacramento County Grading Plan (Permit Number 2067).

2.3.3 Geologic Cross-Section

Exhibit C depicts a typical mining cross-section, which in turn depicts how most of the existing contour has been modified to date.

2.3.4 Slope Stability

Interim slopes during leveling will not exceed the natural repose angle of the material. Slopes at the perimeter boundaries of mining will consist of the undisturbed natural slope of the tailings. Final slopes will vary and will be consistent with performance standard requirements.

2.3.5 Seismicity

The site is not located within an area of active seismicity.

2.4 HYDROLOGY, GENERAL

2.4.1 Site-Specific Hydrology

There are no major streams or creeks traversing the subject site. As mentioned above, past mining disturbed the natural state of the site and left linear mounds of cobble tailings

throughout the property. Due to the creation of these mounds, the site's natural drainage patterns have been heavily modified. Because the site contains coarse dredge tailings, water infiltration is high, surface runoff is minimal and confined to the closed valleys between tailing mounds.

2.4.2 Groundwater Contamination

The subject site is adjacent to an area known as the Inactive Rancho Cordova Test Site (IRCTS), which was historically used for aerospace and industrial activities by its previous owners, the Aerojet Corporation and McDonnell Douglas Corporation. Although the Department of Toxic Substances Control (DTSC) has issued an Imminent and Substantial Endangerment Order for that site, DTSC has expressly recognized that the proposed Grantline West area was never used for aerospace or industrial activities. As such, this area is not included in the DTSC cleanup order.

Although the relevant agencies have agreed that aerospace and other industrial activities were not conducted on the Grantline West site, the DTSC and Regional Water Quality Control Board (RWQCB) have detected contaminated groundwater beneath the IRCTS property and to the west near Mather Field and south of Douglas Road. RWQCB has issued an Order to Aerojet and McDonnell Douglas requiring them to investigate the extent of pollution emanating from the eastern part of the IRCTS site and to develop an interim remedial measure to contain any groundwater pollution from migrating off-site. It is important to note, however, that any groundwater contamination which may exist is far below the surface and therefore distant from the deepest extent of the proposed mining. Groundwater is more than 100 feet below existing natural grades, which is the deepest extent of the proposed mining. Accordingly, any contamination in the groundwater has no relationship to proposed mining activities or vice versa. Mining will use no water other than from a water truck, which will take water from East Well No.1, located on the Clark Site. This well is currently used for mining and plant operations and is periodically monitored.

2.5 SOIL RESOURCES

2.5.1 Map and Units

Most of the surrounding area is mapped by the Natural Resources Conservation Service (NRCS) as Xerorthents, dredge tailings, 2-50% slopes. The Xerorthents unit contains three hydric inclusions: riverwash and Xerorfluents, associated with floodplain channels, and slickens, associated with depressions.

Additionally, the mining operation will not be conducted on prime agricultural lands.

2.5.2 Soil Contamination

Soil contamination is not expected to be present in the coarse dredge tailings that will be mined because evidence of historical industrial activities has not been found in this area.

Moreover, the tailings are steep and rugged and are not readily accessible. Additionally, as stated previously, the site was removed from DTSC's 1994 Imminent and Substantial Endangerment Order because no soil contamination was found to exist within that area. No other sites with known or suspected soil contamination are located within 1,000 feet of the proposed mining area.

2.6 VEGETATION

A wetland delineation of Rio del Oro, including the Grantline West site, was first conducted by Gibson and Skordal in 1999 and revised by ECORP Consulting, Inc. on October 21, 2004. A rare plant survey was conducted on the Rio del Oro site in May 2003. A Biological Assessment was prepared for the Grantline West site in December 2004 (Appendix A).

2.6.1 Description of Affected Area

The Grantline West project site consists of cottonwood riparian woodland, oak woodland, and annual grassland habitat. Linear rock tailing rows, some reaching 60 feet in height, comprise over the majority the site. Historically, the site was used for gold mining operations. The mining activities consisted of dredging ancient alluvial deposits. The areas that were mined are marked today by alternating piles of cobbly tailings and lower areas where the finer sediment settled out.

Cottonwood riparian habitat occurs within depressions between rows of man-made rock tailings. These characteristic dredge tailings areas are characterized by riparian and shrub-like vegetation, including Fremont cottonwood (*Populus fremontii*), willow (*Salix* sp.), elderberry (*Sambucus mexicana*), and coyote brush (*Baccharis* sp.).

Separate from the tailings, a very small amount of annual grassland exists on the Grantline West site. Within the annual grassland are ephemeral features including vernal pools and seasonal wetlands. The annual grassland community is comprised predominantly of non-native naturalized Mediterranean grasses. These include ripgut brome (*Bromus diandrus*), soft brome (*Bromus hordeaceus*), wild oats (*Avena fatua*), ryegrass (*Lolium multiflorum*), Mediterranean barley (*Hordeum marinum*), and medusahead grass (*Taeniatherum caput-medusae*). Other non-native herbaceous species include hairy hawk-bit (*Leontodon taraxacoides*), filaree (*Erodium botrys*), pineapple weed (*Chamomilla suaveolens*), and yellow-star thistle (*Centaurea solstitialis*).

A list of plant species observed on the site (May 2003) is included in the Biological Assessment (Appendix A).

2.6.2 Special Status Plant Species

ECORP biologists conducted surveys in May 2003 during the optimum blooming period for each of the potentially occurring special-status species. No special-status plant species were located within the Grantline West project area.

An oak tree inventory survey performed on September 29, 2004 by Sierra Nevada Arborists revealed 19 oak trees onsite, all of which occur in dredged hollow areas, as opposed to tailings. A copy of this survey is attached as Appendix B. None of the oak trees will be harmed by the proposed project. Mining will only occur outside the driplines of these trees.

2.7 WILDLIFE

ECORP Consulting, Inc. prepared a Biological Assessment of the Grantline West project site in December 2004 (Appendix A).

2.7.1 Description of Habitats

Approximately 0.612 acre of wetlands (0.011 acre seasonal wetland swale, 0.125 acre seasonal wetland, and 0.476 acre vernal pool) exists within the Grantline West site. However, the project will avoid all of these wetland areas. All wetlands will be fenced prior to project initiation, and no mining will occur within 250 feet of the wetlands.

2.7.2 Special Status Wildlife Species

The seasonal wetlands and vernal pools on the project site represent habitat for the federally-threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the federally-endangered vernal pool tadpole shrimp (*Lepidurus packardii*). Gibson and Skordal conducted wet season surveys during 2000 and 2001 on portions of the project site. *B. lynchi* and *L. packardii* were found in surveyed wetlands in the open grassland habitat situated along the outer edge of the survey area and adjacent to but not within the dredger tailings habitat. The Corps, in consultation with the USFWS, is ultimately responsible in making the determination of potentially suitable habitat. All wetlands plus a 250 foot buffer will be fenced on the project site, and the 100-foot wide off-site conveyor belt alignment has been designed to avoid all vernal pools or seasonal wetlands, therefore no potential fairy shrimp or tadpole shrimp will be affected by the project.

Gibson and Skordal conducted elderberry surveys on the Rio del Oro project site during July and August of 2000. The elderberry plant (*Sambucus mexicana*) is the exclusive host plant of the federally-threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). There are 4 elderberry plants located within the Grantline West project site. All elderberries will be avoided by the proposed project. A 50-foot buffer will be fenced around the elderberries. The off-site conveyor belt will be aligned to avoid all elderberries and locations of elderberry plants will be verified in the field prior to installation of the conveyor belt so that no VELB habitat is affected by the project.

The potentially occurring special-status birds on-site include nesting raptors, nesting songbirds, and wintering or migrant birds. Tree nesting species that may nest on-site are white-tailed kite (*Elanus leucurus*, Fish and Game Code fully protected and USFWS bird of management concern), Cooper's hawk (*Accipiter cooperii*, CDFG species of special concern), and Swainson's hawk (*Buteo swainsoni*, California-threatened). The many

Fremont cottonwood (*Populus fremontii*) on the site represent potential nesting habitat for these species. Special-status songbirds that may occur within the project site include loggerhead shrike (*Lanius ludovicianus*, CDFG species of special concern and USFWS bird of management concern). One other special-status birds that may winter on-site is merlin (*Falco columbarius*, CDFG-species of special concern). A nesting raptor survey of the project site and the proposed off-site conveyor belt alignment should be conducted prior to mining.

2.8 AIR RESOURCES/CLIMATOLOGY

The updated project will not increase any air quality impacts beyond existing impacts created by the project today. The use of a conveyor belt system to transport the mined materials to the processing plant substantially reduces the PM-10 emissions that would be associated with dump truck transportation.

2.9 LAND USES AND AESTHETICS

2.9.1 Existing and Surrounding Land Uses

The proposed mining site is distant from any non-industrial uses. The project site is surrounded by industrial uses to the west, vacant land owned by Aerojet to the north and east, and vacant land known as the Sunridge Specific Plan Area to the south. The nearest designated residential area is located approximately 2,600 feet south of the proposed site.

2.9.2 Visual Impact to These Areas

Because mining will occur in a relatively remote area, visual impacts of the operation will be minor. Additionally, natural re-vegetation will occur as mining of each phase is completed, thereby resulting in a low level of visual change to the landscape.

3.0 DESCRIPTION OF PROPOSED MINING OPERATION

The type and extent of mining will affect reclamation planning. The following sections describe the mining operations and identify the aspects of the operation that are pertinent to the design of an effective reclamation plan.

3.1 DIMENSIONS, ACREAGE

The 1,100-acre site is owned by Elliott Homes, Inc. Only 355 acres of the proposed mining area, consisting of dredge tailings, will be disturbed. The applicant proposes to mine these tailings to an elevation of 130 to 160 feet.

3.2 INITIATION AND TERMINATION DATES

Mining will commence immediately following approval of the project and will continue for up to 12 years from the approval date.

3.3 PRODUCTION SCHEDULE

Production rates will vary as a function of market demand. However, the estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined.

3.4 MINING PLAN, PHASING

Mining will occur in two separate phases, with phase one consisting of 252 acres and phase 2 consisting of 403 acres. Sequential activities in each phase include:

- Removal of aggregate material by means of front-end loader, bulldozer, excavator and/or scraper;
- Transport of material to a processing plant using a conveyor system; and
- Reclamation concurrent with mining. As the mining progresses across a phase, material will be removed to finished grade. Minor finished grading will be performed with either scrapers or bulldozers.

It is estimated that each phase will take approximately 6 years to mine, although it is difficult to estimate the term of mining for each individual phase due to market fluctuations. Please see Exhibit C, Mining and Reclamation Plan, which depicts the progression of mining during the 2 phases.

3.5 PROCESSING

All processing of mined material will occur at the nearby Teichert Grantline Plant. A portable, non-mechanical screen may be moved onto the site to separate mined materials.

3.6 WATER REQUIREMENTS

Water requirements for this site will be limited to that necessary for dust control of the material itself and the unpaved access/haul roads. The estimated use is 10,000 to 20,000 gallons per day. Water from East Well No. 1 will supply the water truck for this purpose. Water will be transported to the site via a pipeline which will travel along the same route as the conveyor belt, and will be extracted via an existing pump at the Grantline Plant.

3.6.1 Waste Water

No waste water will be produced or disposed of as part of this mining operation at the mining site.

3.6.2 Drinking Water

Potable water will be brought to the site to provide safe drinking water for employees.

3.6.3 Sewage Disposal

No sewage disposal systems are existing or proposed within 300 feet of the project site. During operations, portable toilets will be brought to the site and maintained on a regular schedule.

3.7 ENERGY REQUIREMENTS

Energy requirements for the proposed mining operation are limited to that needed to extract and transport mined materials.

The vehicles used to mine aggregate material use petroleum fuels and lubricants. Fuel used for extraction activities may be stored on the mine site. There is no fuel use associated with the proposed reclamation activities. Additionally, power will be needed to run the conveyor belt system in order to transport material from the mining site to the processing plant. This conveyor belt will be powered by electricity. Electricity will not be required for reclamation activities.

3.8 NOISE AND EMISSIONS

Mining operations will include the use of a bulldozer, a front-end loader or excavator, a scraper, a water truck, a conveyor belt, and occasionally a portable, non-mechanical screen. These mining operations may affect noise and emissions.

3.8.1 Noise

Noise is generally defined as “unwanted sound.” Mineral resource extraction, hauling, screening, loading and other site activities will create noise. Bollard & Brennan, Acoustical and Noise Consultants, have been retained by the applicant to conduct noise studies and prepare a technical noise report for the proposed project. When complete, this report will be submitted to the City under separate cover.

As mentioned previously, the nearest proposed off-site residences are located approximately 2,600 feet south of the project site. The nearest off-site active non-residential structures are industrial facilities, located within approximately 100 feet of the project boundary. This area is zoned M-2. Additionally, substantial sources of ambient noise exist in the vicinity of the project site, including frequent jet landings at Mather Airport and vehicular traffic along White Rock Road, Sunrise Boulevard and Douglas Road.

3.8.2 Dust, Odors, Vehicular Emissions

Minimal soil disturbance is expected to occur as a result of mining operations because no topsoil removal is required to access the dredge tailings. However, water trucks will be used to maintain a moist aggregate and haul road surface, thereby minimizing fugitive

dust. In addition, the revegetation which will occur as part of reclamation activities will help to control dust.

Exhibit D is a copy of the Air Pollution Control Plan prepared for the proposed operation, which will be submitted to the Sacramento Metropolitan Air Quality Management District.

3.9 HOURS OF OPERATION/NUMBER OF EMPLOYEES

The City Zoning Code limits the hours for all mining operations unless modified by the conditions of approval or a subsequent entitlement granted by the Zoning Administrator. The hours allowed by Code are 6:00 a.m. to 10:00 p.m., Monday through Friday, and 6:00 a.m. until 3:00 p.m. on Saturdays. The applicant requests permission to operate on a 24 hours per day, 7 days per week basis, if required. This request is based on the fact that the processing plant operates during these hours on various occasions in order to meet market demand. The applicant believes this request is reasonable given the remoteness of the site and the fact that the proposed mining operation is distant from any residential use.

The maximum number of employees working on-site at any one time is anticipated to be six (6). There will be no customers at the site. Therefore, a parking plan is not needed for this operation.

3.10 TRANSPORTATION

Traffic attributable to the project is not expected to be significant. As mentioned above, a conveyor system will be used to transport the aggregate material to the processing plant. No impacts to the nearby roadways/levels of service have been identified. Transportation during concurrent reclamation activities will not add appreciably to the mining effects.

4.0 DESCRIPTION OF PROPOSED RECLAMATION

This reclamation plan outlines typical reclamation activities and site-specific techniques required before mining, during mining, and at final site reclamation. These measures were developed to:

- Comply with local and State laws, regulations, and mitigation measures;
- Minimize wind and water erosion;
- Blend the mined-lands into the surrounding landscape; and
- Return the site to a beneficial end use.

Reclamation objectives include controlling drainage, stabilizing soils, lessening the time needed for the vegetation of the site to recover, and providing an environment conducive to natural reestablishment of vegetation. Appendix C is the Revegetation and Grazing Management Plan for the project.

4.1 SUBSEQUENT USES

After the proposed mining is complete, the land will be undeveloped open space and will be used for seasonal grazing, similar to the grazing which currently occurs on the property and adjacent properties. Ultimately, the site may also be used for urban/industrial development in the future. The removal of cobbles from the site make it more viable for ultimate urban development.

4.2 IMPACT ON FUTURE MINING

The proposed reclamation plan calls for returning the land to its existing use of grazing. The reclamation will not detrimentally affect the feasibility of future mining in the area. Only the tailings within the proposed area will be mined.

4.3 RECLAMATION SCHEDULE

Reclamation of the site will occur concurrently with mining operations, i.e., after each of the 2 mining phases is complete. Each phase will be mined and graded to its finished elevation prior to the commencement of mining in the next phase. Please refer to Exhibit C, Mining and Reclamation Plan, for a description of each phase of the operation.

4.4 POST-MINING TOPOGRAPHY

4.4.1 Slope Stability

The proposed mining will return the subject property to a condition more like its natural state, by removing most of the man-made dredge tailing mounds. The undisturbed boundaries of the dredged area indicate that the natural terrain once sloped from elevations of 140 to 170 feet along the north and east edges of the site to elevations of 140 to 170 feet along the south and west edges of the site. Thus, the natural terrain consisted of relatively flat grounds with slopes of approximately 1-2%. The revised plan provides for the continued preservation of sensitive habitat areas by mining away from those areas at a constant slope.

4.4.2 Drainage

As discussed above, the site's natural drainage patterns were heavily modified by previous gold dredging operations. No interim drainage swales or ponds are necessary because the site consists of coarse dredge tailings and water infiltration is high. While the final grade of the mined area will be lower than adjacent ground, it will not create a drainage issue for the following reasons: 1) the area being mined has high water infiltration because it consists of previously disturbed dredge tailing and fines; and, 2) there is no through drainage in the area of the site where mining is taking place. Furthermore, it should be noted that the original mining and reclamation plan also provided for drainage through infiltration as well.

4.4.3 Deposition of Old Equipment

Only mobile equipment will be used in this mining operation. All equipment will be removed from the site upon completion of mining.

4.5 RESOILING

No overburden exists in the tailing areas to be mined. However, pursuant to the Revegetation and Grazing Management Plan attached as Appendix C, soils will be placed to provide a minimum of 6 inches of soil as necessary.

4.6 REVEGETATION

A Revegetation and Grazing Management Plan is attached as Appendix C. This plan describes setbacks and buffers, soil and site preparation, revegetation, erosion control and management, noxious weed management, test plots and reclamation monitoring and performance standards.

4.7 EROSION AND SEDIMENT CONTROL

No overburden exists in the tailing areas to be mined. Additionally, no stockpiles are proposed on-site as part of this operation; rather, all excavated material will be immediately transported to the processing plant. Erosion control management is described in the attached Revegetation and Grazing Management Plan, Appendix C.

4.8 PUBLIC SAFETY

The proposed mining site is relatively distant from non-industrial uses. As stated previously, the nearest planned residential development is located approximately 2,800 feet south of the proposed site. As such, public health and safety is not likely to be impacted.

Reclamation of this site will involve the creation of open space/grazing areas by leaving the previously mined site "as is." As such, no hazardous materials will be utilized in this process. Additionally, although TCE, a contaminant, has been found in groundwater beneath the proposed mining site, this contamination is far beneath the surface (over 100 feet) and is therefore distant from the deepest extent of proposed mining. Accordingly, any contamination in the groundwater has no relationship to proposed mining activities and vice versa.

4.9 PERFORMANCE STANDARDS

SMARA Section 2773(a) requires that the reclamation plan establish "site-specific criteria for evaluating compliance with the approved reclamation plan, including topography, revegetation, and sediment and erosion control." The following discussion sets forth minimum site criteria, or performance standards, for the various aspects of site reclamation. Monitoring of reclamation performance standards will be conducted by a qualified individual or group, agreed upon by the applicant and the City. The attached Revegetation and Grazing Management Plan describes specific reclamation monitoring and performance standards for this plan. In addition, the City of Rancho Cordova, pursuant to City Code Section 20.040.070 (d) provides the following standards:

(d) Unless otherwise specified in the approved reclamation plan, the reclamation of mined lands shall be carried out in accordance with the following requirements:

1. Reclamation Timing.

a. The reclamation of mined lands shall occur as soon as practical following completion of mining operations at successive locations within the mining site as required by the schedule in the approved reclamation plan.

b. The reclamation of lands affected by surface mining operations shall be completed within one year of the completion of mining operations, except where the permanent reclaimed condition of mined lands cannot be achieved within one year due to the regulatory approvals (e.g., compliance with the California Environmental Quality Act) required for the ultimate land use contemplated or proposed for the property (e.g., urban development) In such case only interim reclamation, pursuant to section 20.040.070(c), need be accomplished within one year, and final reclamation shall be completed as soon as it is possible to complete the reclamation in compliance with the above regulatory approvals, but in no case, shall reclamation take more than three years.

2. Disposal of Overburden and Mining Waste.

a. Permanent piles or dumps of overburden and waste rock placed on the land shall be made stable, shall not restrict natural drainage without provision for diversion, and shall have an overall smooth or even profile subject to the satisfaction of the City Engineer. Where practical, such permanent piles or dumps shall be located in the least visible location at the mining site.

b. Old equipment and inert mining wastes shall be removed or buried subject to the approval of the hearing officer.

c. Toxic materials shall be removed from the site or permanently protected to prevent leaching into the underlying groundwater, to the satisfaction of the Planning Department.

d. Overburden and mining waste placed beneath the existing or potential groundwater level which will reduce the transmissivity or area through which water may flow shall be confined to an area approved by the City Engineer.

3. Re-vegetation.

a. All permanently exposed lands that have been denuded by mining operations shall be re-vegetated to provide ground cover sufficient to control erosion from such lands.

b. All plantings shall be established and maintained in good horticultural condition. The re-vegetation shall be able to survive under natural conditions, with native species used whenever possible.

c. Re-vegetation methods shall take into account the topography and existing growth patterns and mixes of flora present at and adjacent to the site of mining operations in order to create a more natural appearance. Plantings shall avoid rigid, geometric patterns and shall utilize natural scatterings.

d. Where the ultimate intended or proposed use of mined lands would be a level of development inconsistent with extensive permanent vegetation, the amount of vegetation required for reclamation need not be more than is sufficient to prevent erosion.

4. Re-soiling.

a. Re-soiling measures shall take into consideration the quality of soils which may be required to sustain plant life pursuant to any re-vegetation that the hearing officer may require in its approval of the applicant's reclamation plan.

b. Coarse, hard material shall be graded and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Where quantities of available soils are inadequate to provide cover, native materials shall be upgraded to the extent feasible for this purpose.

5. Final Slopes.

a. Final slopes shall be engineered and contoured so as to be geologically stable, to control the drainage therefrom, and to blend with the surrounding topography where practical. On the advice of the City Engineer, the Planning Department may require the establishment of terrace drains to control drainage and erosion.

b. Final slopes shall not be steeper than two feet horizontal to one foot vertical (2:1) unless the applicant can demonstrate to the Planning Department's satisfaction that a steeper slope will not:

(1) Reduce the effectiveness of re-vegetation and erosion control measures where they are necessary; and

(2) Be incompatible with the alternate future uses approved by the commission for the site; and

(3) Be hazardous to persons that may utilize the site under the alternate future uses approved for the site.

6. Drainage, Erosion and Sediment Control.

a. Any temporary stream or watershed diversion shall be restored to its state prior to any surface mining activities unless the Planning Department deems otherwise based on recommendations from the City Engineer.

b. Stream bed channels and stream banks affected by surface mining shall be rehabilitated to a condition which would minimize erosion and sedimentation, except that such rehabilitation need not attempt to restore or mimic natural conditions where the contemplated or proposed ultimate use of the reclaimed property would be inconsistent with the maintenance of restored or rehabilitated stream bed channels and stream banks.

c. Re-vegetation and re-grading techniques shall be designed and executed so as to minimize erosion and sedimentation. Drainage shall be provided to natural outlets or interior basins designed for water storage, with such basins subject to the approval of the City Engineer. In addition, final excavation shall eliminate potholes and similar catchments so as to prevent potential breeding areas for mosquitoes.

d. The final grading and drainage of the site shall be designed in a manner to prevent discharge of sediment above natural levels existent prior to mining operations.

e. Silt basins which will store water during periods of surface runoff shall be equipped with sediment control and removal facilities and protected spillways designed to minimize erosion when such basins have outlet to lower ground.

f. No condition shall remain after reclamation which will or could lead to degradation of groundwater quality below applicable standards to the Regional Water Quality Control Board or any other agency with jurisdiction over water quality.

7. Backfilling and Grading.

a. Subject to the approval of the City Engineer, backfilled and graded areas shall be compacted to avoid excessive settlement and to the degree necessary to accommodate anticipated future uses.

b. Materials used in the refilling shall be of a quality suitable to prevent contamination and/or pollution of groundwater. If materials for backfilling and grading are obtained from an area other than the site of surface mining operations, such materials shall be included and the approximate quantities identified in the applicant's reclamation plan.

8. Reservoirs, ponds, lakes or any body of water created as a feature of the reclamation plan shall be approved by the City Engineer and the Planning Department.

4.10 MAINTENANCE, MONITORING AND REMEDIAL MEASURES

Pursuant to CCR Section 2773(a), the success of reclamation will be monitored for three years, or until performance standards are met, provided that, during the last two years, there has been no human intervention, including, for example, irrigation, fertilization, or weeding. Remedial measures will be implemented as necessary to achieve the performance standards.

4.11 REPORTING

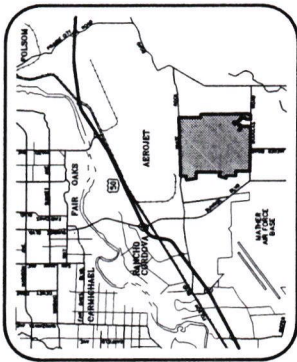
Once the reclamation activities for a phase have been completed, monitoring activities will commence and will continue until the City is satisfied that performance standards have been met. Reporting of the progress of reclamation will be relayed to the City on an annual basis.

5.0 COST OF RECLAMATION

A reclamation cost estimate is provided in Appendix D.

6.0 APPLICANT STATEMENT OF RESPONSIBILITY

An Applicant Statement of Responsibility is provided as Appendix E.



VICINITY MAP
NOT TO SCALE

TSAKOPOULOS-BACHMANN
PROPERTY

TEICHERT
GRANTLINE
PROCESSING PLANT

AEROJET/
RIO DEL ORO
VACANT

SECURITY PARK
INDUSTRIAL AREA

SUNRIDGE SPECIFIC PLAN AREA

GRANTLINE WEST MINING SITE

SITE LOCATION MAP EXHIBIT 'A'

DECEMBER 10, 2004



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MINING
AREA

SUBJECT PARCEL
ELLIOTT HOMES
072-0370-071
1,100± AC.

SUNRISE BLVD.

DOUGLAS ROAD

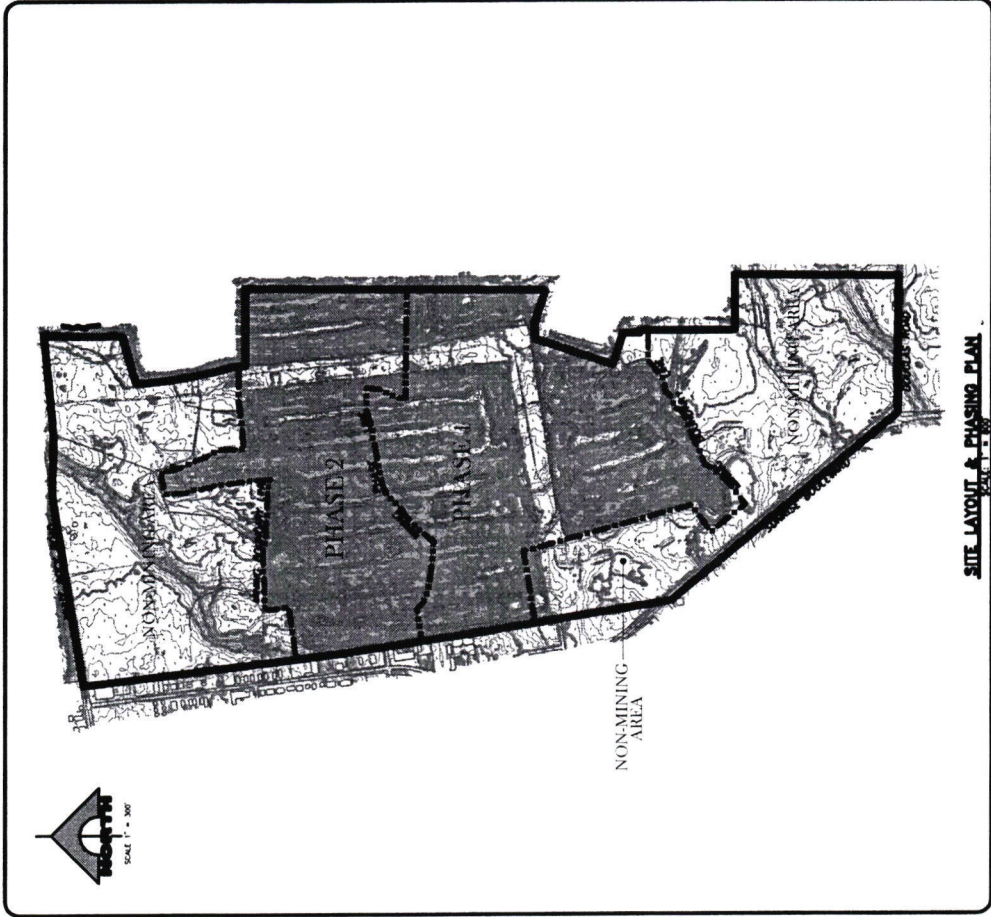
WHITE ROCK ROAD

:\\224-030\\dwg\\planning\\Exh\\N-EXHBIT B MAP.dwg, Jleford, 12:43:39, 12-10-04



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 2150 RIVER PLAZA DR., SUITE 100/SACRAMENTO, CALIFORNIA 95833
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TEICHERT AGGREGATES
 EXHIBIT C
 MINING AND RECLAMATION PLANS FOR
 GRANTLINE WEST
 CITY OF RANCHO CORDOVA, CA.



SITE LAYOUT & PHASING PLAN

PAGE	SHEET	FILE
1	C1	SITE LAYOUT AND PHASING PLAN
2	C2	MINING PLAN
3	C3	MINING PLAN
4	C4	MINING PLAN
5	C5	MINING CROSS SECTIONS
6	C6	MINING CROSS SECTIONS
7	C7	MINING CROSS SECTIONS
8	C8	MINING CROSS SECTIONS
9	C9	RECLAMATION PLAN
10	C10	RECLAMATION PLAN
11	C11	RECLAMATION PLAN
12	C12	OFF SITE CONNECTOR ALIGNMENT
13	C13	OFF SITE CONNECTOR ALIGNMENT



GRANTLINE WEST MINING PLAN



DECEMBER 10, 2004

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Engineers/Planners/Surveyors
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(916) 441-1000

TEICHERT AGGREGATES GRANTLINE WESTMINING PLAN CITY OF RANCHO CORDOVA, CA

SHEET 2

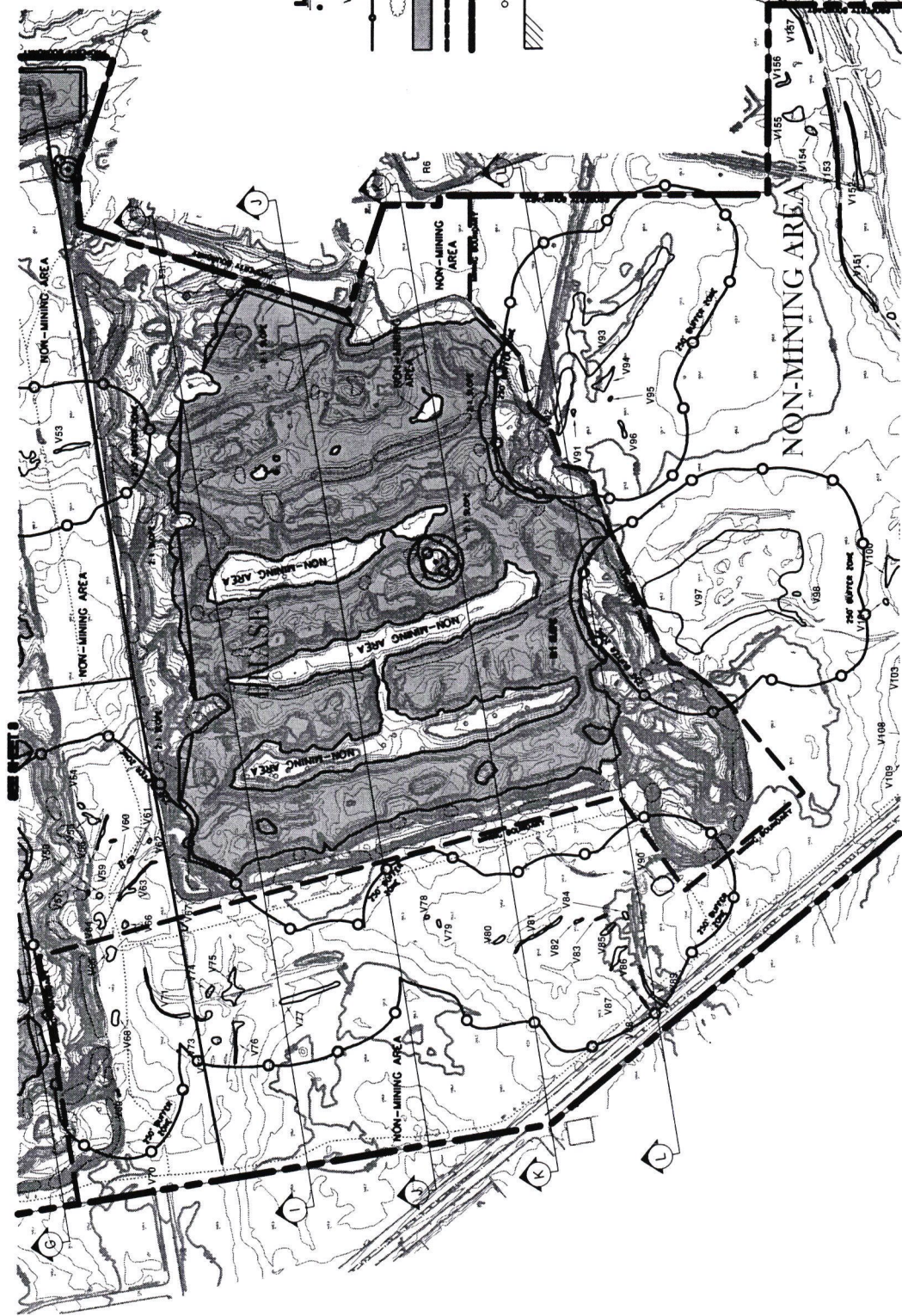


DECEMBER 10, 2004

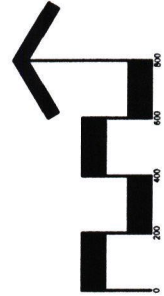
G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
200 WEST PASEO DE LOS ANGELES, SUITE 100
LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 200-7000 FAX (213) 200-7001

SHEET 3 OF 13

TEICHERT AGGREGATES
GRANTLINE WEST
MINING PLAN
 CITY OF RANCHO CORDOVA, CA

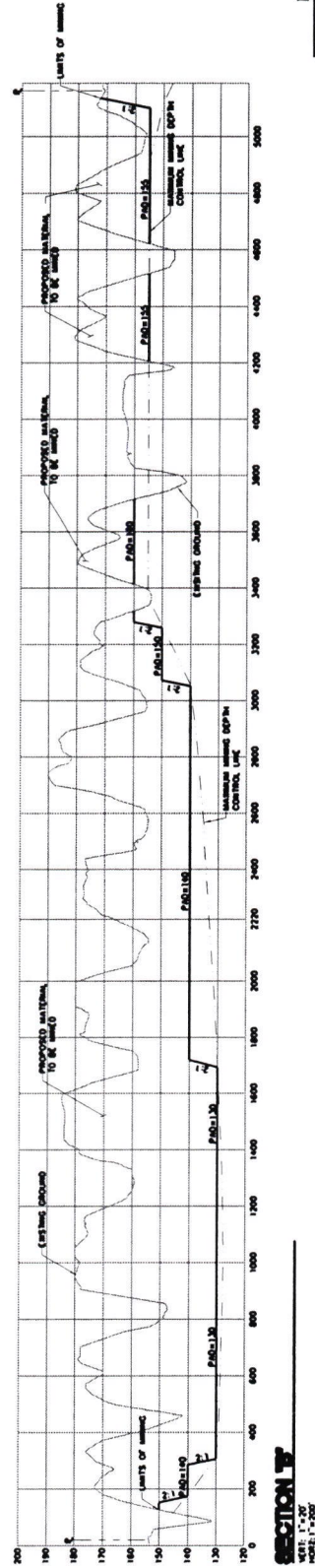
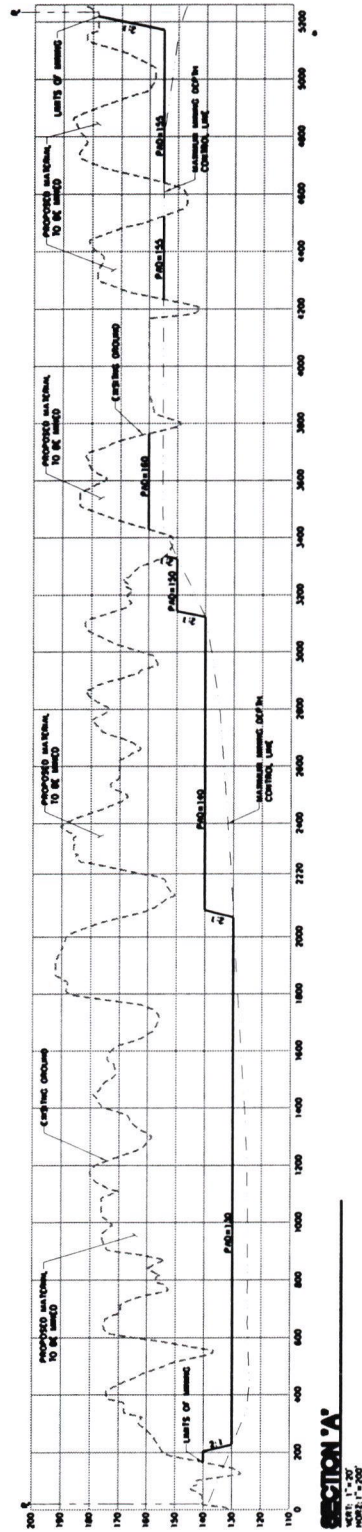


- LEGEND**
- V27
 - 250' FENCED BUFFER ZONE AROUND MINING AREA
 - 50' FENCED BUFFER ZONE AROUND MINING AREA
 - MINING AREA TO BE MINED
 - MINING BOUNDARY
 - MINING FENCE LINE
 - ON-TRACT LOCATION AND ADJACENT TAD NUMBER
 - 774



DECEMBER 10, 2004
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 Engineers/Planners/Surveyors
 210 West Plaza Dr., Suite 100, Cordova, California 95333
 TELEPHONE: (916) 384-7800 FAX: (916) 384-7801

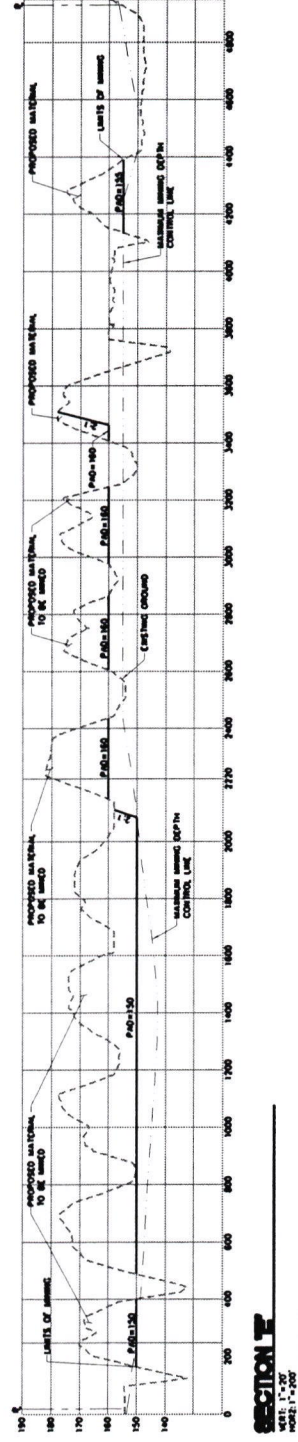
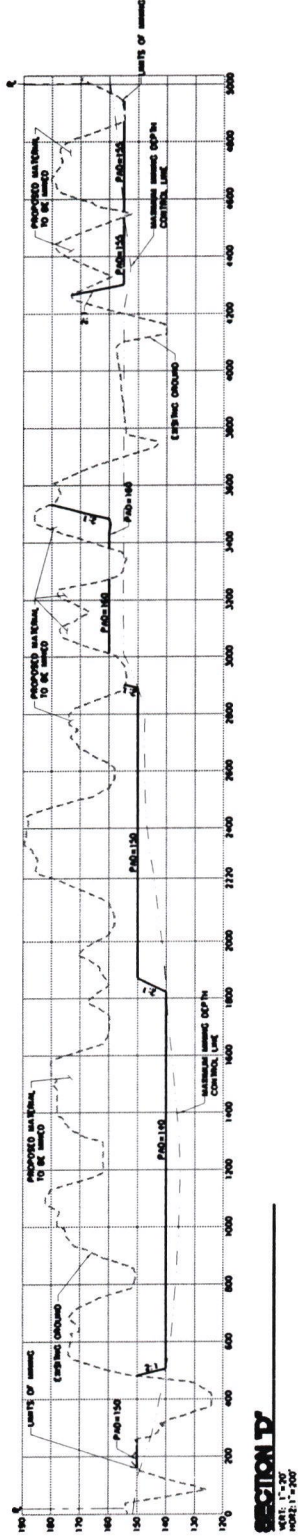
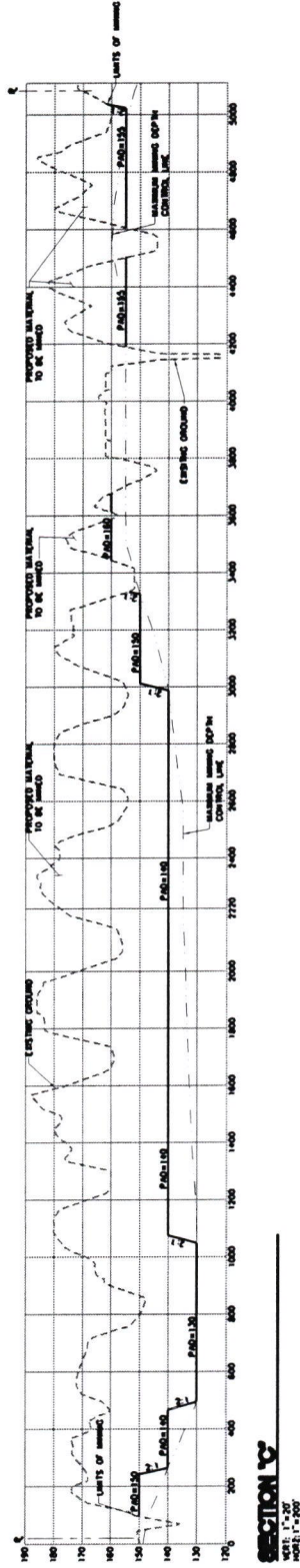
TEICHERT AGGREGATES
GRANTLINE WEST
MINING PLAN
 CITY OF RANCHO CORDOVA, CA





GRANTLINE WEST MINING PLAN

CITY OF RANCHO CORDOVA, CA



LEGEND

- MINING P&B
- MAXIMUM MINING DEPTH
- EXISTING GROUND

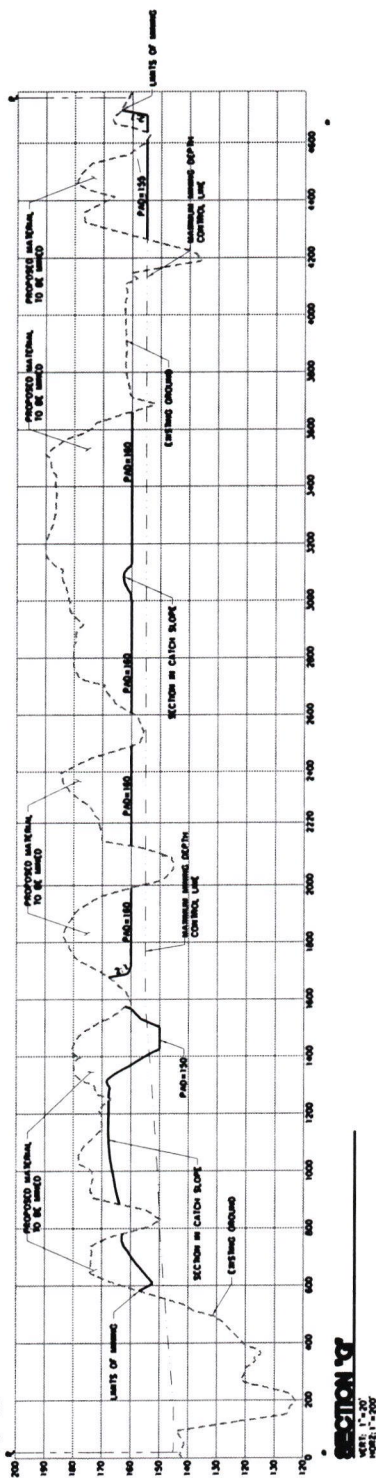
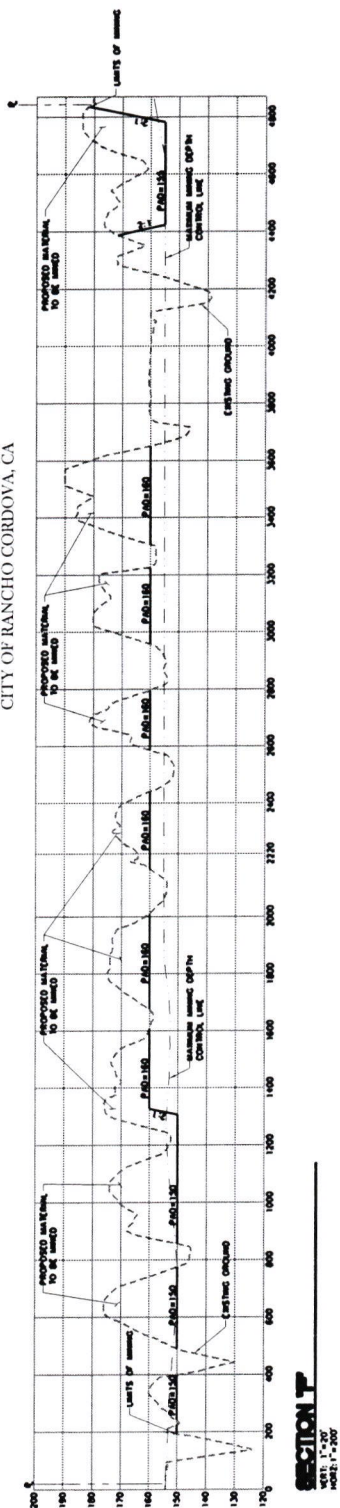
DECEMBER 10, 2004

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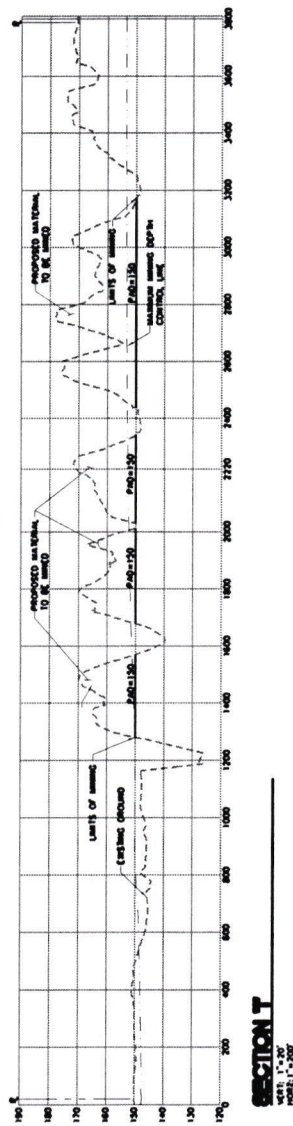


GRANTLINE WEST MINING PLAN

CITY OF RANCHO CORDOVA, CA



NOTE- SECTION NOT USED



SECTION 1

SCALE: 1" = 20'
SCALE: 1" = 200'

LEGEND

[illegible]

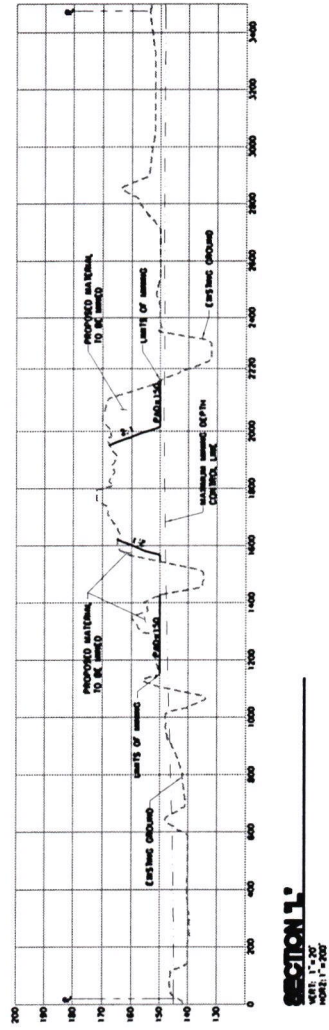
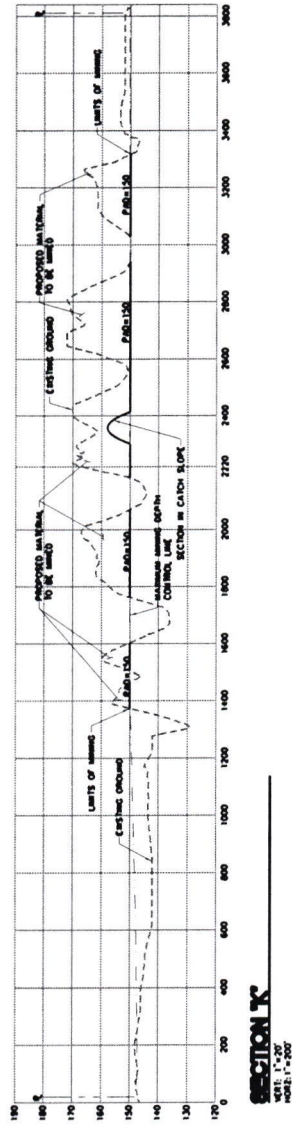
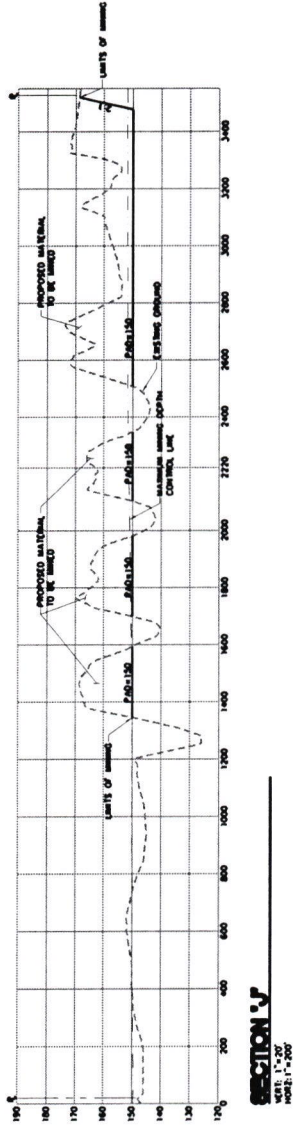
DECEMBER 10, 2004

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TEICHERT AGGREGATES

GRANTLINE WEST MINING PLAN

CITY OF RANCHO CORDOVA, CA



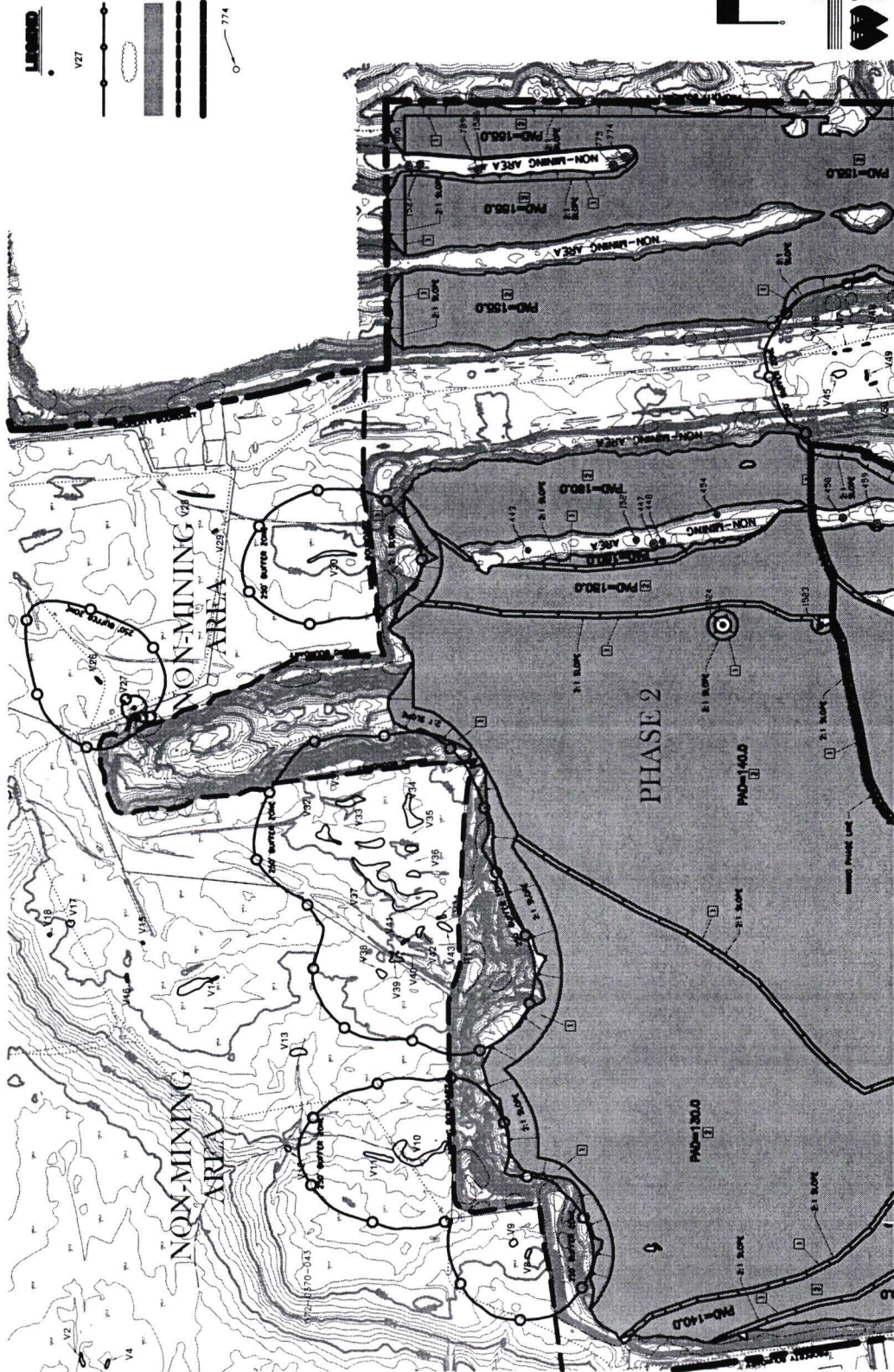
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—	PROPOSED MATERIAL TO BE MINED
- - -	EXISTING GROUND
...	LIMITS OF MINING



GRANTLINE WEST RECLAMATION PLAN

CITY OF RANCHO CORDOVA, CA



DECEMBER 10, 2004

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SEE SHEET 10

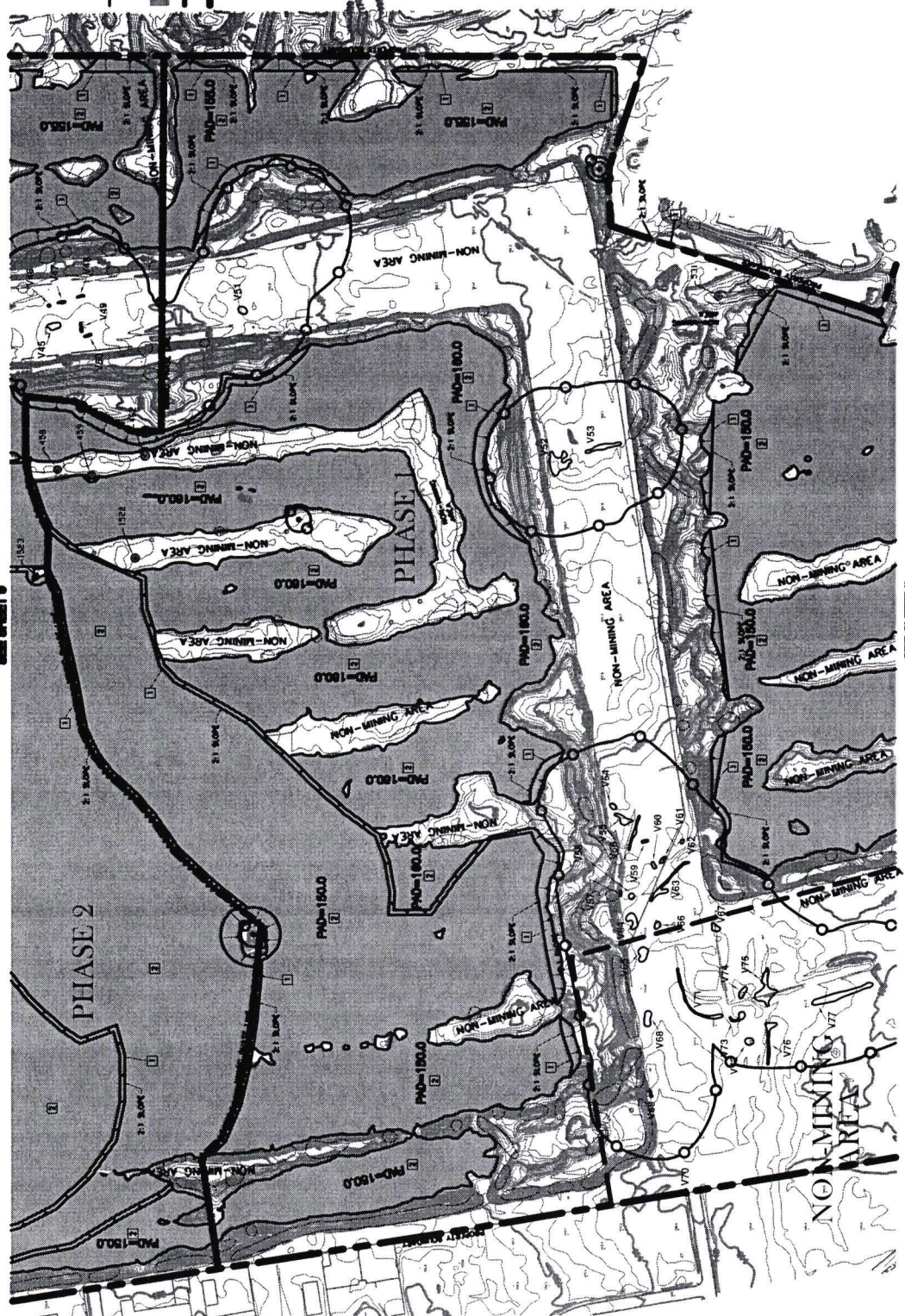
SHEET 9 OF 13



GRANTLINE WEST RECLAMATION PLAN

CITY OF RANCHO CORDOVA, CA

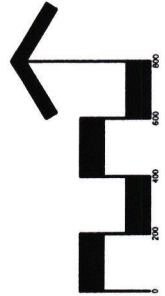
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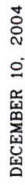
- EXISTING BURN W/ 30' FENCED BUFFER
- EXISTING POOL
- 200' FENCED BUFFER ZONE AROUND NEIGHBORS AREA
- WATER LOCATION
- TOPICAL AREA
- MINING BOUNDARY
- MINING PHASE LINE
- ONE INCH LOCATION AND ADJACENT TWO HUNDRED
- 774

- ## NOTES
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DECEMBER 10, 2004

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Engineers/Planners/Surveyors
10000 PULVER STREET, SUITE 100, RANCHO CORDOVA, CA 95631
TEL: 916/861-1111 FAX: 916/861-1112

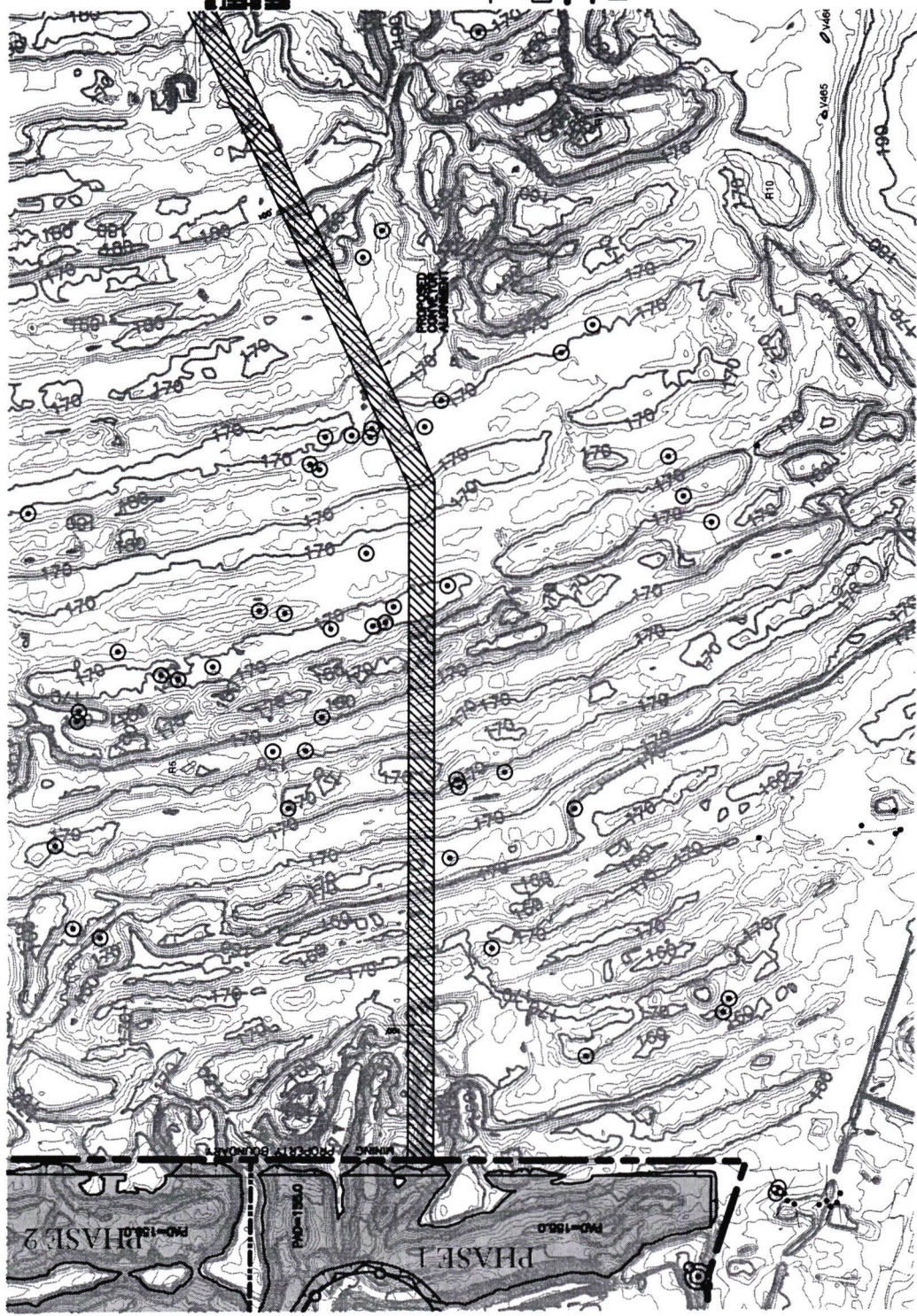


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Engineers/Planners/Surveyors
3150 RIVER PLAZA DR., SUITE 100, SACRAMENTO, CALIFORNIA 95833
TELEPHONE: (916) 284-7600 • FAX: (916) 284-7601

TEICHERT AGGREGATES

GRANTLINE WEST CONVEYOR ALIGNMENT PLAN

CITY OF RANCHO CORDOVA, CA



LEGEND

- 50' FENCED BUFFER
- 250' FENCED BUFFER ZONE AROUND RETAILERS AREA
- RETAIL LOCATION
- AREA TO BE MINED
- MINING / PROPERTY BOUNDARY
- MINING FENCE LINE
- PROPOSED CONVEYOR ALIGNMENT
- RETAILERS AREA

R27



DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
210 West Plaza Dr., Suite 100, Rancho Cordova, California 95633
TELEPHONE: (916) 286-7600 FAX: (916) 286-7601

EXHIBIT D
AIR POLLUTION CONTROL PLAN

GRANTLINE ROAD PROPERTIES, LLC
P.O. Box 15002
Sacramento, CA 95851-1002

December 10, 2004

David Grose
Sacramento Metropolitan Air Quality Management District
Stationary Source Division
777 12th Street, 3rd Floor
Sacramento, CA 95814

Re: Air Pollution Control Plan for Surface Mining, Grantline West Mine
Sacramento County APN 072-0370-071
Applicant/Operator: Grantline Road Properties, LLC

Dear Mr. Grose:

In accordance with section 235-48 of the Sacramento County Zoning Code, Grantline Road Properties, LLC hereby presents for your approval the Air Pollution Control Plan for surface mining of the above-described site. This document is submitted to your office as part of an application for a Conditional Use Permit and Reclamation Plan, which has been submitted to the City of Rancho Cordova. The proposed mining operation is approximately 583 acres in size, and is located south of White Rock Road, east of Sunrise Boulevard, and north of Douglas Road within the City of Rancho Cordova. Proposed work includes the removal and transportation of aggregate material to the existing Grantline plant for processing. No processing will occur on the mining site.

The following are the applicant's responses to items (a) through (c) of section 235-48:

- (a) and (b) The applicant will utilize a conveyor system to transport mined material to the processing plant; therefore haul routes will not be utilized in the ordinary course of business. If, however, such routes must be utilized for any reason, they will be watered periodically to control dust.
- (c) No public roads will be used to transport mined material to the Grantline processing plant.

In addition, the applicant will implement the following measures to ensure compliance with regional air quality goals and regulations:

1. No visible fugitive dust will leave the project site.

2. The conveyor system used to transport material from the mining site to the processing plant will be loaded properly to avoid spillage of materials.

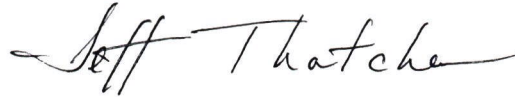
To assist in your review of this Plan, please find enclosed the following exhibits from the Reclamation Plan application for the proposed mining operation:

Exhibit A - Site Location and Vicinity Map

Exhibit C - Mining and Reclamation Plan, which includes the proposed route for the conveyor belt. This route is subject to change depending upon environmental constraints.

Thank you for your cooperation in the review of our Plan. Please feel free to contact me at 484-3317 if you have any questions or require further information.

Very truly yours,

A handwritten signature in cursive script that reads "Jeff Thatcher". The signature is written in dark ink and is positioned below the "Very truly yours," text.

Jeff Thatcher

FINANCIAL ASSURANCE COST ESTIMATE
FOR
THE GRANTLINE WEST MINING SITE

December 14, 2004

PREPARED FOR:

Teichert Aggregates
3500 American River Drive
Sacramento, CA 95864

PREPARED BY:

G.C. Wallace of California, Inc.
2150 River Plaza Drive, Ste. 100
Sacramento, CA 95833

I. PRIMARY RECLAMATION ACTIVITIES

Page 2 of 7

Description of Task:

Preparation of mine floor for revegetation.

Methods to be Used:

Deep rip mine floor.

Miscellaneous Information:

Acres: 329.6 (mine floor)

Production Rate: ~ 5 acres/day/dozer

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/hr	# of hrs	Cost (\$)
300 HP Dozer/Operator	1	186	552	102,672
Ripper	1	10	552	5,520

Total Equipment Cost for this Task \$ 108,192

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/hr	# of hrs	Cost (\$)
Laborer	1	28	276	7,728
Foreman/Pickup	1	64	552	35,328

Total Labor Cost for this Task \$ 43,056

C. Materials - List all materials required to complete identified task (include disposal costs).

Item	Quantity	\$/unit	Cost (\$)

Total Materials Cost for this Task \$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost = \$ 151,248

I. PRIMARY RECLAMATION ACTIVITIES

Page 3 of 7

Description of Task:

Preparation of mine floor for revegetation.

Methods to be Used:

Apply 6" of onsite* stockpiled topsoil over mine floor.

Miscellaneous Information:

Acres: 329.6 (mine floor)

Topsoil: 265,870 CY

Production Rate: ~ 1144 CY/day/shovel

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/hr	# of hrs	Cost (\$)
Power Shovel/Operator	1	158	1860	293,880
F.E. Attachment	1	9	1860	16,740
Dump Truck/Operator	1	92	930	85,560

Total Equipment Cost for this Task \$ 396,180

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/hr	# of hrs	Cost (\$)
Laborer	1	28	930	26,040
Foreman/Pickup	1	64	930	59,520
Oiler	1	30	1860	55,800

Total Labor Cost for this Task \$ 141,360

C. Materials - List all materials required to complete identified task (include disposal costs).

Item	Quantity	\$/unit	Cost (\$)
Top soil	265,870 CY	0*	0

Total Materials Cost for this Task \$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost = \$537,540

II. REVEGETATION

Page 4 of 7

Description of Task:

Apply grass seed mix with mulch and fertilizer to mine floor and side slopes.

Methods to be Used:

Hydroseeding.

Miscellaneous Information:

Acres: 355.2 (mine floor and side slopes)

Production Rate: ~ 2.5 Acres/day/hydromulcher

A. Equipment - List all equipment required to complete identified task.

Equipment	Quantity	\$/hr	# of hrs	Cost (\$)
Tractor truck/Operator	1	54	1137	61,398
Hydromulcher/Operator	1	60	1137	68,220

Total Equipment Cost for this Task \$ 129,618

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/hr	# of hrs	Cost (\$)
Laborer	1	28	284	7,952
Foreman/Pickup	1	64	284	18,176

Total Labor Cost for this Task \$ 26,128

C. Materials - List all materials required to complete identified task.

Item	Quantity	\$/unit	Cost (\$)
Grass seed mix	355.2 Acres	1525	541,680

Total Materials Cost for this Task \$ 541,680

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Materials Cost \$ 697,426

III. PLANT STRUCTURES AND EQUIPMENT REMOVAL

Page 5 of 7

Description of Task:

Section not applicable.

Methods to be Used:**A. Equipment** - List all equipment required to complete identified task.

Equipment	Quantity	\$/day	# of days	Cost (\$)

Total Equipment Cost for this Task \$ 0

B. Labor - List all labor categories to complete identified task.

Labor Category	Quantity	\$/day	# of days	Cost (\$)

Total Labor Cost for this Task \$0

C. Demolition - List all structures and equipment to be dismantled or demolished.

Structure/Equipment	Type of Material	Volume	Unit Cost Basis	Disposal Cost (\$)	Cost (\$)

Total Materials Cost for this Task \$ 0

D. Direct Cost for this Task

Equipment Cost + Labor Cost + Demolition Cost = \$ 0

1. Total cost to reclaim plant structures and equipment pursuant to the approved reclamation plan. \$ 0
2. Net salvage value of the plant structures and equipment.* \$ 0
3. Subtract Line 2 from Line 1 \$ 0
4. If Line 3 is greater than \$0, enter this amount on the total plant structures and equipment removal cost line under Section VIII (Summary of Costs). If Line 3 is less than \$0, enter \$0 on the appropriate line in Section VIII.

***NOTE** This is the value of plant structures, buildings and equipment on a salvage basis -- e.g. after the structures and equipment have been removed for sale or use off-site. In order to include net salvage value in the financial assurance calculation, the operator must provide a letter of agreement, signed contract, bid or quote from an independent company which provides industrial dismantling or equipment salvage services, or is in the business of buying and selling scrap metals or similar products.

IV. MISCELLANEOUS COSTS

Examples of this type of cost could include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide or overweight loads, etc.), decommissioning a process mill (i.e. decontamination of equipment), or disposal of warehouse inventories.

Item/Task	Quantity	\$/Unit	Cost (\$)

Total Miscellaneous Costs \$ 0

V. MONITORING

Monitoring Task	\$/Visit	# Visits/Year	# of Years	Cost (\$)
Grazing Monitoring	312.50	8	5	12,500

Total Monitoring Costs \$ 12,500

VI. SUMMARY OF COST

Page 7 of 7

Total of all Primary Reclamation Activities Costs	\$ 688,788
Total of all Revegetation Costs	\$ 697,426
Total of all Plant Structures & Equipment Removal Costs	\$ 0
Total of all Miscellaneous Costs	\$ 0
Total of all Monitoring Costs	\$ 12,500
Total of Direct Costs \$ 1,398,714	
Supervision (5.5%)	\$ 76,929
Profit/Overhead (0%)	\$ 0
Contingencies (10%)	\$ 139,871
Mobilization (2%)	\$ 27,974
Total of Indirect Costs \$ 244,774	
Total of Direct and Indirect Costs \$ 1,643,488	
Lead Agency Administrative Cost* \$ ----- (Determined by the Lead Agency)	

Total Estimated Cost of Reclamation \$ 1,643,488

***Note** The Financial Assurance Guidelines recommend that when reviewing and approving a financial assurance cost estimate, lead agencies should include their administrative cost to draw on the financial assurance and implement the reclamation plan, should it become necessary.

GRANTLINE WEST

Mitigated Negative Declaration



City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

May 2005

MITIGATED NEGATIVE DECLARATION
FOR
GRANTLINE WEST
CITY OF RANCHO CORDOVA, CALIFORNIA

Prepared by:

THE CITY OF RANCHO CORDOVA
3121 Gold Canal Drive
Rancho Cordova, CA 95670
Phone 916.942.0223
Fax 916.853.1680

MAY 2005

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1.1 INTRODUCTION AND REGULATORY GUIDANCE

This document is an Initial Study and Mitigated Negative Declaration (MND), for the proposed Grantline West Mining project. This MND has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 *et seq.*, and the CEQA Guidelines.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines, Section 15064, an environmental impact report (EIR) must be prepared if the initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A negative declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why a proposed project would not have a significant effect on the environment, and, therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The initial study identified potentially significant effects, but:*
 - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted into the proposed project in accordance with the CEQA Guidelines Section 15070(b), a mitigated negative declaration is prepared.

1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b) (1), "the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." Based on these criteria, the City of Rancho Cordova will serve as lead agency for the proposed Grantline West project.

1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Initial Study and draft Mitigated Negative Declaration is to evaluate the potential environmental impacts of the proposed Grantline West project.

1.0 INTRODUCTION

This document is divided into the following sections:

- **1.0 Introduction** - Provides an introduction and describes the purpose and organization of this document.
- **2.0 Project Description** - Provides a detailed description of the proposed project.
- **3.0 Environmental Setting, Impacts and Mitigation Measures** - Describes the environmental setting for each of the environmental subject areas, evaluates a range of impacts classified as "no impact," "less than significant," or "potentially significant unless mitigation incorporated" in response to the environmental checklist, and provides mitigation measures, where appropriate, to mitigate potentially significant impacts to a less than significant level.
- **4.0 Cumulative Impacts** - Includes a discussion of cumulative impacts of this project.
- **5.0 Determination** - Provides the environmental determination for the project.
- **6.0 Report Preparation and Consultations** - Identifies staff and consultants responsible for preparation of this document, persons and agencies consulted, and references.
- **7.0 References** - List of references used to prepare the MND.

1.4 ASSUMPTIONS

The City of Rancho Cordova has adopted Sacramento County's General Plan by reference. All references to the County General Plan, including standards, shall be interpreted as the City's General Plan.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Grantline West Mining project site is located within the City of Rancho Cordova, approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. **Figures 1 and 2** show the project location and vicinity in relation to the surrounding community.

2.2 BACKGROUND

The project site consists of a 583-acre proposed mining area situated within a 1,100-acre parcel owned by Elliot Homes, Inc. Approximately 355 acres of the total mining area will be disturbed as part of the mining operations. These tailings consist of cobbles intermixed with sand and gravel, and vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. After the mining is complete, the land will be undeveloped open space and will be used for seasonal grazing; similar to the grazing which currently occurs on the property and adjacent properties.

2.3 PROJECT CHARACTERISTICS

The proposed project includes the mining of approximately 583 acres of tailings, which were created by gold dredge mining operations approximately 60 to 100 years ago. The proposed operation will remove these mounds resulting in the site with elevations similar to the natural elevation of the site prior to the gold dredging operations. All material mined will be transported by conveyor to the existing Teichert Grantline processing plant. The proposed project estimates removal of approximately 7 to 12 million cubic yards from the project site, which equates to approximately 11 to 18 million tons of material. Because production rates will vary as a function of market demand, it is not possible to determine the exact life of proposed operations. However, it is estimated that mining of this resource could take up to 12 years from the date of approval.

The proposed mining site is located within the Aerojet Special Planning Area and is therefore zoned SPA. According to section 508-304(c) of the Zoning Code, as amended by Ordinance No. SZC 97-0040, the uses allowed within that zone are those permitted for any Permanent Agriculture Zone. In compliance with sections 201-02, 201-04 and 205-09 of the Zoning Code, the Applicant is requesting a rezone of the site to include Surface Mining (SM) overlay and approval of a Conditional Use Permit and its Mining and Reclamation Plan to allow surface mining operations on this site. **Figure 3** shows the proposed reclamation plan and **Figure 4** shows the entire project boundary, including the proposed conveyor alignment along with environmental constraints (See **Appendix A** for complete Reclamation Plan).

2.4 REQUIRED PROJECT APPROVALS

In addition to the approval of the proposed project by the City Council of the City of Rancho Cordova, the following agency approvals may be required (depending on the final project design):

- Caltrans
- California Department of Conservation
- Sacramento County Water Agency (SCWA) Zone 40
- Sacramento Metropolitan Air Quality Management District (SMAQMD)
- Central Valley Regional Water Quality Control Board (CVRWQB)
- Sacramento Resource Conservation District (SRCD)

2.0 PROJECT DESCRIPTION

- California Department of Fish and Game (CDFG)
- U.S. Army Corps of Engineers (USACE)
- U.S. Fish and Wildlife Service (USFWS)
- County Sanitation District (CSD-1)
- California State Department of Conservation Mining and Geology Board

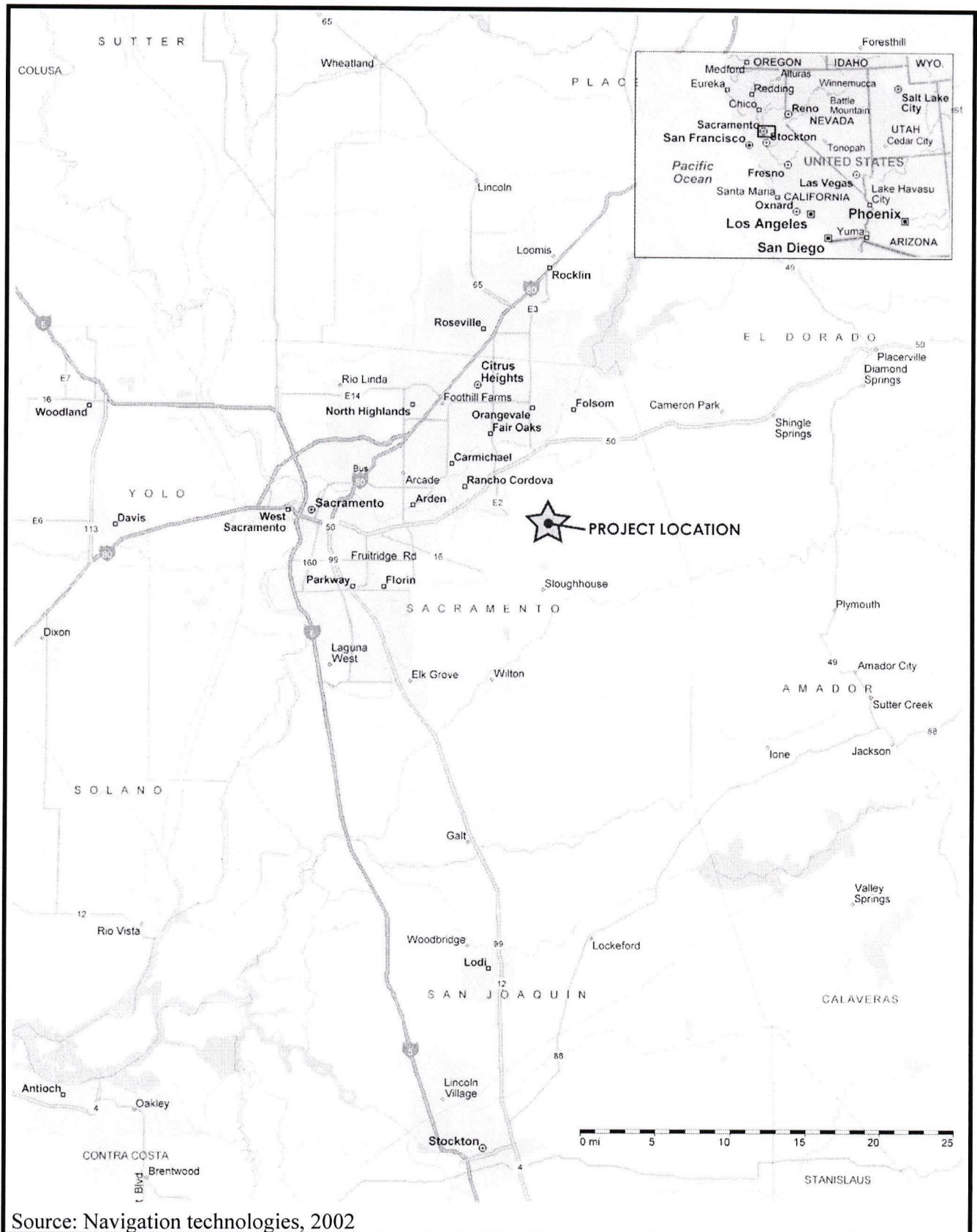


FIGURE 1
REGIONAL LOCATION MAP

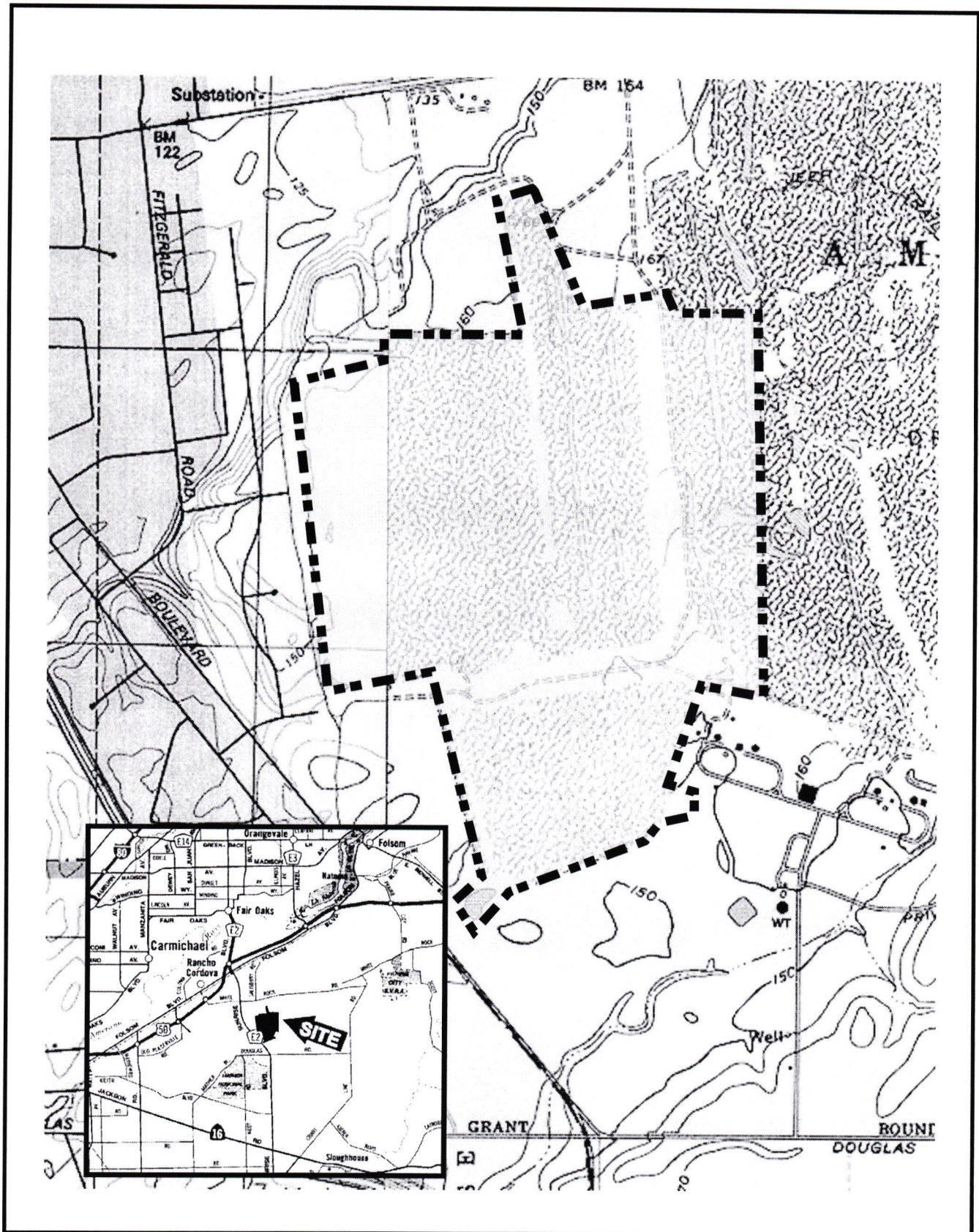
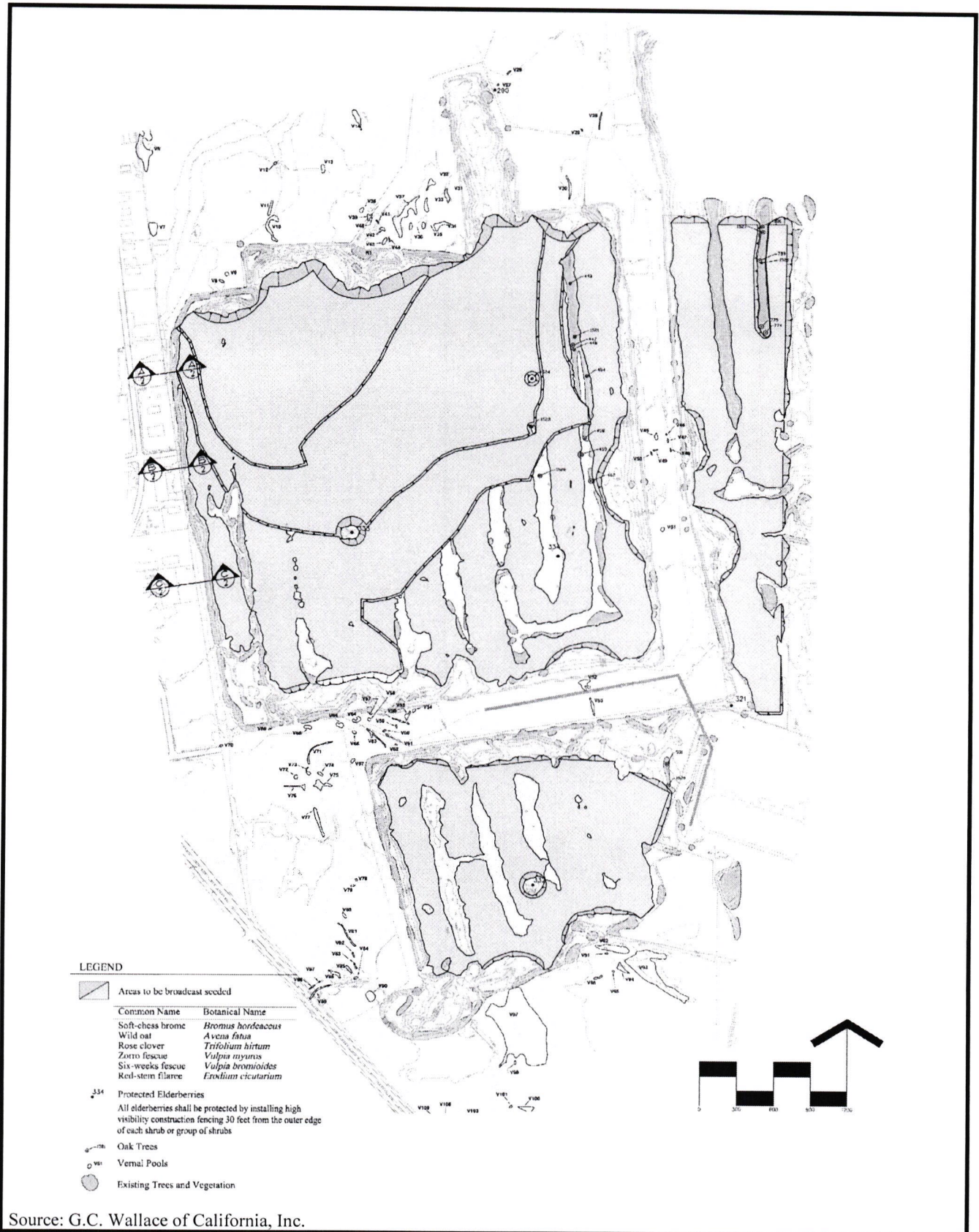


FIGURE 2
SITE & VICINITY MAP

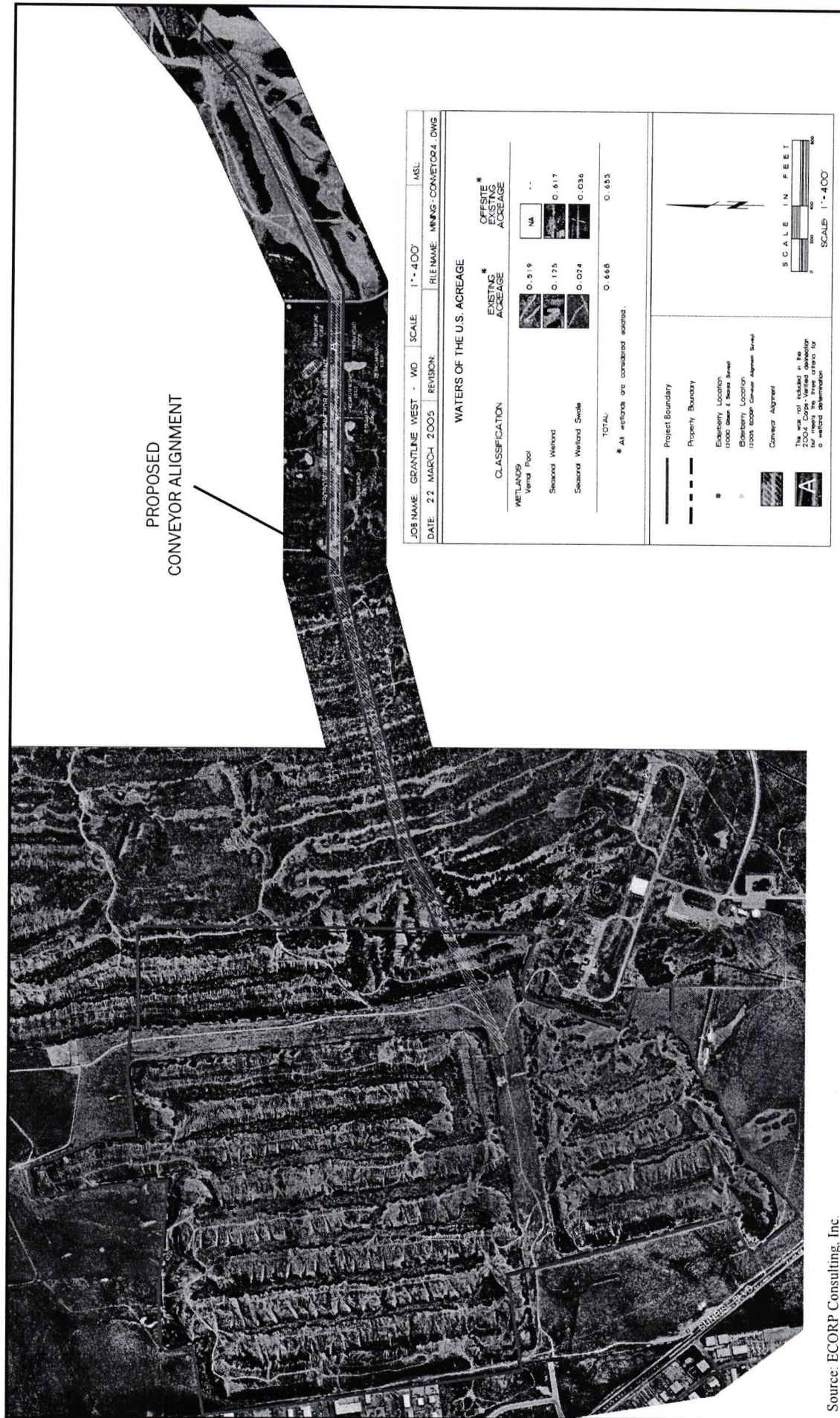




Source: G.C. Wallace of California, Inc.



FIGURE 3
PROPOSED RECLAMATION PLAN



Source: ECORP Consulting, Inc.



FIGURE 4
Proposed Project Site with Biological Constraints

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

3.1 INTRODUCTION

This section provides an evaluation of the potential environmental impacts of the proposed project, including the CEQA Mandatory Findings of Significance. There are 14 specific environmental issues evaluated in this chapter. Other CEQA considerations are evaluated in Chapter 4.0. The environmental issues evaluated in this chapter include:

- Land Use Planning, Population, and Housing
- Geophysical (Earth)
- Water
- Air Quality
- Transportation/Circulation
- Biological Resources
- Energy and Mineral Resources
- Hazards
- Noise
- Public Services
- Utilities and Services Systems
- Aesthetics
- Cultural Resources
- Recreation

For each issue area, one of four conclusions is made:

- **No Impact:** No project-related impact to the environment would occur with project development.
- **Less than Significant Impact:** The proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
- **Potentially Significant Unless Mitigation Incorporated:** The proposed project would result in an environmental impact or effect that is potentially significant, but the incorporation of mitigation measure(s) would reduce the project-related impact to a less than significant level.
- **Potentially Significant Impact:** The proposed project would result in an environmental impact or effect that is potentially significant. If there is one or more "Potentially Significant Impact" entries when the determination is made, and EIR is required.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

INITIAL ENVIRONMENTAL STUDY

1. **Project Title:** Grantline West
2. **Lead Agency Name and Address:** City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670
3. **Contact Person and Phone Number:** Hilary Anderson (916) 361-8384
4. **Project Location:** The project site consists of a 583-acre proposed mining area situated within a 1,100-acre parcel owned by Elliot Homes Inc. The site is located approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. Approximately 355 acres of the total mining area will be disturbed. See **Figures 1 and 2** located within Section 2.0 of this document.
5. **Project Sponsor's Name and Address:** Grantline Road Properties, LLC
P.O. Box 15002
Sacramento CA, 95851-1002
6. **General Plan Designation(s):** E-IND, I-IND (aggregate resource overlay).
7. **Zoning:** SPA (AG-80)
8. **Specific Plan:** The proposed project site is located approximately 1 mile north of the Sunridge Specific Plan Area, which was approved by the Sacramento County Board of Supervisors on September 18, 2002 (Resolution No. 2002-0901).
9. **APN Number:** 072-0370-071
10. **Description of the Project:** Mining of approximately 583 acres of tailings, which were created by gold dredge mining operations approximately 60 to 100 years ago. The proposed operation will remove these mounds resulting in the site with elevations similar to the natural elevation of the site prior to the gold dredging operations. All material mined will be transported by conveyor to the existing Grantline processing plant. The proposed project estimates removal of approximately 7 to 12 million cubic yards from the project site, which equates to approximately 11 to 18 million tons of material. Because production rates will vary as a function of market demand, it is not possible to determine the exact life of proposed operations. However, it is estimated that mining of this resource could take up to 12 years from the date of approval.
11. **Surrounding Land Uses and Setting:** The project site is generally bounded by White Rock Road to the north, vacant land to the south, industrial land to the west, and the Aerojet Mining Site to the east.
12. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).**
 1. Caltrans
 2. Sacramento County Water Agency (SCWA) Zone 40
 3. Sacramento Metropolitan Air Quality Management District (SMAQMD)
 4. Central Valley Regional Water Quality Control Board (CVRWQB)
 5. Sacramento Metropolitan Utility District (SMUD)

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

6. Sacramento Resource Conservation District (SRCD)
7. California Department of Fish and Game (CDFG)
8. County Sanitation District (CSD-1)
9. California State Department of Conservation Mining and Geology Board

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 Unless Mitigation is Incorporated" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| ☐ Aesthetics | ☐ Hazards & Hazardous Materials | ☐ Public Services |
| ☐ Agricultural Resources | ☐ Hydrology/Water Quality | ☐ Recreation |
| ☒ Air Quality | ☐ Land Use and Planning | ☐ Transportation/ Traffic |
| ☒ Biological Resources | ☐ Mineral Resources | ☐ Utilities & Service Systems |
| ☐ Cultural Resources | ☐ Noise | ☒ Mandatory Findings of Significance |
| ☐ Geology and Soils | ☐ Population and Housing | |

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Grantline West project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration. (The discussion demonstrates that there are no potentially significant impacts identified that cannot be mitigated to a less-than-significant level. Therefore, an EIR is not warranted.)

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited. 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 should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect, and construction as well as operational impacts.
3. A "Less than Significant Impact" applies when the proposed project would not result in a substantial and adverse change in the environment. This category also applies when the impact has been previously addressed and it has been determined that there are no new impacts created by the project. This impact level does not require mitigation measures.
4. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact". The initial study must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
6. 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.
7. Preparers 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. A source list should be attached and other sources used or individual contacts should be cited in the discussion.
8. Impacts that were originally classified as potentially significant on previous documents may now be indicated as less than significant. These particular impacts will be marked as "Less than Significant Impact" if the Specific Plan does not create any new impacts for the project area than those previously evaluated.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* The project's potential visual resource impacts would be minimal. There are no scenic vista views available from the proposed project site. Mid-range views consist of rural homesteads, limited agriculture operations, and open space. Long-range views generally consist of rural/agricultural land uses, power transmission lines, industrial and aggregate operations and military/airport operations. Implementation of the project would not adversely affect views on nearby or distant scenic vistas; therefore, this impact is considered *less than significant*.
- b) *Less Than Significant Impact.* The nearest highways are United States 50 (US 50) and the Jackson Highway (State Route 16), which are not designated as a state scenic highway in the vicinity of the proposed project site. US 50 is approximately 4 miles north of the project site and State Route 16 is approximately 4 miles south of the project sites. Due to this distance, implementation of the projects would not damage scenic highway resource views in the area. Therefore, this impact is considered *less than significant*.
- c) *No Impact.* The proposed project would help to change the site back to original grades that occurred prior to past mining activities. This would improve the visual character of the site and surrounding areas.
- d) *No Impact.* The proposed project would not create any new sources of light and or glare that could affect views in the area. Similar activities have been occurring on the "Clark Mining Site" adjacent to the proposed project site since 1989.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE 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. 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) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *No Impact.* The proposed project site is not depicted on the CA Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) as having prime farmland (P), farmland of statewide importance (S), and or unique farmland (U). Therefore, there is *no impact* to the conversion of significant farmland.
- b) *No Impact.* The proposed project site is not under Williamson Act Contract, nor is it currently being farmed.
- c) *No Impact.* See a) and b) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

EXISTING ENVIRONMENT

The proposed project estimates removal of approximately 7 to 12 million cubic yards from the project site, which equates to approximately 11 to 18 million tons of material. Because production rates will vary as a function of market demand, it is not possible to determine the exact life of proposed operations. However, it is estimated that mining of this resource could take up to 12 years from the date of approval. By comparison, there is approximately 5-7 million tons of material remaining at the applicant's East Site and approximately 7-10 million tons of material remaining at its Aerojet Site for a combined total of approximately 12 to 17 million tons, which is roughly equal to the amount of material available at the Grantline West site.

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* The proposed project would not conflict and or obstruct implementation the Sacramento Metropolitan Air Quality Management District's (SMAQMD) Quality Attainment Plan.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

- b) *Potentially Significant Unless Mitigation Incorporated.* Sacramento County is a known area of non-attainment for State and Federal standards for carbon monoxide (CO), ozone, and particulate matter less than 10 microns in diameter (PM10). Equipment used during the construction of the conveyor belt and the mining and reclamation activities could elevate emissions in the immediate vicinity of the project site. A description of the construction activities and the mining and reclamation operation and the associated equipment that could operate on the project site are described below:

Construction Activities:

The project will require the installation of approximately 12,000 feet of conveyor line to connect the current Grantline Aggregate Plant operations to the proposed mining areas within the Grantline West project site. Approximately 2,000 ft of existing conveyor will be relocated within the Aerojet Mining project site and approximately 10,000 ft of new conveyor will be installed. Construction of the new conveyor system will involve site grading and take 3 weeks to complete with crews working 8 hours per day. A scraper and a dozer will be used 8 hours per day, while a motor grader (blade) and a water truck will be used 4 hours per day. A 2002 model CAT 637 scraper will be brought in for this phase. See **Table 1** for a description of the construction equipment and corresponding emissions.

Mining and Reclamation Operations:

Mining for the Grantline West Project will involve front-end loaders removing material from the historical tailing piles and depositing them onto a combination of jump conveyors that will be connected to the permanent field conveyor system. The jump conveyor system is a collection of 100' portable conveyors powered by a genset permitted under the State Portable Registration Program (PERP). Operation of the genset at this site is subject to the PERP and is consistent with SMAQMD's currently approved uses of this genset. Material will travel the length of the field conveyor system and will ultimately be placed on the Grantline Aggregate plant conveyor system where it will be processed. The mining rate at the Grantline West Project will on occasion exceed the plant's ability to process the material and material will be stockpiled at or near the surge pile. The surge pile will be located either at the Plant site or on the Clark Mine site. As the supply of material from the Grantline West site will supply the Grantline Processing Plant at its capacity, Teichert Aggregate's East and West Pits as well as the Aerojet Mine operations will shut down while the Grantline West operations are occurring. This eliminates the emissions that would be produced by the mining and reclamation equipment operating at those sites.

Initially, one front-end loader will be used at the project site, but if necessary, a second front-end loader will be added if the mining schedule requires. Loaders will operate up to 17 hours per day. A motor grader and dozer may be needed approximately 1 hour per day as needed for site grading. A water truck will operate approximately 4 hours per day within the project area. A 2002 model CAT 988 front end loader will be brought as the second loader, if necessary. The conveyor system would reduce PM10 emissions greatly by eliminating the need for dump trucks. See **Table 1** for description of mining and reclamation equipment and corresponding emissions.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

**TABLE 1
PROPOSED EQUIPEMENT AND ASSOCIATED EMISSIONS**

CONSTRUCTION						
<i>Equipment</i>						
Number of Equipment	Equipment	Description	Model Year	HP	NOx E.F. (grams/ bhp-hr)	Load Factor
1	Dozer	CAT D-8	1994	285	4.97	0.54
1	Motor Grader	CAT 12	1994	300	2.83	0.61
1	Scraper	CAT 637	2002	750	3.32	0.72
1	Water Truck	Sterling	2002	350	2.46	0.57
<i>Emissions</i>						
Use	Equipment	Daily Schedule (Hours/day)	Total Schedule (days total)	NOx (Lbs/day)	Total NOx (Lbs)	
Site grading	Dozer	8	15	25.0	375	
Site grading	Motor Grader	4	15	7.5	112	
Site grading	Scraper	8	15	43.9	659	
Dust Control	Water Truck	4	15	7.6	114	
			TOTAL	84.0	1,260	
OPERATIONAL						
<i>Emissions</i>						
Number of Equipment	Equipment	Description	Model Year	HP	NOx E.F. (grams/ bhp-hr)	Load Factor
1	Dozer	CAT D-8	1994	285	4.97	0.54
1	Rubber Tired Front End Loader	CAT 988G	2002	475	2.29	0.54
1	Rubber Tired Front End Loader	CAT 988	2002	475	2.29	0.54
1	Motor Grader	CAT 12	1994	300	2.83	0.61
1	Portable Genset	CAT 3456	2003	550	3.94	1
1	Water Truck	Sterling	2002	350	2.46	0.57
<i>Emissions</i>						
Use	Equipment	Existing Schedule (Hours/day)	Project Schedule (Hours/day)	Total Schedule (days/yr)	NOx (Lbs/day)	Total NOx (Lbs/yr)
Mining	Dozer	1	1	260	0.0	0
Mining	Rubber Tired Front End Loader	10	17	260	16.8	2,604
Mining	Rubber Tired Front End Loader	10	17	260	16.8	2,604
Mining	Motor Grader	4	4	260	0.0	0
Power	Portable Genset	11	17	260	28.7	8,695
Dust Control	Water Truck	4	4	260	0.0	0
				TOTAL	62.2	16,182
Notes:						
1 pound =	453.6	grams				
Heavy Duty Off-Road Emission Factors provided by SMAQMD, Peter Christensen						
Portable genset emissions factors provided by Caterpillar						
Portable genset emission factor and load based on ISO 8178 D-2 weighted standards						
Portable gensets operated in compliance with State Portable Registration Program						
Daily Operational Emissions are considered daily maximum use for each piece of equipment						

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

As shown in **Table 1**, construction related NO_x emissions are projected to be 84.0 pounds per day (lbs/day). This is below the established threshold of 85 lbs/day set by the SMAQMD. Operational NO_x emissions are projected to be 62.2 lbs/day, which is below the threshold of 65 lbs/day set by the SMAQMD. Both construction and operational NO_x impacts are considered less than significant. However, PM₁₀ emissions could be significant, with mitigation measures needed to reduce this impact.

Mitigation Measures

The following mitigation measures are incorporated into the proposed project to reduce PM₁₀ emissions.

MM 3.1a The project applicant shall require that the operators water all haul roads at least twice daily during construction, mining and reclamation activities. This requirement shall be included as a note in the reclamation plan submittal.

Timing/Implementation: During all phases of the project.

Enforcement/Monitoring: City of Rancho Cordova Planning Department and SMAQMD.

MM 3.1b The project applicant shall require that the contractor limit vehicle speed for onsite construction vehicles to 15 mph when winds exceed 20 miles per hour. This requirement shall be included as a note in the reclamation plan submittal.

Timing/Implementation: During all phases of the project.

Enforcement/Monitoring: City of Rancho Cordova Planning Department and SMAQMD.

MM 3.1c The project applicant shall require paved streets adjacent to project site to be washed or swept daily to remove accumulated dust. This requirement shall be included as a note in the reclamation plan submittal.

Timing/Implementation: During all phases of the project.

Enforcement/Monitoring: City of Rancho Cordova Planning Department and SMAQMD.

MM 3.1d The project applicant shall require that, when transporting reclaimed materials by truck during mining and reclamation activities, two feet of freeboard shall be maintained by the operator, and that the materials are covered. This requirement shall be included as a note in the reclamation plan submittal.

Timing/Implementation: During all phases of the project.

Enforcement/Monitoring: City of Rancho Cordova Planning Department and SMAQMD.

Implementation of mitigation measures MM 3.1a through MM 3.1d would ensure a *less than significant* impact to air quality standards.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

- c) *Potentially Significant Unless Mitigation Incorporated.* See b) above.
- d) *Less than Significant Impact.* Construction of the conveyor line and mining and reclamation activities associated with the proposed project are not associated with substantial pollutant concentrations. Furthermore, the nearest sensitive receptor is a rural residence located approximately 5,000 feet from where mining and reclamation activities would occur. This is considered a less than significant impact.
- e) *Less Than Significant Impact.* The proposed project would not create odors that could affect a substantial number of people.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Game 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 or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native 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 policies 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 OF IMPACTS

- a) *Potentially Significant Unless Mitigation Incorporated.* A Biological Resource Assessment was conducted for the project site that indicated the presence of elderberry shrubs (ECORP Consulting, Inc., 2005)(**Appendix B**). The project applicant proposes to avoid elderberry shrubs; however, mining and reclamation activities would have the potential to adversely affect this habitat for the Valley Elderberry Longhorn Beetle. The proposed project would also have the potential to adversely affect nesting raptors and Swainson's Hawk habitat.

Mitigation Measures

The following mitigation measures have been incorporated into the proposed project:

MM 4.1a The project proponents shall conduct (or update) determinate surveys for potentially occurring special status species or their habitat using protocol acceptable to the regulatory agencies with authority over these species. If determinate level surveys have not been conducted, the presence of special-status species will be assumed.

- If any of the special status species or their habitat are identified on the site, a detailed plan which describes the specific methods to be implemented to avoid any project impacts upon special status species to a less than significant level will be required. This detailed Special Status Species Avoidance Plan shall be prepared in consultation with the USFWS and CDFG, and shall emphasize a multi-species approach to the maximum extent possible. If determinate surveys identify special status species within isolated wetlands on the site, project activities shall maintain a 250-foot setback from said isolated wetlands. If determinate surveys determine that no special status species occur in on-site isolated wetlands, project activities shall maintain a 10-foot setback to said isolated wetlands.
- All mining and reclamation activities shall be at least 100 feet away from valley elderberry shrubs. All conveyor activities shall be at least 20 feet away from valley elderberry shrubs. Orange construction fencing shall be installed and maintained around each shrub to ensure the proper setbacks. If on-site valley elderberry shrubs cannot be avoided, or if the City directs them to be transplanted, then a mitigation plan shall be developed and implemented in consultation with USFWS consistent with the conservation guidelines for the valley elderberry longhorn beetle, which includes one of the two following options:
 - Obtain credits at an approved mitigation bank;
 - OR
 - Implement an onsite mitigation and monitoring plan that includes transplantation of the shrub and planting of elderberry seedlings.

The mitigation plan shall be approved by the USFWS prior to acceptance by the City. Any required onsite mitigation shall be incorporated into subsequent improvement and construction plans.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

Timing/Implementation: Prior to site disturbance and during mining activities.

Enforcement/Monitoring: City of Rancho Cordova Planning Department, USFWS and CDFG.

MM 4.1b

If mining and reclamation activities would result in a loss of Swainson's Hawk foraging habitat, the project's applicants shall mitigate for such loss by implementing one of the following alternatives:

- For projects within a one-mile radius of an active nest site, the project proponent shall preserve 1.0 acre of similar habitat for each acre lost within a ten-mile radius of the project site. For projects within a one to five mile radius of an active nest site, the project proponent shall preserve 0.75 acre of similar habitat for each acre lost within a ten-mile radius of the project site. For projects within a five to ten mile radius of an active nest site, the project proponent shall preserve 0.5 acre of similar habitat for each acre lost within a ten-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the Department of Fish and Game).
- The project's proponents shall, to the satisfaction of the CDFG, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
- The project's proponents shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the City of Rancho Cordova Planning Department in the amount set forth in Chapter 16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect.
- Should the City Council of the City of Rancho Cordova adopt a Swainson's hawk mitigation policy/program prior to implementation of one of the measures above, the project proponent may be subject to that program instead.

Timing/Implementation: Prior to site disturbance.

Enforcement/Monitoring: City of Rancho Cordova Planning Department and CDFG.

MM 4.1c

Prior to each phase of mining and reclamation activities, a preconstruction survey shall be performed between April 1 and July 31 to determine if active raptor nesting is taking place in the area. If nesting is observed, consultation with the Department of Fish and Game shall occur in order to determine the protective measures which must be implemented for the nesting birds of prey. If nesting is not observed, further action is not required.

Timing/Implementation: Prior to Site Disturbance and prior to each phase of mining and reclamation activities.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

Enforcement/Monitoring: City of Rancho Cordova Planning Department and CDFG.

Implementation of Mitigation Measures MM 4.1a through 4.1c would reduce impacts to special-status species to *less than significant*.

- b) *Potentially Significant Unless Mitigation Incorporated. See a) above.*
- c) *No Impact.* Mining and reclamation activities associated with the proposed project will not affect "Waters of the U.S." All wetland features identified on the project site have been mapped as non-jurisdictional because they are considered "isolated" wetlands. Non-jurisdictional wetlands mapped include vernal pools, seasonal wetlands and seasonal wetland swale. Additionally, the applicant has designed its mining and reclamation plans to avoid all wetland features on the project site. The U.S. Army Corps of Engineers has identified these wetlands as isolated, so impacts to these features would not require permitting pursuant to Section 404 and 401 of the Federal Clean Water Act (ECORP, 2005).
- d) *Less than Significant Impact.* Implementation of the proposed project would not interfere with the movement of any fish or wildlife species or impede the use of native wildlife nursery sites or corridors; therefore, this impact is considered *less than significant*.
- e) *Less than Significant Impact.* An oak tree inventory was conducted for the proposed project site by Sierra Nevada Arborists in September 2004. A copy of this inventory can be reviewed at the City of Rancho Cordova's Planning Department. The inventory identified 19 oak trees that would meet the criteria for protection. The entire proposed project has been designed to avoid impacts to trees (See **Figure 3** and **Appendix A** for proposed reclamation plan). This is considered a less than significant impact.
- f) *Less than Significant Impact.* Currently, there is not an adopted Habitat Conservation Plan (HCP) for Sacramento County or the SDCP/SRSP; therefore, the project would not conflict with such plans and the impact would be *less than significant*.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in " 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to " 15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* An Archaeological and Historic Investigation was conducted for the proposed project site (PMC, 2004). A copy of the Archaeological and Historic Investigation can be reviewed at the City of Rancho Cordova's planning department. The investigation indicated that the Grantline West project site was free of important cultural/historical resources and it was determined that the site has a low probability of such resources. However, mitigation is appropriate to ensure a less than significant impact to historic, archaeological, and or paleontological resources.

Mitigation Measures

The following mitigation measure has been incorporated into the proposed project:

- MM 5.1** Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during reclamation activities, work shall be suspended and the City of Rancho Cordova shall be immediately notified. At that time, the City will coordinate any necessary investigation of the site with appropriate specialist, as needed. The project proponent shall be required to implement any mitigation necessary for the protection of the cultural resources. 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 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.

Timing/Implementation: During all phases of reclamation activities.

Enforcement/Monitoring: City of Rancho Cordova Planning Department.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

Implementation of Mitigation Measure MM 5.1 would ensure that the project's potential cultural, historic, paleontologic, and archeological resource impacts are *less than significant*.

- b) *Less Than Significant Impact*. See a) above.
- c) *Less Than Significant Impact*. See a) above.
- d) *Less than Significant Impact*. There are no known cemeteries on the project site; however, due to the large Native American population in the past, the primary concern is the disturbance of hidden or unmarked sites, such as gravesites of areas of spiritual significance, which may not contain any surface evidence of occupancy. The project is not expected to result in any new cultural resource impacts. However, implementation of Mitigation Measure 5.1 would reduce any potential human remain impacts to less than significant.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the 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?	☐	☐	☒	☐
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 landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a)
- (i) *Less than Significant Impact.* The potential for impacts to public safety resulting from surface fault rupture, ground shaking, liquefaction or other seismic hazards is not considered to be an issue of significant environmental concern due to the infrequent seismic history of the area. Therefore, this impact is considered *less than significant*.
 - (ii) *Less than Significant Impact.* See response to a (i) above. The potential for strong seismic ground shaking is not a significant environmental concern due to the infrequent seismic activity of the area.
 - (iii) *Less than Significant Impact.* See response to a (i) above. The soil types of the Grantline West Mining site consist of Xerothents, dredge tailings, which do not constitute a potential impact for ground failure or liquefaction.
 - (iv) *Less than Significant Impact.* The project site is characterized by relatively low-lying dredger tailings; as such, the site has a very low potential for landslides.
- b) *Less than Significant Impact.* Grading activities associated with mining and reclamation activities would remove vegetative cover and would expose soils to wind and surface water runoff. The project is subject to the Sacramento County Land Grading and Erosion Control Ordinance, which established administrative procedures, standards of review and enforcement procedures for controlling erosion, sedimentation, and disruption of existing drainage. Therefore, this impact is considered *less than significant*.
- c) *Less than Significant Impact.* The soil groups present on the project site have high percentages of clay, which expand with wetting and drying conditions. These soils present a mild geologic hazard due to high-shrink swell potential.
- d) *Less than Significant Impact.* See c) above.
- e) *No Impact.* The proposed project would not use a septic tank system or other alternative wastewater systems. The project proposes no wastewater systems; therefore, there is *no impact*.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 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 reasonably 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 § 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 area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

DISCUSSION OF IMPACTS

- a) *Less than Significant Impact.* The proposed project would not involve the routine transport of hazardous materials; therefore, implementation of the project is expected to result in *less than significant* hazardous material transportation and disposal related impacts.
- b) *Less than Significant Impact.* Mining and reclamation activities would include the use of heavy equipment, which involves the use of oils, fuels and other potentially flammable substances that are typically associated with project activities. However, these materials would be limited in quantity and stored off-site. This is considered a less than significant impact.
- c) *No Impact.* There are no schools within one-quarter mile of the proposed project site.
- d) *Less than Significant Impact.* The proposed project site is not listed as having past hazardous materials involvement. The project site is approximately 250 feet northwest of the Alpha Complex. This facility was built and operated by McDonnell Douglas Corp. to test rocket engines. Trichloroethylene (TCE) was used to clean engine parts and has been found in soil and groundwater beneath the Alpha Complex. However, the entire Alpha Complex site is fenced, and available data indicates that TCE contamination does not extend to soil outside of the enclosed site. The separation of mining and reclamation activities from contaminated sites would result in a *less than significant* impact.
- e) *Less than Significant Impact.* The project site is not located within the Comprehensive Land Use Planning (CLUP) area of the Sacramento Mather Airport, but is within two miles of the facility. Implementation of the project would not adversely affect operations of this facility and is not anticipated to result in safety related hazards or adverse impacts to people residing or working on the project site. Therefore, this impact is considered less than significant.
- f) *No Impact.* The project area is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.
- g) *Less than Significant Impact.* Implementation of the proposed project would not conflict with the Sacramento County Multi-hazard Disaster Plan, the Sacramento County Area Plan or any other adopted emergency response or evacuation plan. Therefore, this impact is considered less than significant.
- h) *Less Than Significant Impact.* The project site is not adjacent to wildlands and is in an area designated for urbanized land uses. Additionally, implementation of the project would not place residences or structure where they are intermixed with wildlands. Therefore, this impact is considered less than significant and does not require mitigation.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	☐	☐	☒	☐
j) Inundation by seiche, tsunami or mudflow?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* Activities associated with the proposed project have the potential to result in significant short-term surface water quality impacts during the construction period and long-term water quality impacts due to runoff and accumulated pollutants after mining operations. As expected, mining activities of the proposed project would create new sources of runoff. Unless the runoff is controlled, it would generate new runoff pollutants such as oil, gasoline, and other chemicals with potentially adverse impacts on water quality. Compliance with a Stormwater Pollution Prevention Plan ("SWPPP"), best management practices (BMPs) and applicable County ordinances and State requirements, would reduce impacts to a *less than significant* level.
- b) *Less than Significant Impact.* The proposed project would use no water other than from a water truck, which will take water from East Well No.1, located on the Clark Site. This well is currently used for mining and plant operations and is periodically monitored. This would not significantly impact groundwater resources.
- c) *Less than Significant Impact.* No drainages exist within the highly disturbed dredger tailings of the project site. See a) above. This is considered a *less than significant* impact.
- d) *Less than Significant Impact.* See c) above and g) below.
- e) *Less than Significant Impact.* See a) and c) above.
- f) *Less than Significant Impact.* See a) above.
- g) *Less than Significant Impact.* The entire project site is located outside the 500-year floodplain. The proposed project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; therefore, this impact is considered *less than significant*.
- h) *Less than Significant Impact.* See g) above.
- i) *Less than Significant Impact.* See g) above.
- j) *No Impact.* The project site is not located near the Pacific Ocean, nor is it near a large water body that would be capable of creating seiches or tsunamis.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

DISCUSSION OF IMPACTS

- a) *Less than Significant Impact.* The proposed project area is currently undeveloped and is surrounded by limited development; as such, the project would not divide an established community. Therefore, this impact is considered *less than significant*.
- b) *Less than Significant Impact.* See a) above. The proposed project site is part of the Aerojet Special Planning Area, which allows for reclamation activities.
- c) *Less than Significant Impact.* Currently, there is no adopted Habitat Conservation Plan (HCP) in Sacramento County; therefore, *less than significant* impacts are expected.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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 OF IMPACTS

- a) *Less Than Significant Impact.* The proposed project would not result in the loss of availability of a known mineral resource. Mining and Reclamation activities would allow use of the aggregate located on the site.
- b) *Less than Significant Impact.* See a) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* An Environmental Acoustics Analysis was conducted for the proposed project site (Bollard and Brennan, 2005) (See **Appendix C**). This report concluded that mining and reclamation activities associated with the proposed project would not exceed daytime Noise Ordinance Criteria. This is considered a less than significant impact.
- b) *Less Than Significant Impact.* See a) above. The nearest existing residence is approximately 5,000 feet from the proposed project site. The Environmental Acoustics Analysis concluded that under worst-case scenarios when equipment was closest to the residence, that the proposed project would not exceed daytime Noise Ordinance Criteria. This is considered a *less than significant* impact.
- c) *Less Than Significant Impact.* See a) above.
- d) *Less than Significant Impact.* See a) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

- e) *Less than Significant Impact.* The Grantline West project site is not located within the Comprehensive Land Use Plan Area (CLUP) of the Sacramento Mather Airport, which is approximately 2 miles west of the proposed site. Although, the project is within two miles of the airport, no adverse or excessive noise impacts are anticipated at the proposed site from operation of this facility. Therefore, this impact is considered *less than significant*.
- f) *No Impact.* There are no private airstrips within the vicinity of the proposed project site; thus, no impacts would occur.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

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

DISCUSSION OF IMPACTS

- a) *No Impact.* The proposed project does not include the development of homes, businesses, and/or infrastructure. Nor does the project include a business that would have customers.
- b) *No Impact.* The proposed project will not displace any existing housing.
- c) *No Impact.* See b) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES. 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 following public services:				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *No Impact.* Impacts to public services are not anticipated. No housing, businesses and/or infrastructure are proposed by the project. This would negate the need for additional public services such as fire, police, schools, and parks.
- b) *No Impact.* See a) above.
- c) *No Impact.* See a) above.
- d) *No Impact.* See a) above.
- e) *No Impact.* See a) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. RECREATION.				
a) Would the project increase the use of 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 require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *No Impact.* The proposed project would not increase the use of existing parks or other recreational facilities.
- b) *No Impact.* See a) above. The proposed project does not include the construction of any recreational facilities.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *Less Than Significant Impact.* The proposed project would not increase existing traffic in the area. There are anticipated to be six employees on-site, with no customers. The quantity of trucks will not increase because the supply of trucks for the proposed site will replace the trucks at other sites in the area. This will result in a negligible affect on traffic and circulation in the area.
- b) *Less Than Significant Impact.* See a) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

- c) *No Impact.* The proposed project does not involve any aviation-related uses but is located within two miles of the Sacramento Mather Airport. The project site is not located within the airport safety zones or within the approach and departure paths for aircraft using the airport and *no impacts* are anticipated.
- d) *No Impact.* Equipment and cars associated with mining and reclamation activities would use existing roads. Mining and reclamation equipment, farming equipment, buses, and automobiles have used these existing roads and intersections for years.
- e) *No Impact.* The proposed project site has multiple access points for emergency vehicles to enter and or exit.
- f) *No Impact.* Six employees would not need significant parking during mining and reclamation activities. These employees would park in disturbed areas that are devoid of vegetation.
- g) *No Impact.* The proposed project would not conflict with any policies regarding alternative transportation.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider that 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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION OF IMPACTS

- a) *No Impact.* The proposed project does not include any wastewater discharge.
- b) *No Impact.* The proposed project will not require the construction of any wastewater treatment facilities.
- c) *No Impact.* The proposed project would not increase stormwater runoff. Therefore, construction of stormwater facilities would not be required.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

- d) *No Impact.* The proposed project has sufficient water supply from one off-site well. Water would be used only for dust control and would not be of significant quantity. A water truck would transport this water used for dust control.
- e) *No Impact.* See a) above.
- f) *No Impact.* The proposed project will not need solid waste disposal services.
- g) *No Impact.* See a) and f) above.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to 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, reduce the number or restrict the range of rare or endangered plants or animals, 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 that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION OF IMPACTS

- a) *Potentially Significant Impact Unless Mitigation Incorporated.* As noted in Sections I through XVI above, the Grantline West project has the potential to result in significant impacts related to biological resources (i.e., special-status species) and Air Quality (i.e. PM10 emissions).
- b) *Less Than Significant Impact.* The proposed project would not cause cumulatively considerable impacts when viewed in connection with other projects in the area.
- c) *Less Than Significant Impact.* The proposed project would not cause substantial adverse effects in human beings, either directly or indirectly.

4.1 CUMULATIVE IMPACTS

INTRODUCTION

This section addresses the project's potential to contribute to cumulative impacts in the region. CEQA Guidelines Section 15355 defines cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts."

CUMULATIVE IMPACT ANALYSIS

Aesthetics

Implementation of the proposed project would not contribute to cumulative visual resource or aesthetic impacts. The project would result in **less than significant** impacts on aesthetic resources under cumulative conditions.

Agricultural Resources

The project would not result in cumulatively significant loss of agricultural resources or farmlands. The site is previously disturbed; therefore, **less than significant** impacts are anticipated.

Air Quality

The proposed project would contribute to cumulative air quality impacts in the vicinity. Mitigation measures contained in Section 3.0 (Subsection III, Air Quality) of this MND would reduce the impacts to a **less than significant** level.

Biological Resources

The project would contribute to cumulative biological resource impacts in the project vicinity; however, implementation of the proposed mitigation measures identified in Section 3.0 (Subsection IV, Biological Resources) of this MND would mitigate the project's contribution to a cumulative loss of biological resources to **less than significant**.

Cultural Resources

Implementation of the proposed project would not contribute to an increase in cultural resource impacts. However, mitigation measures identified in Section 3.0 (Subsection V, Cultural Resources) of this MND would ensure a **less than significant** cumulative impact.

Geology and Soils

Project-related impacts on geology and soils would be site-specific and implementation of the proposed project would not contribute to seismic hazards or water quality impacts associated with soil erosion. Therefore, the proposed project would have **no impact** on cumulative geophysical conditions in the region.

Hazards and Hazardous Materials

The project would not contribute to hazards associated with the accidental release of hazardous materials; this cumulative impact is considered **less than significant**.

Hydrology and Water Quality

Cumulative Hydrology and Water Quality impacts are expected to be **less than significant**. The proposed project would return the site to a more natural hydrological state.

4.0 CUMULATIVE IMPACTS

Land Use and Planning

The project site is part of the Aerojet Special Planning area, which allows for reclamation activities. Therefore, the project would result in **less than significant** cumulative land use and planning impacts.

Mineral Resources

The proposed project would not result in any site-specific or significant impacts to mineral resources and would result in **less than significant** impacts under cumulative conditions.

Noise

Implementation of project would not result in temporary and permanent changes in the ambient noise levels in the vicinity that exceed noise criteria. This is considered a **less than significant** to cumulative noise impacts.

Population and Housing

The proposed project does not include the development of houses, nor would it result in the displacement of any existing housing. Therefore, the project would result in **no impact** to cumulative population and housing impacts.

Public Services

The proposed project does not include the development of any structures and or infrastructure. Implementation of the proposed improvements would not result in a cumulative increase in severity of public service impacts. Thus, **no impact** to public services is anticipated.

Recreation

The proposed project would not increase the need for recreational facilities in the area. Therefore, the project would result in **less than significant** cumulative impacts.

Utilities and Service Systems

The proposed project would not require any additional utilities and or service systems. Therefore, the project would result in **no impact** to utilities and service systems under cumulative conditions.

Transportation/Circulation

The proposed project would only require six employees and two dump trucks per day. This would not increase traffic in the surrounding area, and therefore, would result in a **less than significant** impact.

Water

The proposed project would use a limited amount of well water from one off-site well for the purpose of dust control. This is not expected to deplete groundwater supplies in the area. Therefore, the project would result in a **less than significant** impact to water supply under cumulative conditions.

5.0 DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find 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 in Section 3 of this document have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed Project **MAY** have a significant effect(s) on the environment, but one or more of such significant effects: 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.
- ☐ I find that although the proposed project could have a significant effect on the environment, all potentially significant effects: (a) have been analyzed and adequately addressed in an earlier EIR pursuant to applicable standards, or (b) have been avoided or mitigated pursuant to that earlier EIR, previous Mitigated Negative Declaration, or this Subsequent Mitigated Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project.

Signature H. Amb Date: 5/5/05

Printed name: Hilary Anderson For City of Rancho Cordova

Per CEQA Section 15070(b)(1), the project applicant for the proposed Grantline West project has reviewed and agreed to the mitigation measures contained in this Mitigated Negative Declaration.

Signature Jeff Thatcher Date: 5/3/05

Printed name: Jeff Thatcher For Teichert Aggregates

6.0 REPORT PREPARATION AND CONSULTATIONS

6.1 REPORT PREPARATION AND REFERENCES

CITY OF RANCHO CORDOVA—LEAD AGENCY

Paul Junker	Planning Director
Bill Campbell	Principal Planner
Hilary Anderson	Environmental Coordinator
Bret Sampson	Associate Planner
Brett Bollinger	Assistant Planner
Cyrus Abhar	City Engineer

6.2 PERSONS AND AGENCIES CONSULTED

Peter Christensen	SMAQMD
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7.0 REFERENCES

Archaeological and Historic Investigations for the Grantline West Project. *Pacific Municipal Consultants*. October 2003.

Environmental Acoustics Analysis. *Bollard and Brennan*. January 31, 2005.

Sacramento County. *Sacramento County General Plan*. 1993.

Sacramento County. *Sacramento County General Plan EIR*. 1993.

APPENDIX A

RECLAMATION PLAN

**GRANTLINE ROAD PROPERTIES, LLC
GRANTLINE WEST MINING OPERATION
RECLAMATION PLAN**

1.0 INTRODUCTION

Grantline Road Properties, LLC is seeking entitlements for its Grantline West Mine, to be situated within a parcel currently owned by Elliott Homes Corporation. This document, together with the referenced exhibits and appendices, constitutes the reclamation plan for the site. Approval of this reclamation plan update is sought from the lead agency, the City of Rancho Cordova.

This reclamation plan was prepared in accordance with:

- The Surface Mining and Reclamation Act (SMARA) of 1975, as amended (Public Resources Code § 2772 et seq.);
- The State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, § 3500 et seq.); and
- The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation).

Reclamation, as defined by SMARA, is the combined process of land treatments that minimize adverse environmental effects on surface mining, so that mined lands are reclaimed to a beneficial end use that is readily adaptable to alternative end uses. This reclamation plan describes a process that will minimize environmental impacts during and resulting from mining, implement reclamation activities as soon as possible, and return the mined lands to a condition suitable for grazing.

1.1 LOCATION

The 583 acre proposed mining area is situated within a 1,100 acre parcel owned by Elliott Homes, Inc. Approximately 355 acres of the mining area will be disturbed as part of this application. The site is located within the City of Rancho Cordova ("City"), approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. The project site is surrounded by industrial uses to the west, vacant land owned by Aerojet to the north and east, and vacant land known as the Sunridge Specific Plan Area to the south. The nearest designated residential area is located approximately 2,600 feet south of the proposed site. Exhibit A is a site location and vicinity map, depicting the location of the proposed mining operation.

1.1.1 Assessor's Parcel Number

This property is also known by Assessor's Parcel Number 072-0370-071.

1.1.2 Township, Range, Section, Quadrangle

The project site is located on the Buffalo Creek USGS 7.5 minute quadrangle map in Townships 8, 9 North, Range 7 East, and Sections 5, 6, 7, 8, 31 and 32, MDBM. Please see Exhibit B, depicting the project site and its vicinity.

1.1.3 Latitude, Longitude

The project site is located at approximately latitude 121.25 North, longitude 38.58 West.

1.1.4 Claim Descriptions

The project site does not have a California Mine ID number, nor is the site currently subject to an existing use permit or reclamation plan.

2.0 DESCRIPTION OF ENVIRONMENTAL SETTING

Reclamation procedures must be designed within the constraints of the mining project and the surrounding environment. The following sections describe the environmental elements that are pertinent to the design of an effective reclamation plan. Section 3.0 will describe the mining project in relationship to the reclamation of the site.

2.1 SITE ACCESS

Access to the site is available most directly from White Rock Road. The property has frontage on Sunrise Boulevard and Douglas Road, however the site is fenced and no gates exist along these property lines.

2.2 TOPOGRAPHIC MAP

Exhibit B depicts the site's location on the 7.5-minute Buffalo Creek quadrangle map.

2.3 GEOLOGY, GENERAL

The site is located in the eastern portion of Sacramento County, an area covered with a significant number of cobble tailings as a result of early gold dredging activities conducted principally by the Natomas Company from about 1900 to 1960. Many of these tailings are visible above ground in large linear piles, although the dredgers had the capability to dig to depths of up to approximately 100 feet, and thus much of the tailings are underground as well.

2.3.1 Site-Specific Geology

Past gold dredging operations significantly disturbed the natural geologic state of the site, leaving linear mounds of cobble tailings throughout the property. These tailing piles vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. The

proposed mining operation will remove these mounds and the end result will be a site with ground configuration similar to the natural configuration of the site prior to gold dredging operations. The undisturbed boundaries of the dredged area indicate that the natural terrain once sloped from elevations of 140 to 170 feet along the north and east edges of the site to elevations of 140 to 170 feet along the south and west edges of the site. Thus, the natural terrain consisted of relatively flat grounds with slopes of approximately 1-2%.

2.3.2 Material Being Mined

The applicant proposes to mine dredge tailings, consisting of cobbles (up to approximately 8 inches in diameter) intermixed with sand and gravel. The expected percentage of fines from the Aerojet Phase II tailings is 30%. All material mined at the Grantline West Site will be transported by conveyor to the existing Grant Line processing plant where it will be washed and processed into various products. All fines recovered in the processing will be deposited into current and planned sediment ponds constructed under an existing WDR on the East Site (CA Mine ID #91-34-0039) or at the existing Plant Site. The Plant Site contains a 25 acre sediment retention basin currently under construction via a Grading Permit issued by Sacramento County. Waste fines deposited on the East Site will be reclaimed to existing grade per the approved Reclamation Plan. Waste fines deposited in the 25 acre sediment basin on the Plant Site will be reclaimed per the specifications contained in the Sacramento County Grading Plan (Permit Number 2067).

2.3.3 Geologic Cross-Section

Exhibit C depicts a typical mining cross-section, which in turn depicts how most of the existing contour has been modified to date.

2.3.4 Slope Stability

Interim slopes during leveling will not exceed the natural repose angle of the material. Slopes at the perimeter boundaries of mining will consist of the undisturbed natural slope of the tailings. Final slopes will vary and will be consistent with performance standard requirements.

2.3.5 Seismicity

The site is not located within an area of active seismicity.

2.4 HYDROLOGY, GENERAL

2.4.1 Site-Specific Hydrology

There are no major streams or creeks traversing the subject site. As mentioned above, past mining disturbed the natural state of the site and left linear mounds of cobble tailings

throughout the property. Due to the creation of these mounds, the site's natural drainage patterns have been heavily modified. Because the site contains coarse dredge tailings, water infiltration is high, surface runoff is minimal and confined to the closed valleys between tailing mounds.

2.4.2 Groundwater Contamination

The subject site is adjacent to an area known as the Inactive Rancho Cordova Test Site (IRCTS), which was historically used for aerospace and industrial activities by its previous owners, the Aerojet Corporation and McDonnell Douglas Corporation. Although the Department of Toxic Substances Control (DTSC) has issued an Imminent and Substantial Endangerment Order for that site, DTSC has expressly recognized that the proposed Grantline West area was never used for aerospace or industrial activities. As such, this area is not included in the DTSC cleanup order.

Although the relevant agencies have agreed that aerospace and other industrial activities were not conducted on the Grantline West site, the DTSC and Regional Water Quality Control Board (RWQCB) have detected contaminated groundwater beneath the IRCTS property and to the west near Mather Field and south of Douglas Road. RWQCB has issued an Order to Aerojet and McDonnell Douglas requiring them to investigate the extent of pollution emanating from the eastern part of the IRCTS site and to develop an interim remedial measure to contain any groundwater pollution from migrating off-site. It is important to note, however, that any groundwater contamination which may exist is far below the surface and therefore distant from the deepest extent of the proposed mining. Groundwater is more than 100 feet below existing natural grades, which is the deepest extent of the proposed mining. Accordingly, any contamination in the groundwater has no relationship to proposed mining activities or vice versa. Mining will use no water other than from a water truck, which will take water from East Well No.1, located on the Clark Site. This well is currently used for mining and plant operations and is periodically monitored.

2.5 SOIL RESOURCES

2.5.1 Map and Units

Most of the surrounding area is mapped by the Natural Resources Conservation Service (NRCS) as Xerorthents, dredge tailings, 2-50% slopes. The Xerorthents unit contains three hydric inclusions: riverwash and Xerorfluents, associated with floodplain channels, and slickens, associated with depressions.

Additionally, the mining operation will not be conducted on prime agricultural lands.

2.5.2 Soil Contamination

Soil contamination is not expected to be present in the coarse dredge tailings that will be mined because evidence of historical industrial activities has not been found in this area.

Moreover, the tailings are steep and rugged and are not readily accessible. Additionally, as stated previously, the site was removed from DTSC's 1994 Imminent and Substantial Endangerment Order because no soil contamination was found to exist within that area. No other sites with known or suspected soil contamination are located within 1,000 feet of the proposed mining area.

2.6 VEGETATION

A wetland delineation of Rio del Oro, including the Grantline West site, was first conducted by Gibson and Skordal in 1999 and revised by ECORP Consulting, Inc. on October 21, 2004. A rare plant survey was conducted on the Rio del Oro site in May 2003. A Biological Assessment was prepared for the Grantline West site in December 2004 (Appendix A).

2.6.1 Description of Affected Area

The Grantline West project site consists of cottonwood riparian woodland, oak woodland, and annual grassland habitat. Linear rock tailing rows, some reaching 60 feet in height, comprise over the majority the site. Historically, the site was used for gold mining operations. The mining activities consisted of dredging ancient alluvial deposits. The areas that were mined are marked today by alternating piles of cobbly tailings and lower areas where the finer sediment settled out.

Cottonwood riparian habitat occurs within depressions between rows of man-made rock tailings. These characteristic dredge tailings areas are characterized by riparian and shrub-like vegetation, including Fremont cottonwood (*Populus fremontii*), willow (*Salix* sp.), elderberry (*Sambucus mexicana*), and coyote brush (*Baccharis* sp.).

Separate from the tailings, a very small amount of annual grassland exists on the Grantline West site. Within the annual grassland are ephemeral features including vernal pools and seasonal wetlands. The annual grassland community is comprised predominantly of non-native naturalized Mediterranean grasses. These include ripgut brome (*Bromus diandrus*), soft brome (*Bromus hordeaceus*), wild oats (*Avena fatua*), ryegrass (*Lolium multiflorum*), Mediterranean barley (*Hordeum marinum*), and medusahead grass (*Taeniatherum caput-medusae*). Other non-native herbaceous species include hairy hawk-bit (*Leontodon taraxacoides*), filaree (*Erodium botrys*), pineapple weed (*Chamomilla suaveolens*), and yellow-star thistle (*Centaurea solstitialis*).

A list of plant species observed on the site (May 2003) is included in the Biological Assessment (Appendix A).

2.6.2 Special Status Plant Species

ECORP biologists conducted surveys in May 2003 during the optimum blooming period for each of the potentially occurring special-status species. No special-status plant species were located within the Grantline West project area.

An oak tree inventory survey performed on September 29, 2004 by Sierra Nevada Arborists revealed 19 oak trees onsite, all of which occur in dredged hollow areas, as opposed to tailings. A copy of this survey is attached as Appendix B. None of the oak trees will be harmed by the proposed project. Mining will only occur outside the driplines of these trees.

2.7 WILDLIFE

ECORP Consulting, Inc. prepared a Biological Assessment of the Grantline West project site in December 2004 (Appendix A).

2.7.1 Description of Habitats

Approximately 0.612 acre of wetlands (0.011 acre seasonal wetland swale, 0.125 acre seasonal wetland, and 0.476 acre vernal pool) exists within the Grantline West site. However, the project will avoid all of these wetland areas. All wetlands will be fenced prior to project initiation, and no mining will occur within 250 feet of the wetlands.

2.7.2 Special Status Wildlife Species

The seasonal wetlands and vernal pools on the project site represent habitat for the federally-threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the federally-endangered vernal pool tadpole shrimp (*Lepidurus packardii*). Gibson and Skordal conducted wet season surveys during 2000 and 2001 on portions of the project site. *B. lynchi* and *L. packardii* were found in surveyed wetlands in the open grassland habitat situated along the outer edge of the survey area and adjacent to but not within the dredger tailings habitat. The Corps, in consultation with the USFWS, is ultimately responsible in making the determination of potentially suitable habitat. All wetlands plus a 250 foot buffer will be fenced on the project site, and the 100-foot wide off-site conveyor belt alignment has been designed to avoid all vernal pools or seasonal wetlands, therefore no potential fairy shrimp or tadpole shrimp will be affected by the project.

Gibson and Skordal conducted elderberry surveys on the Rio del Oro project site during July and August of 2000. The elderberry plant (*Sambucus mexicana*) is the exclusive host plant of the federally-threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). There are 4 elderberry plants located within the Grantline West project site. All elderberries will be avoided by the proposed project. A 50-foot buffer will be fenced around the elderberries. The off-site conveyor belt will be aligned to avoid all elderberries and locations of elderberry plants will be verified in the field prior to installation of the conveyor belt so that no VELB habitat is affected by the project.

The potentially occurring special-status birds on-site include nesting raptors, nesting songbirds, and wintering or migrant birds. Tree nesting species that may nest on-site are white-tailed kite (*Elanus leucurus*, Fish and Game Code fully protected and USFWS bird of management concern), Cooper's hawk (*Accipiter cooperii*, CDFG species of special concern), and Swainson's hawk (*Buteo swainsoni*, California-threatened). The many

Fremont cottonwood (*Populus fremontii*) on the site represent potential nesting habitat for these species. Special-status songbirds that may occur within the project site include loggerhead shrike (*Lanius ludovicianus*, CDFG species of special concern and USFWS bird of management concern). One other special-status birds that may winter on-site is merlin (*Falco columbarius*, CDFG-species of special concern). A nesting raptor survey of the project site and the proposed off-site conveyor belt alignment should be conducted prior to mining.

2.8 AIR RESOURCES/CLIMATOLOGY

The updated project will not increase any air quality impacts beyond existing impacts created by the project today. The use of a conveyor belt system to transport the mined materials to the processing plant substantially reduces the PM-10 emissions that would be associated with dump truck transportation.

2.9 LAND USES AND AESTHETICS

2.9.1 Existing and Surrounding Land Uses

The proposed mining site is distant from any non-industrial uses. The project site is surrounded by industrial uses to the west, vacant land owned by Aerojet to the north and east, and vacant land known as the Sunridge Specific Plan Area to the south. The nearest designated residential area is located approximately 2,600 feet south of the proposed site.

2.9.2 Visual Impact to These Areas

Because mining will occur in a relatively remote area, visual impacts of the operation will be minor. Additionally, natural re-vegetation will occur as mining of each phase is completed, thereby resulting in a low level of visual change to the landscape.

3.0 DESCRIPTION OF PROPOSED MINING OPERATION

The type and extent of mining will affect reclamation planning. The following sections describe the mining operations and identify the aspects of the operation that are pertinent to the design of an effective reclamation plan.

3.1 DIMENSIONS, ACREAGE

The 1,100-acre site is owned by Elliott Homes, Inc. Only 355 acres of the proposed mining area, consisting of dredge tailings, will be disturbed. The applicant proposes to mine these tailings to an elevation of 130 to 160 feet.

3.2 INITIATION AND TERMINATION DATES

Mining will commence immediately following approval of the project and will continue for up to 12 years from the approval date.

3.3 PRODUCTION SCHEDULE

Production rates will vary as a function of market demand. However, the estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined.

3.4 MINING PLAN, PHASING

Mining will occur in two separate phases, with phase one consisting of 252 acres and phase 2 consisting of 403 acres. Sequential activities in each phase include:

- Removal of aggregate material by means of front-end loader, bulldozer, excavator and/or scraper;
- Transport of material to a processing plant using a conveyor system; and
- Reclamation concurrent with mining. As the mining progresses across a phase, material will be removed to finished grade. Minor finished grading will be performed with either scrapers or bulldozers.

It is estimated that each phase will take approximately 6 years to mine, although it is difficult to estimate the term of mining for each individual phase due to market fluctuations. Please see Exhibit C, Mining and Reclamation Plan, which depicts the progression of mining during the 2 phases.

3.5 PROCESSING

All processing of mined material will occur at the nearby Teichert Grantline Plant. A portable, non-mechanical screen may be moved onto the site to separate mined materials.

3.6 WATER REQUIREMENTS

Water requirements for this site will be limited to that necessary for dust control of the material itself and the unpaved access/haul roads. The estimated use is 10,000 to 20,000 gallons per day. Water from East Well No. 1 will supply the water truck for this purpose. Water will be transported to the site via a pipeline which will travel along the same route as the conveyor belt, and will be extracted via an existing pump at the Grantline Plant.

3.6.1 Waste Water

No waste water will be produced or disposed of as part of this mining operation at the mining site.

3.6.2 Drinking Water

Potable water will be brought to the site to provide safe drinking water for employees.

3.6.3 Sewage Disposal

No sewage disposal systems are existing or proposed within 300 feet of the project site. During operations, portable toilets will be brought to the site and maintained on a regular schedule.

3.7 ENERGY REQUIREMENTS

Energy requirements for the proposed mining operation are limited to that needed to extract and transport mined materials.

The vehicles used to mine aggregate material use petroleum fuels and lubricants. Fuel used for extraction activities may be stored on the mine site. There is no fuel use associated with the proposed reclamation activities. Additionally, power will be needed to run the conveyor belt system in order to transport material from the mining site to the processing plant. This conveyor belt will be powered by electricity. Electricity will not be required for reclamation activities.

3.8 NOISE AND EMISSIONS

Mining operations will include the use of a bulldozer, a front-end loader or excavator, a scraper, a water truck, a conveyor belt, and occasionally a portable, non-mechanical screen. These mining operations may affect noise and emissions.

3.8.1 Noise

Noise is generally defined as "unwanted sound." Mineral resource extraction, hauling, screening, loading and other site activities will create noise. Bollard & Brennan, Acoustical and Noise Consultants, have been retained by the applicant to conduct noise studies and prepare a technical noise report for the proposed project. When complete, this report will be submitted to the City under separate cover.

As mentioned previously, the nearest proposed off-site residences are located approximately 2,600 feet south of the project site. The nearest off-site active non-residential structures are industrial facilities, located within approximately 100 feet of the project boundary. This area is zoned M-2. Additionally, substantial sources of ambient noise exist in the vicinity of the project site, including frequent jet landings at Mather Airport and vehicular traffic along White Rock Road, Sunrise Boulevard and Douglas Road.

3.8.2 Dust, Odors, Vehicular Emissions

Minimal soil disturbance is expected to occur as a result of mining operations because no topsoil removal is required to access the dredge tailings. However, water trucks will be used to maintain a moist aggregate and haul road surface, thereby minimizing fugitive

dust. In addition, the revegetation which will occur as part of reclamation activities will help to control dust.

Exhibit D is a copy of the Air Pollution Control Plan prepared for the proposed operation, which will be submitted to the Sacramento Metropolitan Air Quality Management District.

3.9 HOURS OF OPERATION/NUMBER OF EMPLOYEES

The City Zoning Code limits the hours for all mining operations unless modified by the conditions of approval or a subsequent entitlement granted by the Zoning Administrator. The hours allowed by Code are 6:00 a.m. to 10:00 p.m., Monday through Friday, and 6:00 a.m. until 3:00 p.m. on Saturdays. The applicant requests permission to operate on a 24 hours per day, 7 days per week basis, if required. This request is based on the fact that the processing plant operates during these hours on various occasions in order to meet market demand. The applicant believes this request is reasonable given the remoteness of the site and the fact that the proposed mining operation is distant from any residential use.

The maximum number of employees working on-site at any one time is anticipated to be six (6). There will be no customers at the site. Therefore, a parking plan is not needed for this operation.

3.10 TRANSPORTATION

Traffic attributable to the project is not expected to be significant. As mentioned above, a conveyor system will be used to transport the aggregate material to the processing plant. No impacts to the nearby roadways/levels of service have been identified. Transportation during concurrent reclamation activities will not add appreciably to the mining effects.

4.0 DESCRIPTION OF PROPOSED RECLAMATION

This reclamation plan outlines typical reclamation activities and site-specific techniques required before mining, during mining, and at final site reclamation. These measures were developed to:

- Comply with local and State laws, regulations, and mitigation measures;
- Minimize wind and water erosion;
- Blend the mined-lands into the surrounding landscape; and
- Return the site to a beneficial end use.

Reclamation objectives include controlling drainage, stabilizing soils, lessening the time needed for the vegetation of the site to recover, and providing an environment conducive to natural reestablishment of vegetation. Appendix C is the Revegetation and Grazing Management Plan for the project.

4.1 SUBSEQUENT USES

After the proposed mining is complete, the land will be undeveloped open space and will be used for seasonal grazing, similar to the grazing which currently occurs on the property and adjacent properties. Ultimately, the site may also be used for urban/industrial development in the future. The removal of cobbles from the site make it more viable for ultimate urban development.

4.2 IMPACT ON FUTURE MINING

The proposed reclamation plan calls for returning the land to its existing use of grazing. The reclamation will not detrimentally affect the feasibility of future mining in the area. Only the tailings within the proposed area will be mined.

4.3 RECLAMATION SCHEDULE

Reclamation of the site will occur concurrently with mining operations, i.e., after each of the 2 mining phases is complete. Each phase will be mined and graded to its finished elevation prior to the commencement of mining in the next phase. Please refer to Exhibit C, Mining and Reclamation Plan, for a description of each phase of the operation.

4.4 POST-MINING TOPOGRAPHY

4.4.1 Slope Stability

The proposed mining will return the subject property to a condition more like its natural state, by removing most of the man-made dredge tailing mounds. The undisturbed boundaries of the dredged area indicate that the natural terrain once sloped from elevations of 140 to 170 feet along the north and east edges of the site to elevations of 140 to 170 feet along the south and west edges of the site. Thus, the natural terrain consisted of relatively flat grounds with slopes of approximately 1-2%. The revised plan provides for the continued preservation of sensitive habitat areas by mining away from those areas at a constant slope.

4.4.2 Drainage

As discussed above, the site's natural drainage patterns were heavily modified by previous gold dredging operations. No interim drainage swales or ponds are necessary because the site consists of coarse dredge tailings and water infiltration is high. While the final grade of the mined area will be lower than adjacent ground, it will not create a drainage issue for the following reasons: 1) the area being mined has high water infiltration because it consists of previously disturbed dredge tailing and fines; and, 2) there is no through drainage in the area of the site where mining is taking place. Furthermore, it should be noted that the original mining and reclamation plan also provided for drainage through infiltration as well.

4.4.3 Deposition of Old Equipment

Only mobile equipment will be used in this mining operation. All equipment will be removed from the site upon completion of mining.

4.5 RESOILING

No overburden exists in the tailing areas to be mined. However, pursuant to the Revegetation and Grazing Management Plan attached as Appendix C, soils will be placed to provide a minimum of 6 inches of soil as necessary.

4.6 REVEGETATION

A Revegetation and Grazing Management Plan is attached as Appendix C. This plan describes setbacks and buffers, soil and site preparation, revegetation, erosion control and management, noxious weed management, test plots and reclamation monitoring and performance standards.

4.7 EROSION AND SEDIMENT CONTROL

No overburden exists in the tailing areas to be mined. Additionally, no stockpiles are proposed on-site as part of this operation; rather, all excavated material will be immediately transported to the processing plant. Erosion control management is described in the attached Revegetation and Grazing Management Plan, Appendix C.

4.8 PUBLIC SAFETY

The proposed mining site is relatively distant from non-industrial uses. As stated previously, the nearest planned residential development is located approximately 2,800 feet south of the proposed site. As such, public health and safety is not likely to be impacted.

Reclamation of this site will involve the creation of open space/grazing areas by leaving the previously mined site "as is." As such, no hazardous materials will be utilized in this process. Additionally, although TCE, a contaminant, has been found in groundwater beneath the proposed mining site, this contamination is far beneath the surface (over 100 feet) and is therefore distant from the deepest extent of proposed mining. Accordingly, any contamination in the groundwater has no relationship to proposed mining activities and vice versa.

4.9 PERFORMANCE STANDARDS

SMARA Section 2773(a) requires that the reclamation plan establish "site-specific criteria for evaluating compliance with the approved reclamation plan, including topography, revegetation, and sediment and erosion control." The following discussion sets forth minimum site criteria, or performance standards, for the various aspects of site reclamation. Monitoring of reclamation performance standards will be conducted by a qualified individual or group, agreed upon by the applicant and the City. The attached Revegetation and Grazing Management Plan describes specific reclamation monitoring and performance standards for this plan. In addition, the City of Rancho Cordova, pursuant to City Code Section 20.040.070 (d) provides the following standards:

(d) Unless otherwise specified in the approved reclamation plan, the reclamation of mined lands shall be carried out in accordance with the following requirements:

1. Reclamation Timing.

a. The reclamation of mined lands shall occur as soon as practical following completion of mining operations at successive locations within the mining site as required by the schedule in the approved reclamation plan.

b. The reclamation of lands affected by surface mining operations shall be completed within one year of the completion of mining operations, except where the permanent reclaimed condition of mined lands cannot be achieved within one year due to the regulatory approvals (e.g., compliance with the California Environmental Quality Act) required for the ultimate land use contemplated or proposed for the property (e.g., urban development) In such case only interim reclamation, pursuant to section 20.040.070(c), need be accomplished within one year, and final reclamation shall be completed as soon as it is possible to complete the reclamation in compliance with the above regulatory approvals, but in no case, shall reclamation take more than three years.

2. Disposal of Overburden and Mining Waste.

a. Permanent piles or dumps of overburden and waste rock placed on the land shall be made stable, shall not restrict natural drainage without provision for diversion, and shall have an overall smooth or even profile subject to the satisfaction of the City Engineer. Where practical, such permanent piles or dumps shall be located in the least visible location at the mining site.

b. Old equipment and inert mining wastes shall be removed or buried subject to the approval of the hearing officer.

c. Toxic materials shall be removed from the site or permanently protected to prevent leaching into the underlying groundwater, to the satisfaction of the Planning Department.

d. Overburden and mining waste placed beneath the existing or potential groundwater level which will reduce the transmissivity or area through which water may flow shall be confined to an area approved by the City Engineer.

3. Re-vegetation.

a. All permanently exposed lands that have been denuded by mining operations shall be re-vegetated to provide ground cover sufficient to control erosion from such lands.

b. All plantings shall be established and maintained in good horticultural condition. The re-vegetation shall be able to survive under natural conditions, with native species used whenever possible.

c. Re-vegetation methods shall take into account the topography and existing growth patterns and mixes of flora present at and adjacent to the site of mining operations in order to create a more natural appearance. Plantings shall avoid rigid, geometric patterns and shall utilize natural scatterings.

d. Where the ultimate intended or proposed use of mined lands would be a level of development inconsistent with extensive permanent vegetation, the amount of vegetation required for reclamation need not be more than is sufficient to prevent erosion.

4. Re-soiling.

a. Re-soiling measures shall take into consideration the quality of soils which may be required to sustain plant life pursuant to any re-vegetation that the hearing officer may require in its approval of the applicant's reclamation plan.

b. Coarse, hard material shall be graded and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Where quantities of available soils are inadequate to provide cover, native materials shall be upgraded to the extent feasible for this purpose.

5. Final Slopes.

a. Final slopes shall be engineered and contoured so as to be geologically stable, to control the drainage therefrom, and to blend with the surrounding topography where practical. On the advice of the City Engineer, the Planning Department may require the establishment of terrace drains to control drainage and erosion.

b. Final slopes shall not be steeper than two feet horizontal to one foot vertical (2:1) unless the applicant can demonstrate to the Planning Department's satisfaction that a steeper slope will not:

(1) Reduce the effectiveness of re-vegetation and erosion control measures where they are necessary; and

(2) Be incompatible with the alternate future uses approved by the commission for the site; and

(3) Be hazardous to persons that may utilize the site under the alternate future uses approved for the site.

6. Drainage, Erosion and Sediment Control.

a. Any temporary stream or watershed diversion shall be restored to its state prior to any surface mining activities unless the Planning Department deems otherwise based on recommendations from the City Engineer.

b. Stream bed channels and stream banks affected by surface mining shall be rehabilitated to a condition which would minimize erosion and sedimentation, except that such rehabilitation need not attempt to restore or mimic natural conditions where the contemplated or proposed ultimate use of the reclaimed property would be inconsistent with the maintenance of restored or rehabilitated stream bed channels and stream banks.

c. Re-vegetation and re-grading techniques shall be designed and executed so as to minimize erosion and sedimentation. Drainage shall be provided to natural outlets or interior basins designed for water storage, with such basins subject to the approval of the City Engineer. In addition, final excavation shall eliminate potholes and similar catchments so as to prevent potential breeding areas for mosquitoes.

d. The final grading and drainage of the site shall be designed in a manner to prevent discharge of sediment above natural levels existent prior to mining operations.

e. Silt basins which will store water during periods of surface runoff shall be equipped with sediment control and removal facilities and protected spillways designed to minimize erosion when such basins have outlet to lower ground.

f. No condition shall remain after reclamation which will or could lead to degradation of groundwater quality below applicable standards to the Regional Water Quality Control Board or any other agency with jurisdiction over water quality.

7. Backfilling and Grading.

a. Subject to the approval of the City Engineer, backfilled and graded areas shall be compacted to avoid excessive settlement and to the degree necessary to accommodate anticipated future uses.

b. Materials used in the refilling shall be of a quality suitable to prevent contamination and/or pollution of groundwater. If materials for backfilling and grading are obtained from an area other than the site of surface mining operations, such materials shall be included and the approximate quantities identified in the applicant's reclamation plan.

8. Reservoirs, ponds, lakes or any body of water created as a feature of the reclamation plan shall be approved by the City Engineer and the Planning Department.

4.10 MAINTENANCE, MONITORING AND REMEDIAL MEASURES

Pursuant to CCR Section 2773(a), the success of reclamation will be monitored for three years, or until performance standards are met, provided that, during the last two years, there has been no human intervention, including, for example, irrigation, fertilization, or weeding. Remedial measures will be implemented as necessary to achieve the performance standards.

4.11 REPORTING

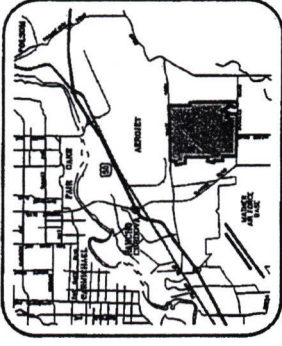
Once the reclamation activities for a phase have been completed, monitoring activities will commence and will continue until the City is satisfied that performance standards have been met. Reporting of the progress of reclamation will be relayed to the City on an annual basis.

5.0 COST OF RECLAMATION

A reclamation cost estimate is provided in Appendix D.

6.0 APPLICANT STATEMENT OF RESPONSIBILITY

An Applicant Statement of Responsibility is provided as Appendix E.



VICINITY MAP
NOT TO SCALE

TSAKOPOULOS-BACHMANN
PROPERTY

TEICHERT
GRANTLINE
PROCESSING PLANT

SECURITY PARK
INDUSTRIAL AREA

AEROJET/
RIO DEL ORO
VACANT

MINING
AREA

SUBJECT PARCEL
ELLIOTT HOMES
072-0370-071
1,100± AC.

WHITE ROCK ROAD

SUNRISE BLVD.

DOUGLAS ROAD

SUNRIDGE SPECIFIC PLAN AREA

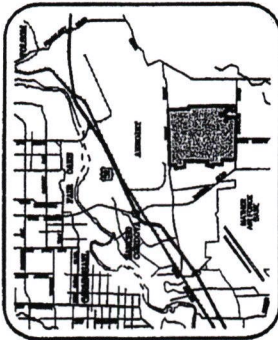
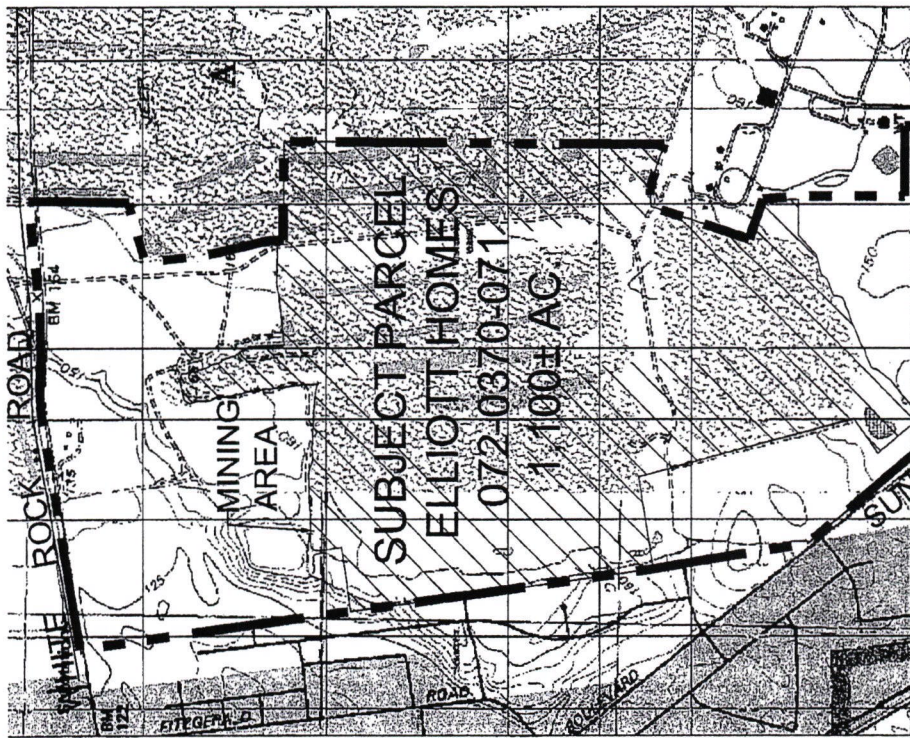
GRANTLINE WEST MINING SITE SITE LOCATION MAP EXHIBIT 'A'

DECEMBER 10, 2004


G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
215 RIVER PLAZA DR., SUITE 100/SACRAMENTO, CALIFORNIA 95833
TELEPHONE: (916) 286-7600 • FAX: (916) 286-7601



GRANTLINE WEST MINING SITE USGS SITE LOCATION MAP EXHIBIT 'B'



DECEMBER 10, 2004

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EXHIBIT C
MINING AND RECLAMATION PLAN

Please refer to full-scale plans, submitted with this application.

EXHIBIT D
AIR POLLUTION CONTROL PLAN

GRANTLINE ROAD PROPERTIES, LLC

P.O. Box 15002
Sacramento, CA 95851-1002

December 10, 2004

David Grose
Sacramento Metropolitan Air Quality Management District
Stationary Source Division
777 12th Street, 3rd Floor
Sacramento, CA 95814

**Re: Air Pollution Control Plan for Surface Mining, Grantline West Mine
Sacramento County APN 072-0370-071
Applicant/Operator: Grantline Road Properties, LLC**

Dear Mr. Grose:

In accordance with section 235-48 of the Sacramento County Zoning Code, Grantline Road Properties, LLC hereby presents for your approval the Air Pollution Control Plan for surface mining of the above-described site. This document is submitted to your office as part of an application for a Conditional Use Permit and Reclamation Plan, which has been submitted to the City of Rancho Cordova. The proposed mining operation is approximately 583 acres in size, and is located south of White Rock Road, east of Sunrise Boulevard, and north of Douglas Road within the City of Rancho Cordova. Proposed work includes the removal and transportation of aggregate material to the existing Grantline plant for processing. No processing will occur on the mining site.

The following are the applicant's responses to items (a) through (c) of section 235-48:

- (a) and (b) The applicant will utilize a conveyor system to transport mined material to the processing plant; therefore haul routes will not be utilized in the ordinary course of business. If, however, such routes must be utilized for any reason, they will be watered periodically to control dust.
- (c) No public roads will be used to transport mined material to the Grantline processing plant.

In addition, the applicant will implement the following measures to ensure compliance with regional air quality goals and regulations:

1. No visible fugitive dust will leave the project site.

2. The conveyor system used to transport material from the mining site to the processing plant will be loaded properly to avoid spillage of materials.

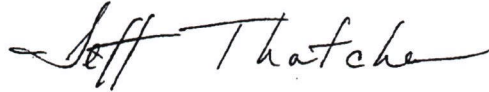
To assist in your review of this Plan, please find enclosed the following exhibits from the Reclamation Plan application for the proposed mining operation:

Exhibit A - Site Location and Vicinity Map

Exhibit C - Mining and Reclamation Plan, which includes the proposed route for the conveyor belt. This route is subject to change depending upon environmental constraints.

Thank you for your cooperation in the review of our Plan. Please feel free to contact me at 484-3317 if you have any questions or require further information.

Very truly yours,

A handwritten signature in cursive script that reads "Jeff Thatcher". The signature is written in dark ink and is positioned below the typed name.

Jeff Thatcher

APPENDIX B

BIOLOGICAL ASSESSMENT

BIOLOGICAL ASSESSMENT

FOR

GRANTLINE WEST

CITY OF RANCHO CORDOVA, CALIFORNIA

January 6, 2005

Prepared for:
Grantline Road Properties, LLC

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BIOLOGICAL ASSESSMENT

GRANTLINE WEST

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Attachment A – Grantline West Wetland and Elderberry Location Map
Attachment B – Rio del Oro Potential Special-Status Species

INTRODUCTION

The 583± acre Grantline West project site is located south of White Rock Road, north of Douglas Road, and east of Sunrise Boulevard (Figure 1 – *Project Site and Vicinity Map*). The site corresponds to portions of Sections 5, 6, 7 and 8 of Township 8 North, and Range 7 East, of the "Carmichael, California" U.S.G.S. 7.5-minute quadrangle (U.S. Department of the Interior, Geological Survey, 1967, photorevised 1980) and portions of Sections 31 and 32 of Township 9 North, and Range 7 East of the "Buffalo Creek, California" U.S.G.S. 7.5-minute quadrangle (U.S. Department of the Interior, Geological Survey, 1967, photorevised 1980).

The purpose of this biological resource assessment is to identify potentially jurisdictional waters of the U.S. and to assess the potential for occurrence of special-status plant and wildlife species within the project site.

Methodology

Several surveys have been conducted on the Grantline West project site to date. The following reports were used in the preparation of this biological assessment:

- *Results of Surveys for Special-Status Wildlife Species at the Aerojet Property, Sacramento County, California*, Miriam Green Associates, April 1999
- *Jurisdictional Delineation Rio del Oro Property*, Gibson and Skordal, June 1999
- *Listed Vernal Pool Branchiopods Wet Season Survey*, Gibson and Skordal, August 2000
- *Listed Vernal Pool Branchiopods Wet Season Survey*, Gibson and Skordal, July 2001
- *Elderberry Survey*, Gibson and Skordal, September 2000
- *Rio del Oro, Rancho Cordova, California – Rare Plant Survey*, ECORP Consulting, Inc., August 2003
- *Biological Assessment for Rio del Oro*, ECORP Consulting, Inc., September 2003

For the purposes of this assessment, "special-status" refers to those species which:

- Have been designated by the California Department of Fish and Game (CDFG) or the U.S. Fish and Wildlife Services (USFWS) as either *rare*, *threatened*, or *endangered*; and are legally protected under the California or federal endangered species acts;
- Are proposed or candidate species being considered for listing under either federal or California Endangered Species Acts; or
- Are of expressly stated interest to resource regulatory agencies, or local jurisdictions, such as CDFG species of special concern, USFWS species of concern, or California Native Plant Society (CNPS) List species.

Existing Site Conditions

The project area is approximately 583± acres in size. The Grantline West project site consists of cottonwood riparian woodland, oak woodland, and annual grassland habitat. Linear rock tailing rows, some reaching 60 feet in height, comprise the majority the site (Figure 2 – *Aerial View of Project Site*). Historically, the site was used for gold mining operations in the 1920s and 1950s. The mining activities consisted of dredging ancient alluvial deposits. The areas that were mined are marked today by alternating piles of cobbly tailings and lower areas where the finer sediment settled out.

Cottonwood riparian habitat occurs within depressions between rows of man-made rock tailings. These characteristic dredge tailings areas are characterized by riparian and shrub-like vegetation, including Fremont cottonwood (*Populus fremontii*), willow (*Salix* sp.), elderberry (*Sambucus mexicana*), and coyote brush (*Baccharis* sp.).

Separate from the tailings, a very small amount of annual grassland exists on the Grantline West site. Within the annual grassland are ephemeral features including vernal pools and seasonal wetlands. The annual grassland community is comprised predominantly of non-native

naturalized Mediterranean grasses. These include ripgut brome (*Bromus diandrus*), soft brome (*Bromus hordeaceus*), wild oats (*Avena fatua*), ryegrass (*Lolium multiflorum*), Mediterranean barley (*Hordeum marinum*), and medusahead grass (*Taeniatherum caput-medusae*). Other non-native herbaceous species include hairy hawk-bit (*Leontodon taraxacoides*), filaree (*Erodium botrys*), pineapple weed (*Chamomilla suaveolens*), and yellow-star thistle (*Centaurea solstitialis*).

Within the areas which have not been disturbed by historic mining operations, the characteristic plant community is non-native annual grassland. The vegetation is characterized by a dominance of non-native grasses and forbs. Common species include soft brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), wild oats (*Avena fatua*), medusa head (*Taeniatherum caput-medusae*), yellow star-thistle (*Centaurea solstitialis*), and tarweed (*Holocarpha virgata*). Non-native annual grassland vegetation also occurs patchily in areas between cobble tailings.

The historically mined areas consist of long rows of cobble piles (dredge tailings) and low-lying areas between tailings. The cobble piles themselves are xeric environments characterized by cobble and remnant soils with sparse vegetation. The low areas between the cobble tailings typically support slickens soils. The plant community in these low areas is variable but often includes wetland tree and shrub species such as Fremont cottonwood (*Populus fremontii*) and willow (*Salix* spp.). For the most part, these species are deep-rooted remnants of the more riparian community that existed between cobble tailings when the area received more water, either from GenCorp facility operations or the original dredging operations. Currently, most of these low-lying areas are very dry and are dominated by upland herbaceous and shrub species including yellow star-thistle, Italian thistle (*Carduus pycnocephalus*), ripgut brome, and soft chess.

There are three different soils types mapped for the project area. Soil series mapped by the Natural Resource Conservation Service for the site include (193) Red Bluff Loam, 0-5% slopes; (223) Slickens; and (245) Xerorthent, dredge tailings, 2-50% slopes (Figure 3 – *NRCS Soil Types*). The Red Bluff soils occur in the grasslands within areas which have not been disturbed

by historic mining activities. The Slickens and Xerorthent dredge tailings soils occur with areas that have been substantially disturbed by historic mining activities.

WETLANDS

A wetland delineation of Rio del Oro, including the Grantline West site, was first conducted by Gibson and Skordal in 1999 and revised by ECORP Consulting, Inc. on October 21, 2004. There are a total of 0.668 acre of non-jurisdictional wetlands located within the project site (Figure 4 – *Wetland Delineation*, Attachment A). The 0.668 acre are comprised of three wetland categories as shown in Table 1. A field verification was conducted with the Corps on September 30, 2004, and the verification letter is pending.

All wetland features identified on the project site have been mapped as non-jurisdictional because they are considered 'isolated' wetlands per the SWANCC decision (Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178 [January 9, 2001]). According to the SWANCC decision, wetlands that are 'non-navigable, isolated, and intrastate' may fall outside of the Corps' jurisdiction. Isolated wetlands are those wetlands that are not part of (or adjacent to) the tributary system of traditional navigable waters or interstate waters. 'Adjacent' is defined by regulation as "bordering, contiguous, or neighboring. Wetlands separated from other waters of the United States by man-made dikes or barriers, natural river berms, beach dunes, and the like are 'adjacent wetlands' "33 C.F.R. §328.3(d). Final determination of whether a wetland is 'isolated' or not is at the discretion of the Corps.

The non-jurisdictional wetlands identified within the project site were conservatively mapped and consist of vernal pools, seasonal wetlands and seasonal wetland swales. They are located within the low-lying areas of the mined cobble tailings in the within the project area. These features were determined to be 'isolated' because they are non-navigable, intrastate, lack apparent water connection to a jurisdictional water source, and are not 'adjacent' to the tributary system of a navigable water.

Table 1. Non-Jurisdictional Wetlands

Type	Acreage
<u>Wetlands</u>	
Vernal Pool	0.519
Seasonal Wetland	0.125
Seasonal Wetland Swale	<u>0.024</u>
Total:	0.668

Vernal Pools

There are a few vernal pools located within the annual grassland habitat portions of the project site, particularly in the non-mined areas. Vernal pools are types of shallow seasonal wetland depression that are typically dominated by annual native wetland plant species adapted to an annual wet/dry cycle. Vernal pools are flooded in the winter and spring but completely dry by summer. Due to the timing of this wetland delineation, many of the species that ordinarily occupy the vernal pools during the wet season were lacking or their remains were not identifiable to species. Plant species observed within vernal pools include Carter's buttercup (*Ranunculus bonariensis*), Vasey's coyote-thistle (*Eryngium vaseyi*), creeping spikerush (*Eleocharis macrostachya*), and slender popcorn-flower (*Plagiobothrys stipitatus*).

Seasonal Wetlands

There are two small seasonal wetlands located on the edge of the mined area of the project site. These seasonal wetlands are ephemerally wet areas that are usually underlain by clay or a heavy clay loam that act to suspend runoff within low-lying areas. They become inundated during the winter and fall but dry completely during the summer months. Unlike vernal pool wetlands, vegetation inhabiting on-site seasonal wetlands is predominately non-native wetland generalist plants such as Italian ryegrass (*Lolium multiflorum*), barley (*Hordeum murinum*), dock (*Rumex* spp.) rabbits-foot grass (*Polypogon monspeliensis*). Less common are native species such as Baltic rush (*Juncus balticus*) and creeping spikerush (*Eleocharis macrostachya*).

Seasonal Wetland Swales

Two small seasonal wetland swales are located along the west edge of the project site and consist of shallow, ephemerally wet areas that convey water between vernal pools during storm events. They occur as linear wetland features but lack bed-and-bank, and are lined with vegetation. Portions of a swale remain saturated into the growing season, support some hydrophytic vegetation, and exhibit hydric soil characteristics. The vegetation community of on-site swales consists primarily of non-native wetland generalist plants such as Italian ryegrass and Mediterranean barley, dock, as well as native annual species including coyote thistle.

SPECIAL-STATUS SPECIES

Based upon vegetation communities present on the property, species' known distributive data, and the references cited above, a list of potentially occurring special-status species has been developed for the Grantline West project site (Attachment B). Species include: six plant species, five invertebrates, one amphibian, five birds, and four mammals.

Plants

Species with potential to occur on the project site include: dwarf downingia (*Downingia pusilla*, a CNPS List 2 species); Bogg's Lake hedge-hyssop (*Gratiola heterosepala*, a state endangered and CNPS List 1B species); Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*); Greene's legenere (*Legenere limosa*), both federal Species of Concern and CNPS List 1B species; slender orcutt grass (*Orcuttia tenuis*, a federal threatened, state endangered and CNPS List 1B species) and Sacramento orcutt grass (*Orcuttia viscida*, a federal and state endangered and CNPS List 1B species). Of these, Boggs Lake hedge-hyssop, slender Orcutt grass, and Sacramento Orcutt grass are listed and protected pursuant to the state and/or federal Endangered Species Acts. Dwarf downingia, Greene's legenere, and Ahart's dwarf rush are not listed and protected pursuant to either state or federal Acts. However, these three species may be considered by local jurisdictions during the CEQA review process.

No special-status plant species were observed within the project boundaries during the spring 2003 surveys performed by ECORP Consulting, Inc.

Invertebrates

The seasonal wetlands and vernal pools on the project site represent habitat for the federally-threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the federally-endangered vernal pool tadpole shrimp (*Lepidurus packardii*). Gibson and Skordal conducted wet season surveys during 2000 and 2001 on portions of the project site. *B. lynchi* and *L. packardii* were found in surveyed wetlands in the open grassland habitat adjacent to but not within the dredger tailings habitat. The USFWS is ultimately responsible for making the determination of potentially suitable habitat.

Table 2. Potential Listed Aquatic Invertebrate Habitat

Wetland Type	Existing Acreage	Potential Habitat
Vernal pool	0.519	0.519
Seasonal wetland	0.125	0.125
Seasonal wetland swale	0.024	0.024
TOTAL	0.668	0.668

Other special-status aquatic invertebrates that may be found on-site include California linderiella (*Linderiella occidentalis*, federal species of concern) and mid-valley fairy shrimp (*Branchinecta mesoaliensis*, federal species of concern). These species may be found in vernal pools and seasonal wetlands on the site.

Gibson and Skordal conducted elderberry surveys on the project site during July and August of 2000. There are a total of five elderberries located on the project site (Figure 5 - *Elderberry Locations*). The elderberry plant (*Sambucus mexicana*) is the exclusive host plant of the federally-threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). No beetle exit holes were noted on the five elderberries during the survey.

Fish

There is no habitat for special-status fish species on the project site.

Amphibians

The vernal pools and adjacent grasslands on-site represent potentially suitable habitat for the western spadefoot toad (*Spea hammondi*, CDFG species of special concern and federal species of concern). No other special-status amphibians have the potential to occur on-site.

Reptiles

There is no habitat for special-status reptiles on the site.

Birds

The potentially occurring special-status birds on-site include nesting raptors, nesting songbirds, and wintering or migrant birds. The nesting raptors include both tree nesting and ground nesting species.

Tree nesting species that may nest on-site are white-tailed kite (*Elanus leucurus*, Fish and Game Code fully protected and USFWS bird of management concern), Cooper's hawk (*Accipiter cooperii*, CDFG species of special concern), and Swainson's hawk (*Buteo swainsoni*, California-threatened). The many Fremont cottonwood (*Populus fremontii*) on the site represent potential nesting habitat for these species.

Special-status songbirds that may occur within the project site include loggerhead shrike (*Lanius ludovicianus*, CDFG species of special concern and USFWS bird of management concern)

Other special-status birds that may occur on-site are not known to nest in this region and/or suitable nesting habitat is not present on-site. However, small areas of open grassland habitat on the Grantline West site represent potential foraging habitat for merlin (*Falco columbarius*,

CDFG-species of special concern). The merlin is a winter visitor to this area, and is only considered special status on its nesting grounds.

General nesting occurs from February – August. The lead agency may require pre-construction surveys on the project site.

Mammals

The grassland areas may provide foraging habitat for a variety of special-status bats that are known to occur in this region. These are: small-footed myotis (*Myotis ciliolabrum*), Yuma myotis (*M. yumanensis*), Townsend's big-eared bat (*Corynorhinus townsendii*), and pallid bat (*Antrozous pallidus*). Typical roosting and breeding sites for these species include appropriate cliffs, buildings, caves, mines, and bridges. The older trees on the site may potentially be used as roosting sites. None of these species are listed and protected pursuant the California or federal Endangered Species Act; they are considered CDFG species of special concern, Forest Service sensitive species, and/or Bureau of Land Management sensitive species.

CONCLUSION

Non-jurisdictional wetlands mapped include vernal pools (0.519 acre), seasonal wetlands (0.125 acre) and seasonal wetland swale (0.024 acre). If the U.S. Army Corps of Engineers identifies these wetlands as isolated, impact to these features would not require permitting pursuant to Section 404 and 401 of the federal Clean Water Act. Under the California Porter-Cologne Water Quality Control Act, discharges to wetlands and other "waters of the state" must be reported to the Regional Water Quality Control Board. There are no features on the project site that would require permitting through Section 1600-1603 of the California Fish and Game Code (Lake and Streambed Alteration Agreement).

The vegetation communities observed on-site represent potentially suitable habitat for several regionally occurring special-status species. Plants include: dwarf downingia, Boggs Lake hedge-hyssop, Ahart's dwarf rush, Greene's legenera, slender Orcutt grass, and Sacramento Orcutt grass. Vernal pool fairy shrimp and vernal pool tadpole shrimp may occur in vernal pools and

seasonal wetlands. Elderberry shrubs on the project site represent habitat for the valley elderberry longhorn beetle. Vernal pools and adjacent grasslands may provide habitat for the western spadefoot toad. White-tailed kite, Cooper's hawk, and Swainson's hawk may nest on-site. Merlin and loggerhead shrike may utilize the site for foraging. Several special-status bats may forage, roost and breed on-site.

LIST OF FIGURES

Figure 1. Project Site and Vicinity Map

Figure 2. Aerial View of Project Site

Figure 3. NRCS Soil Types

Figure 4. Wetland Delineation

Figure 5. Elderberry Locations

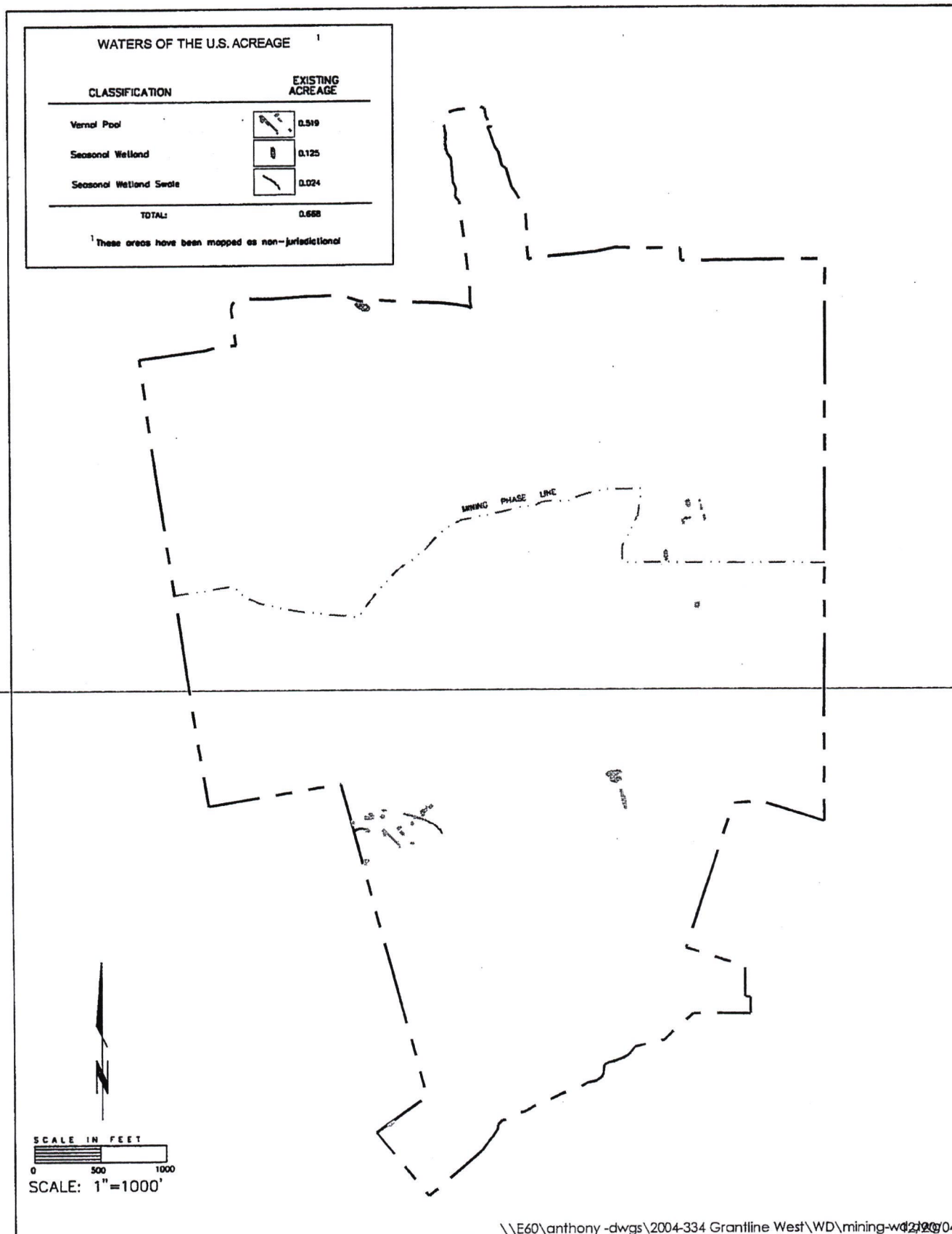


FIGURE 4. Wetland Delineation

2004-334 Grantline West

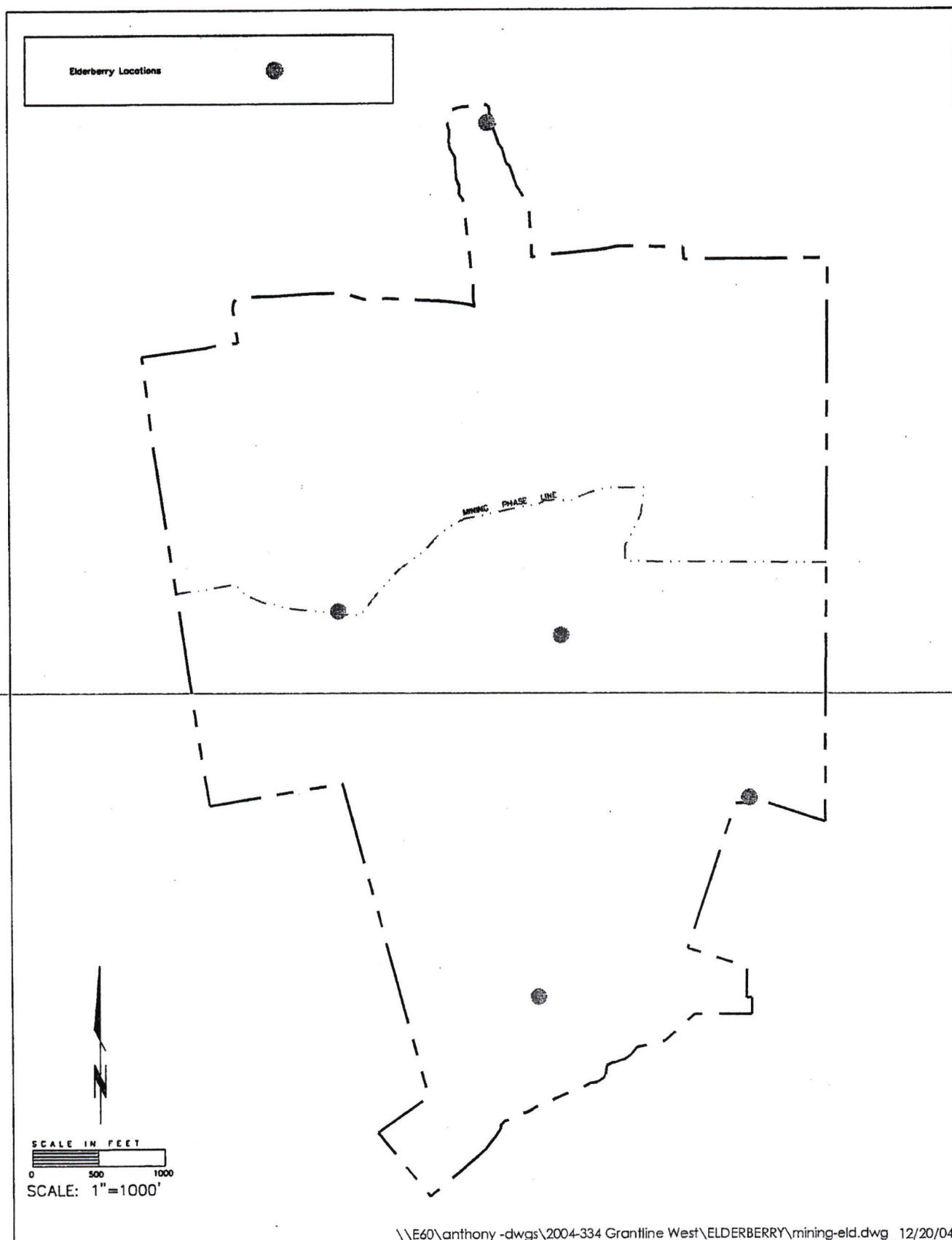


FIGURE 5. Elderberry Locations

2004-334 Grantline West

LIST OF ATTACHMENTS

Attachment A – Grantline West Wetland and Elderberry Location Map

Attachment B – Grantline West Potential Special-Status Species

ATTACHMENT A

Grantline West Wetland and Elderberry Location Map

ATTACHMENT B

Grantline West Potential Special-Status Species

Attachment B - Grantline West Potential Special-Status Species

Common Name	Scientific Name	Federal Status	State Status	Other Status	Habitat Description
Plants					
Dwarf downingia	<i>Downingia pusilla</i>	-	-	2	vernal pool/wetlands
Boggs Lake hedge-hyssop	<i>Gratiola heterosepala</i>	-	CE	1B	vernal pools
Ahart's dwarf rush	<i>Juncus leiopermus</i> var. <i>ahartii</i>	-	-	FSC, 1B	vernal pools
Greene's legumere	<i>Legumere linosa</i>	-	-	FSC, 1B	vernal pools
Slender orcutt grass	<i>Orcuttia tenuis</i>	FT	CE	1B	vernal pools
Sacramento orcutt grass	<i>Orcuttia viscida</i>	FE	CE	1B	vernal pools
Invertebrates					
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	FT	-	-	vernal pools/wetlands
Midvalley fairy shrimp	<i>Branchinecta mesoaliensis</i>	-	-	FSC	vernal pools/wetlands
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	FE	-	-	vernal pools/wetlands
California linderella	<i>Linderella occidentalis</i>	-	-	FSC	vernal pools/wetlands
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	FT	-	-	elderberry shrubs
Amphibians					
Western spadefoot toad	<i>Spea hammondi</i>	-	-	FSC, CSC, BLM	vernal pools, wetlands/adjacent grassland
Birds					
White-tailed kite (nesting)	<i>Elanus leucurus</i>	-	-	FSC, CFP	woodland, grassland
Cooper's hawk (nesting)	<i>Accipiter cooperii</i>	-	-	CSC	woodland
Swainson's hawk (nesting)	<i>Buteo swainsoni</i>	-	CT	BCC, FS	grassland, riparian
Merlin (wintering)	<i>Falco columbarius</i>	-	-	CSC	woodland, grassland
Loggerhead shrike	<i>Lanius ludovicianus</i>	-	-	FSC, CSC, BCC	grassland, woodland
Mammals					
Small-footed myotis	<i>Myotis ciliolabrum</i>	-	-	FSC, BLM	caves, mines, buildings, bridges, rock crevices, trees
Yuma myotis	<i>Myotis yumanensis</i>	-	-	FSC, BLM	Riparian woodland, caves, mines, buildings, bridges, rock crevices, trees
Townsend's big-eared bat	<i>Corynorhinus townsendii townsendii</i>	-	-	FSC, CSC, FS, BLM	caves, mines, buildings, rock crevices, trees
Pallid bat	<i>Antrozous pallidus</i>	-	-	CSC, FS, BLM	mines, man-made structures, rock outcrops, and woodland near open grasslands for foraging

Status Codes:

FE - Federally listed, Endangered.
 FT - Federally listed, Threatened.
 FPE - Formally Proposed for federal listing as Endangered.
 FPT - Formally Proposed for federal listing as Threatened.
 FPD - Formally Proposed for delisting.
 Fd - Formally Delisted (delisted species are monitored for 5 years).
 FC - Candidate for federal listing as Threatened or Endangered.
 FSC - U. S. Fish and Wildlife Service Species of Concern
 MNB - U. S. Fish and Wildlife Service Migratory Nongame Birds of Management Concern
 BLM - Bureau of Land Management Sensitive Species
 FS - U. S. Forest Service Sensitive Species
 CE - California listed, Endangered.
 CT - California listed, Threatened.
 CR - California listed, Rare.

CC - California candidate for listing as Endangered or Threatened
 COR - California Code of Regulations Title 14 Fully Protected Species
 CFP - Fish and Game Code of California Fully Protected Species
 (\$3511-birds, \$4700-mammals, \$5050-reptiles/amphibians).
 CSC - California Department of Fish and Game Species of Special Concern.
 CDF - California Department of Forestry Sensitive Species
 1A - California Native Plant Society/Presumed extinct
 1B - California Native Plant Society/Rare or Endangered in California and elsewhere
 2 - California Native Plant Society/Rare or Endangered in California, more common elsewhere
 4 - California Native Plant Society/Plants of Limited Distribution
 CNDDb - Species that is tracked by CDFG's Natural Diversity Database
 but does not have any of the above special-status designations otherwise.

APPENDIX C

NOISE ANALYSIS

Environmental Noise Analysis

Teichert Grantline West Mining Project

Sacramento County, California

BBI #: 2004-329

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INTRODUCTION

The Grantline West Aggregate Extraction Project (project) site is located south of White Rock Road, North of Douglas Road, and East of Sunrise Boulevard, in Rancho Cordova, California. The project proposes the removal of aggregate materials via conveyor for off-site processing at an existing Teichert processing facility. The equipment proposed to be utilized at this site includes CAT 988B front-loaders, aggregate materials screening machinery, aggregate conveyor systems, motor graders and water trucks (for dust suppression). The project site vicinity is shown by Figure 1.

Although there are no existing noise-sensitive land uses identified in the immediate project vicinity, nighttime excavation may occur at this project site. As a result, the acoustical consulting firm of Bollard & Brennan, Inc, was retained to prepare a noise analysis for the proposed aggregate mining activities to determine the state of compliance of those operations with local noise regulations. This report contains the results of that analysis.

The purposes of this analysis were to quantify existing ambient noise levels in the general project vicinity as well as noise levels generated by project mining equipment, and to evaluate the state of compliance of those noise levels with local noise standards at the nearest noise sensitive receptors to the project site.

Figure 1
Teichert Grantline West Mining Project Site - Sacramento County



4 : 24-Hour Noise Monitoring Site

1 : Short-Term Noise Measurement Sites

Bollard & Brennan, Inc.

BACKGROUND ON NOISE AND ACOUSTICAL TERMINOLOGY

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and hence are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB. Another useful aspect of the decibel scale is that changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighing the frequency response of a sound level meter by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels (expressed as dBA) and community response to noise. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels.

Community noise is commonly described in terms of the "ambient" noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state A-weighted sound level containing the same total energy as a time-varying signal over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptor, L_{dn} , and shows very good correlation with community response to noise.

The Day-night Average Level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

DESCRIPTION OF AREA AND EXISTING ENVIRONMENT

The proposed mining area is on a portion of the site shown by Figure 1. The project site is currently used for cattle grazing, and is surrounded primarily by open pasture land and commercial buildings to the west.

To generally quantify the existing ambient noise environment in the project vicinity, a short-term ambient noise level measurement survey was conducted at three locations on the project site on January 14, 2005 between 11 a.m.-2p.m., and one location monitored continuously on January 15. The noise measurement locations are shown on Figure 1. Weather conditions present during the monitoring program were typical for the season, consisting of cold temperatures, partly cloudy skies, variable relative humidity and mostly calm winds.

Measurement instrumentation consisted of a Larson-Davis Laboratories (LDL) Model 820 precision integrating sound levelmeter equipped with a LDL Model 2560 ½" microphone. The measurement system was calibrated in the field before and after use with a LDL Model CAL200 acoustical calibrator to ensure measurement accuracy.

The noise level measurement survey results are provided below in Table 1 and the continuous results are shown in Figure 2. The ambient noise monitoring survey revealed that ambient noise levels in the immediate project vicinity are somewhat elevated, as is fairly typical of rural areas affected primarily by local roadway traffic noise.

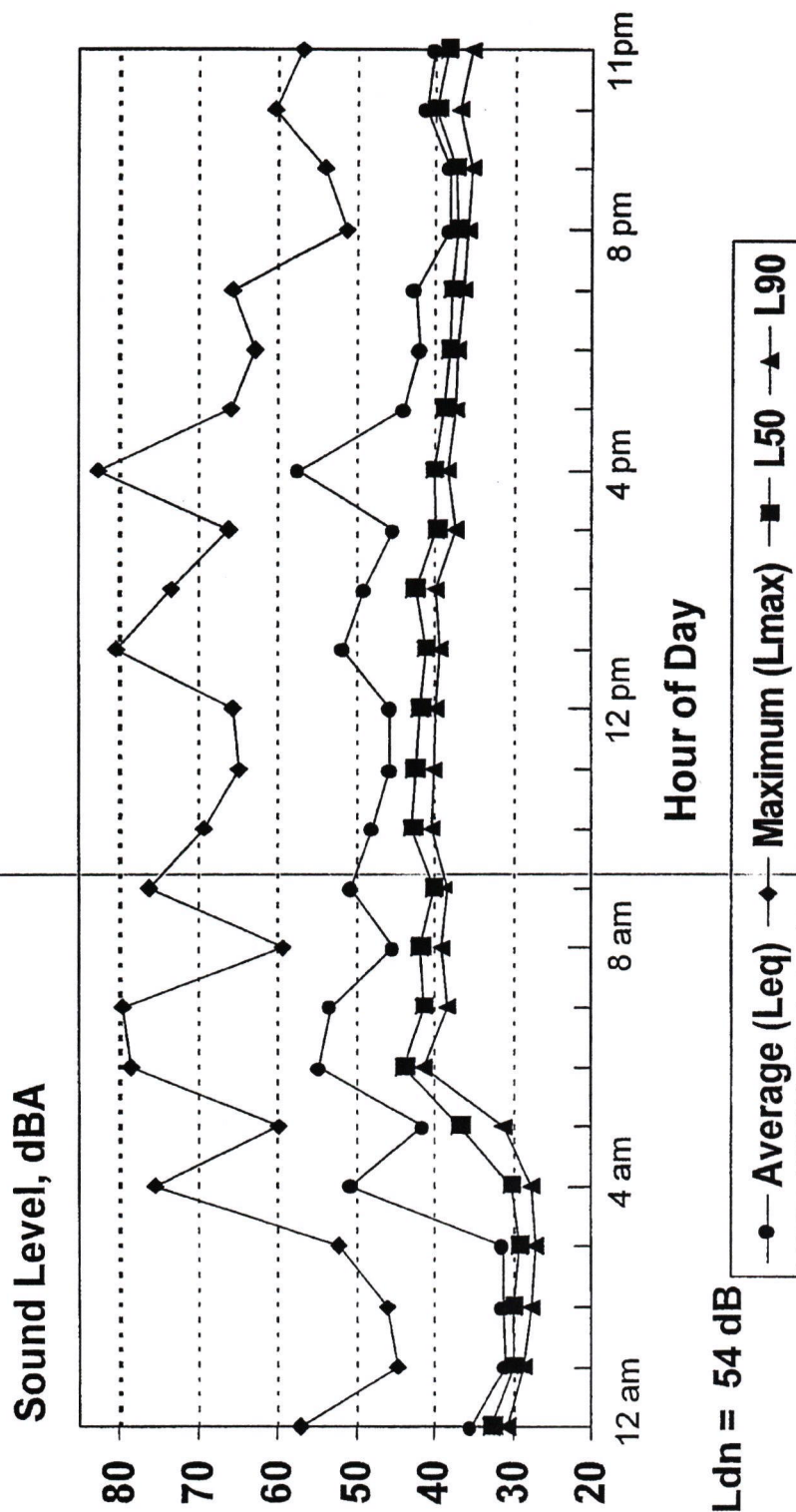
Table 1
Ambient Noise Monitoring Results
Teichert Grantline West Project Vicinity - January 14, 2005

Site	Location	Median (L50)	Maximum (Lmax)
1	South West corner of project site	61	76
2	North East corner of project site	60	80
3	North West corner of project site	56	75
4	West-Central portion of project site	50 day / 47 night	68 day / 59 night

Source: Bollard & Brennan, Inc.

Noise measurement locations are shown on Figure 1.

Figure 2
24-Hour Noise Measurement Results
Teichert Grantline West – Rancho Cordova, CA – Site #4
January 15, 2005



APPLICABLE NOISE STANDARDS

The City of Rancho Cordova (recently incorporated) will continue to apply the Sacramento County noise exposure standards until the adoption of its own General Plan.

Section 6.68.070 of the Sacramento County Code (Noise Control—Exterior Noise Standards) states that it is unlawful for any person at any location within the County to create any noise which causes the noise levels on an affected residential property to exceed the noise standards presented in Table 2. Since the mining operation operates continuously, for more than one hour without break, the standards listed in Table 2 would be applicable to this project at the nearest identified residential uses.

Table 2
Sacramento County Noise Ordinance Standards as Utilized by Rancho Cordova
Applicable at Exterior Spaces of Residential Properties

Cumulative Duration of Noise	Noise Metric	Daytime Level (dB) (7 am - 10 pm)	Nighttime Level (dB) (10 pm - 7 am)
30 minutes/hour	L ₅₀	55	50
15 minutes/hour	L ₂₅	60	55
5 minutes/hour	L ₈	65	60
1 minute/hour	L ₂	70	65
Instantaneous	L _{max}	75	70

Notes: Each of the noise limits specified above shall be reduced by 5 dB for impulsive or simple-tone noise sources, or for noise consisting of speech or music.

If the existing ambient noise levels exceed that permitted in the first four noise-limit categories, the allowable limit shall be increased in 5 dB increments to encompass the ambient noise.

Because the measured ambient noise levels in the immediate project vicinity (Table 1) are currently near or above the noise level limits shown in Table 2, satisfaction with the Table 2 standards at the nearest noise-sensitive receivers (residences) would ensure that the project does not result in a substantial increase in ambient noise levels.

MINING EQUIPMENT NOISE GENERATION

To quantify the noise generation of the mining equipment, Bollard & Brennan, Inc. utilized noise-level measurement data collected by BBI at the Teichert Aerojet site on February 10, 2004 between 9-10 a.m.

According to Teichert representatives, this equipment is identical to that which will be utilized at the Grantline West site. The measurement data used in this analysis was collected at a distance of approximately 150 feet from the operating equipment with no shielding of that equipment from intervening topography. A summary of the measurement results is presented in Table 2.

Measurement instrumentation consisted of a Larson-Davis Laboratories (LDL) Model 820 precision integrating sound levelmeter equipped with a LDL Model 2560 ½" microphone. The measurement system was calibrated in the field before use with a LDL Model CAL200 acoustical calibrator to ensure measurement accuracy. The results of the noise level measurements indicate that the mining operations generate reference median noise levels of 73 dB L_{50} and 77 dB L_{max} at a reference distance of 150 feet.

The nearest residences to the project site were identified as being approximately 5,000 from the proposed mining activities. At this distance, assuming standard spherical spreading of sound (6 dB decrease per doubling of distance and 1.5 dB decrease per 1,000 feet for correction for atmospheric absorption and excess ground attenuation), the predicted levels associated with Teichert Grantline mining activities would be approximately 36 dB L_{50} and 40 dB L_{max} .

The predicted noise levels are within compliance with the Noise Ordinance criteria utilized by the City of Rancho Cordova at the nearest noise sensitive areas during both daytime and nighttime periods. In addition, activities at this site are not predicted to adversely affect the existing commercial and industrial businesses to the west, as those uses are not considered to be as sensitive as residential land uses to noise.

CONCLUSIONS

Proposed Teichert, Inc. mining operations at the Grantline West site involving a CAT 988B front-loading, aggregate screening machinery, and aggregate conveyor systems, are predicted to comply with the daytime and nighttime noise criteria of the Sacramento County Noise Ordinance (as utilized by the City of Rancho Cordova).

Due to the insensitivity of the existing commercial and industrial uses to the west to noise, neither daytime nor nighttime mining activities at the Teichert Grantline West project site are predicted to adversely affect those uses. Because no significant adverse noise impacts are identified for the proposed mining activities, no specific recommendations for noise mitigation measures are warranted for this project.

Appendix A Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
L_{eq}	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
RT₆₀	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.

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RANCHO CORDOVA
PLANNING

Project Description and Justification Grantline West Mining Operation

Project Description

Project Location: The project site consists of a 583-acre proposed mining area situated within a 1,100 acre parcel (APN 072-0370-071) owned by Elliott Homes, Inc. The site is located within the City of Rancho Cordova, approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. Approximately 355 acres of the total mining area will be disturbed as part of this application. See Exhibit A of the Grantline West Reclamation Plan, which depicts the project location.

Description of Proposed Project: The proposed project involves the mining of tailings, which were created by gold dredge mining operations approximately 60 to 100 years ago. These tailings consist of cobbles intermixed with sand and gravel, and vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. The proposed operation will remove these mounds and the end result will be a site with elevations similar to the natural elevation of the site prior to gold dredging operations. All material mined from the site will be transported via conveyor to the existing Grantline processing plant where it will be washed and processed into various products. The conveyor will cross the adjacent property to the east, which is owned by the Aerojet General Corporation. See Exhibit C of the Grantline West Reclamation Plan for a description of the proposed conveyor route. The final location of this conveyor will be determined after an assessment of various environmental constraints.

After the mining is complete, the land will be undeveloped open space and will be used for seasonal grazing, similar to the grazing which currently occurs on the property and adjacent properties. Ultimately, the site may also be used for urban development. The removal of cobbles will better prepare the land for such development.

Request: The proposed mining site is located within the Aerojet Special Planning Area and is therefore zoned SPA. According to section 508-304(c) of the Zoning Code, as amended by Ordinance No. SZC 97-0040, the uses allowed within that zone are those permitted for any Permanent Agricultural Zone. Thus, in compliance with sections 201-02, 201-04 and 205-09 of the Zoning Code, the Applicant is requesting a rezone of the site to include a Surface Mining ("SM") overlay and approval of a Conditional Use Permit and its Mining and Reclamation Plan to allow surface mining operations on this site.

Project Justification

As mentioned above, the Grantline West site contains a valuable natural resource, sand and gravel, in the form of dredge tailings. Many local sources of permitted aggregate supplies are rapidly being depleted. This material is needed to update and maintain existing infrastructure, as well as to provide new transportation systems, school facilities, and other basic forms of infrastructure. A recent report by the California Mining Association advises that counties will need to ensure local, low-cost and accessible quality aggregates in order to maintain an attractive

quality of life and economy.¹ Allowing mining at the Grantline West site will help ensure that these necessary materials can continue to be efficiently obtained, transported, and processed for use within this region.

Additionally, removal of the dredge tailings on the Grantline West site will allow for possible future development of that property. The proposed mining operation will remove the tailing mounds and create a more uniform elevation across the parcel, thereby creating better opportunities for development of this property in the future.

The environmental impacts of the proposed project are minimal. The project will not have a negative impact on City and County air quality goals. As mentioned previously, the applicant is proposing to use a conveyor system to transport mined material to its Grantline plant for processing. By transporting the material via conveyor, as opposed to trucks, the air quality impacts of the proposed mining and reclamation are substantially reduced. Additionally, the Applicant has designed its mining plan to avoid sensitive environmental resources, such as wetlands, oak trees, and elderberry bushes. Finally, the proposed project will not impact ongoing clean-up operations taking place at the adjacent Inactive Rancho Cordova Test Site.

The project is consistent with the City's land use goals. The proposed mining of the Grantline West property will not conflict with surrounding land uses. There are no residences currently existing in the vicinity of the proposed project and the nearest planned residences are located approximately 2,600 feet south of the mining area. The nearest non-residential land uses are industrial in nature. The imposition of an "SM" zoning overlay on the site will help further the City's goal of protecting mineral resource areas from incompatible land uses, as noted in section 235-40 of the Zoning Code. Furthermore, as set forth in more detail in the Grantline West Reclamation Plan, the Applicant will comply with all State and local surface mining laws, including regulations regarding fencing and screening of the proposed mining operations.

For the foregoing reasons, the proposed project is justified.

¹ *CMAC Report Finds Sand and Gravel Shortages Looming*, Aggregates Manager (October 2001); available at www.aggman.com/1001_pages/1001management.htm.



Larry Greene
AIR POLLUTION CONTROL OFFICER

RECEIVED

January 25, 2005

FEB 04 2005

RANCHO CORDOVA
PLANNING

Mr Bill Campbell
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

**SUBJECT: Grantline West Mining Conditional Use Permit
SMAQMD FILE# SAC200500352**

Dear Mr Campbell:

Thank you for providing the project listed above to the Sacramento Metropolitan Air Quality Management District (District). Staff comments follow.

Given that the air quality benefits of using a conveyor to transport materials is dependent on the source of power of the conveyor, we recommend that the City have the following as a condition of approval for the project:

"any convey used on this project must be powered by electricity."

The project, like all projects, will be subject to District Rule 403 which has to do with fugitive dust. That rule can be found on our website.

If you have questions, please contact me at 874-4885 or by email at jborkenhagen@airquality.org.

Sincerely,

A handwritten signature in cursive script that reads "Jeane Borkenhagen".

Jeane Borkenhagen, Associate Air Quality Planner Analyst

cc: Ron Maertz SMAQMD

Agenda Item #10A

**Material received during the
Council Meeting of July 5, 2005.**

July 5, 2005

Kimee S. Kim

Have lived at 3601 Grant Line Road for 50 years. Her residence is omitted from the map (attached to the staff report [American River Aggregates]).

After the City issued the Aerojet Mining Amendment Final Mitigated Negative Declaration, Teichert posted a toxic sign on their gate (on 3417 Grant Line). It was posted on November 24, 2004. County says that Ms. Kim's address is 3417 Grant Line, which is incorrect. She said that her property was not considered in the Negative Declaration document.

Ms. Kim is concerned that the dirt that has found its way into Morrison Creek is not only diverting the creek but is causing contamination because the dirt is toxic. She believes the diversion of the creek will be harmful to the area.

She does not want a conveyor system used in the mining operation and opposes the Use Permit to allow surface mining of gravel material. She also would like to know who owns the White Rock North Dump site and who is responsible to clean it up.



Kimee S Kim.

2.1 PROJECT LOCATION

3417

The Aerojet Mining Amendment project site is located 3,300 feet south of White Rock Road, 4,000 feet west of Grant Line Road, and 5,200 feet north of Douglas Road. **Figures 1 and 2** show the project location and vicinity in relation to the surrounding community. This site is directly adjacent to the 600-acre Clark Mining Site, approved by the Sacramento County Board of Supervisors (Control No. 87-172Z).

2.2 BACKGROUND

The proposed project involves an existing quarry wherein dredger tailings formed in the early twentieth century are being removed to create sand and gravel products. The permission to mine the site was originally granted by the County of Sacramento in 1999 to Aerojet General Corporation, the property owner, and American River Aggregates, the operator. At that time, Aerojet and American River Aggregates agreed to limit the total tonnage of aggregate removed from the site to 2.5 million cubic yards. This tonnage limitation set the mining depth for which the original 1999 zoning ordinance, conditional use permit, and mining and reclamation are conditioned. Since the original approval of the mining operation, American River Aggregates has been acquired by Grantline Road Properties, LLC. Grantline Road Properties, in turn, has come to agreement with Aerojet to have additional tonnage removed from the property.

2.3 PROJECT CHARACTERISTICS

The proposed project would involve aggregate reclamation on an approximate 180-acre site. Reclamation activities have occurred on this site in the past, and are currently in operation on adjacent sites. Tailings will be excavated by a front-end loader, and then transported to the ARA processing plant by dump truck and or conveyor belt system. The Teichert processing plant is located approximately 4000 feet to the west of the proposed site. The conveyor belt system is a temporary feature that is being used on the adjacent reclamation site, and can be extended to the proposed project site. Reclamation activities would occur during daytime hours (7:00 a.m. to dusk).

The Aerojet Mining Amendment project would include the following:

- **Rezone:** An amendment to Zoning Ordinance No. SZC 99-0066. The amendment modifies Condition 29 of Exhibit C of the ordinance to reflect new exhibits that depict the change in the final elevation of the mined areas.
- **Conditional Use Permit Amendment:** An amendment to the Conditional Use Permit issued by the Board of Supervisors of Sacramento County on December 9, 1999, known by Control Number 98-UPB-0503. The amendment modifies Conditions 30 and 31 of the Use Permit. These modifications will set the term of the permitted mining for a period of eight (8) years from the adoption of the new Use Permit and replace the referenced exhibits to reflect the change in the final elevation of the mined areas.
- **Mining and Reclamation Plan Amendment:** The Mining and Reclamation Plan amendment modifies the plan to depict the change in the term and depth of mining on the site.

1.0 INTRODUCTION

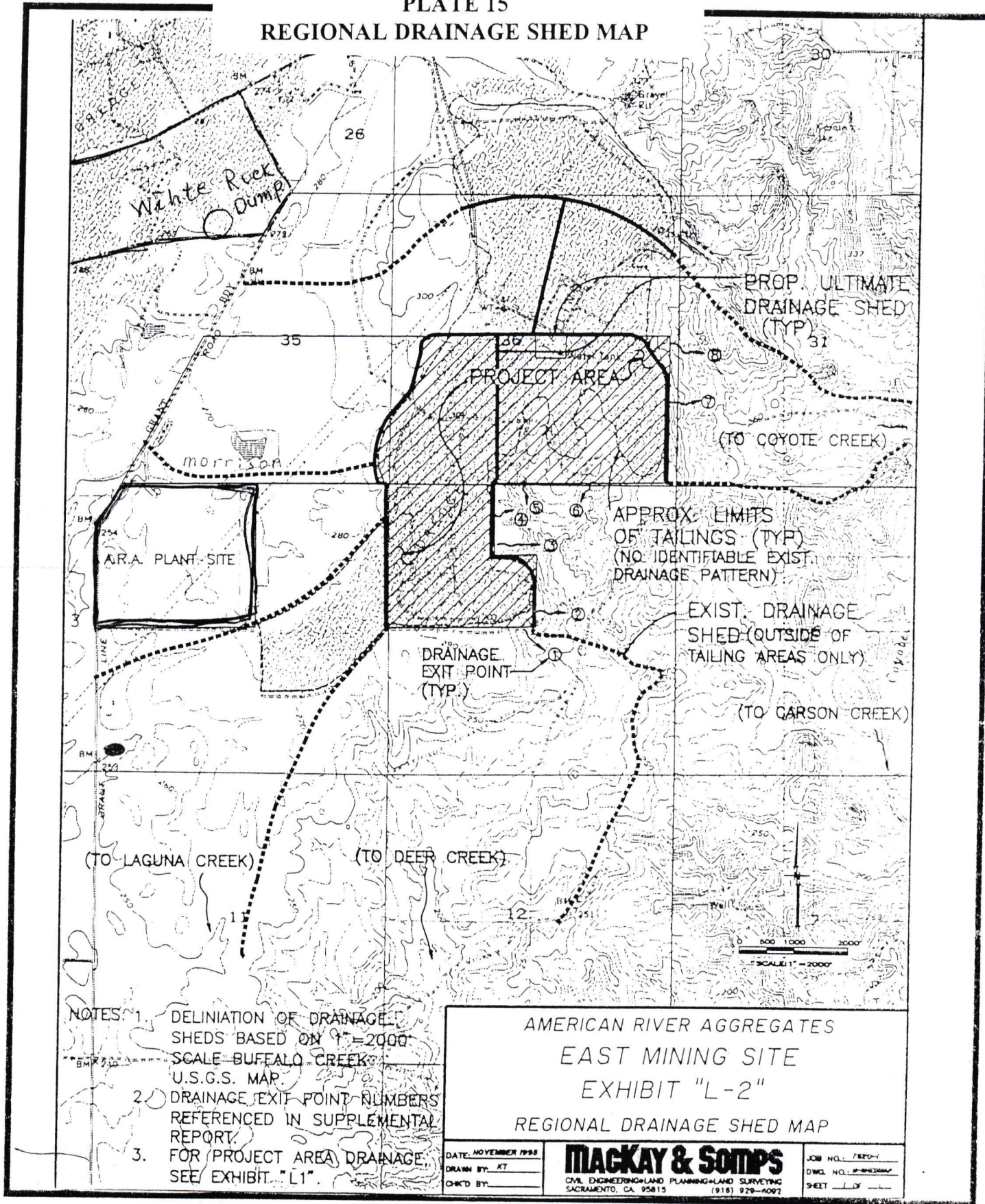
This document is divided into the following sections:

- **1.0 Introduction** - Provides an introduction and describes the purpose and organization of this document.
- **2.0 Project Description** - Provides a detailed description of the proposed project.
- **3.0 Environmental Setting, Impacts and Mitigation Measures** - Describes the environmental setting for each of the environmental subject areas, evaluates a range of impacts classified as "no impact," "less than significant," or "potentially significant unless mitigation incorporated" in response to the environmental checklist, and provides mitigation measures, where appropriate, to mitigate potentially significant impacts to a less than significant level.
- **4.0 Cumulative Impacts** - Includes a discussion of cumulative impacts of this project.
- **5.0 Determination** - Provides the environmental determination for the project.
- **6.0 Report Preparation and Consultations** - Identifies staff and consultants responsible for preparation of this document, persons and agencies consulted, and references.
- **7.0 References** - List of references used to prepare the MND.

1.4 ASSUMPTIONS

The City of Rancho Cordova has adopted Sacramento County's General Plan by reference. All references to the County General Plan, including standards, shall be interpreted as the City's General Plan.

PLATE 15
REGIONAL DRAINAGE SHED MAP



slopes and flow outward from the project site in easterly and southerly directions.

Surface Water Hydrology.

The project site is located in the Coyote Creek, Carson Creek, Deer Creek, Laguna Creek and Morrison Creek watersheds (Plate 15). Coyote Creek flows to the southeast and eventually empties into Carson Creek. Carson Creek flows to the south and empties into Deer Creek. Deer Creek flows to the southwest and empties into the Cosumnes River. Laguna Creek flows to the southwest then to the northwest and eventually empties into the Cosumnes River. Morrison Creek flows to the Beach-Stone Lakes area. *County has 5 large cul but at Grant Line Rd.*

Portions of the site proposed for surface mining contain dredger tailings, therefore, there are no discernable drainage patterns. However, the eastern portion of the property has not been mined in the past and contains four seasonal drainage swales, two with stock ponds. The drainage swales are a portion of the headwaters for Coyote Creek and Carson Creek.

The site is identified as being outside of any federally regulated 100-year floodplain (Zone X), as shown on the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Map (FIRM) map number 060262-0250C, dated September 30, 1988. No storm drain facilities exist along Grant Line Road in the vicinity of the project site.

Section 235-51 of the County Zoning Code requires the applicant to submit a drainage plan for approval to the Water Resources Division of the Sacramento County Public Works Agency. Approval by the Division is required before a work authorization permit is issued. The applicant has submitted a preliminary drainage plan (see Plate 16) and a regional drainage shed map (see Plate 15). The proposed project was reviewed by County Water Resources Division staff (J. Paluck) who provided the following comments:

...County standards require that all concentrated runoff be discharged into a pipe system or a defined bed and bank...prior to approval of any mining operations for this site, it must be demonstrated how and where this site is proposed to drain. This may require offsite improvements be performed to adequately daylight the proposed outfall...

If the project is approved, the subject application should be conditioned on the following:

potential impacts to cultural resources are less than significant, Mitigation Measures are recommended.

With the implementation of recommended mitigation measures, any singular or cumulative impacts to cultural resources will be rendered less than significant.

Toxics and Hazardous Materials

There are several former waste disposal sites in the vicinity of the project site, including the White Rock Road Landfill and various Aerojet chemical disposal areas (see Plate 21). Due to the nature of the disposal areas, the potential exists for the presence of groundwater contamination and soil contamination associated with both White Rock Road Landfill and Aerojet. There is also a slight possibility that the presence of landfill material from the White Rock Road Landfill may also impact the project site.

The subject property is south/southeast of Aerojet and the White Rock North Dump. In 1990, federal agencies included both Aerojet and the White Rock North Dump (WRND) in the national priorities list for uncontrolled hazardous waste sites. Aerojet is both a federal and state Superfund site. The WRND is a state Superfund site. These listings are the result of the deposit during the 1950's and 1960's of toxic liquid wastes at the dump sites.

White Rock Road Landfill Materials.

The White Rock Road Landfill consists of two former waste disposal sites, White Rock Road North and White Rock Road South, located on the north and south sides of White Rock Road, respectively, west of Grant Line Road. The White Rock Road Landfill accepted wastes in the 1950's and 1960's, including garbage, rubbish, septic tank and chemical toilet sledge, junk automobiles and toxic solvents such as TCE (trichloroethylene). While in operation, the White Rock Road Landfill was poorly run and engineered. Required cell operations were not consistently used, compacting practices were inadequate, and the lack of daily cover led to rat and insect problems, odors, underground fires and extensive settling. County Environmental Management Department files indicate the landfill sometimes exhibited deplorably unsanitary conditions. Underground fires burned for many years at the landfill, creating underground voids which resulted in ground fissures and craters (cave-ins). The underground fires made heavy equipment operation very hazardous. Detailed records

and maps were not kept regarding the total extent of the disposal area.

The project site is located southeast of the White Rock Road Landfill and is generally considered outside of the landfill perimeters. In the unlikely event that waste disposal associated with the landfill ever occurred on the American River Aggregates property, disturbance of the waste disposal areas could pose a threat to mining-site workers. If the mining operation disturbs old disposal areas, there would be the potential for exposure to hazardous materials, release of toxic gasses, asphyxiation, fire or explosions. In the event the mining operation encounters any former waste disposal area, mining activities should immediately cease and the following agencies should be contacted to determine the appropriate course of action: (1) Sacramento County Environmental Management Department 916-386-6168; (2) California Integrated Waste Management Board, Enforcement Division 916-255-2200; (3) California Regional Water Quality Control Board 916-255-3000.

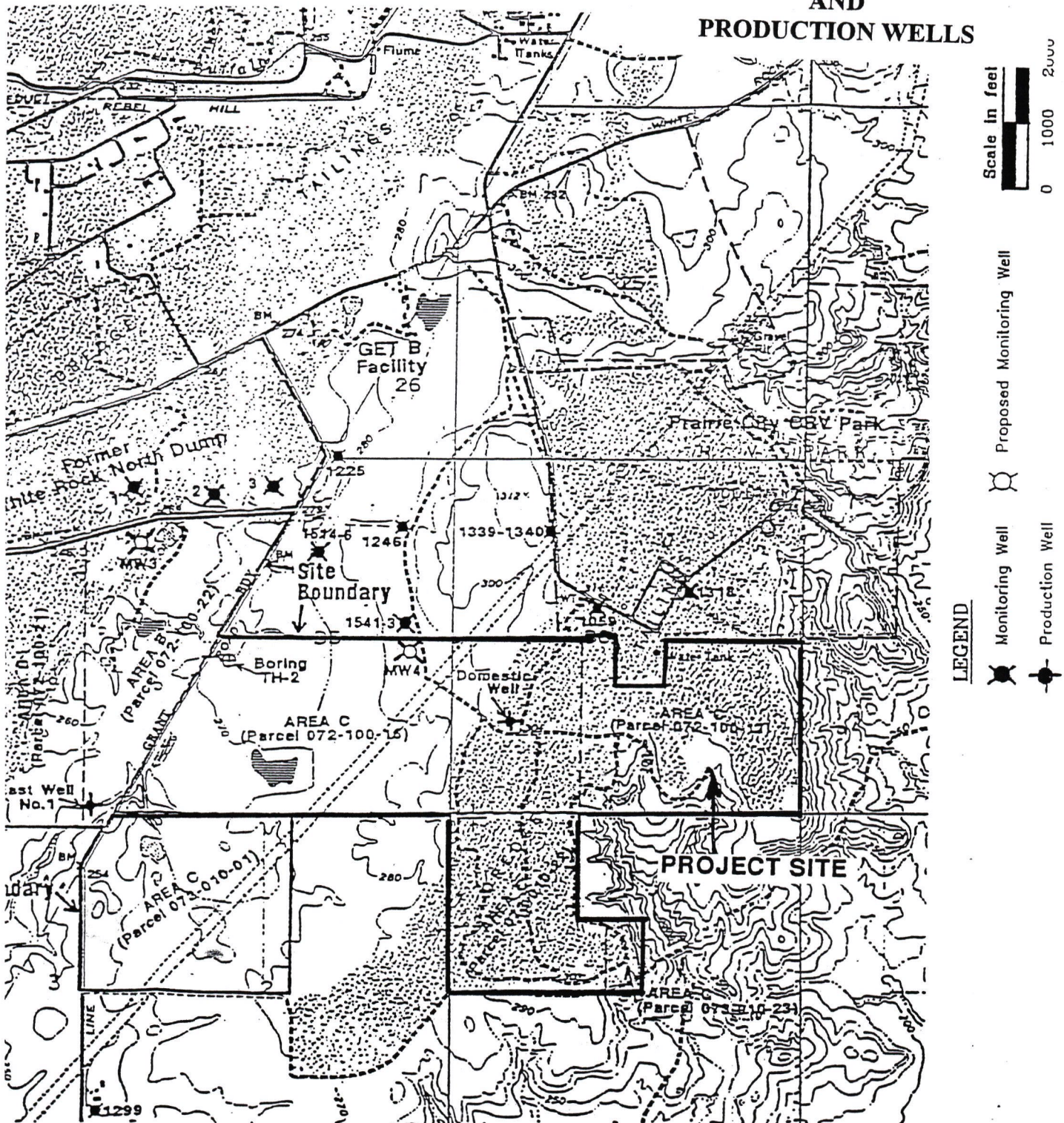
Aerojet Disposal Areas.

The Aerojet facility, located directly north of the project site, covers some 8,500 $\pm$ acres bounded roughly by Highway 50, Prairie City Road, White Rock Road, and Sunrise Boulevard. The Aerojet facility was established in 1950 to develop, test and manufacture solid rocket motors and liquid rocket engines for the federal space exploration and missile programs. Many hazardous substances are used in the aerospace industry. The groundwater at Aerojet has been affected by trichloroethylene (TCE), freon, chloroform, N-nitrosodimethylamine, trichloroethane, and dichloroethane.

In past years, when knowledge and regulation of the handling, storage and disposal of hazardous materials were more limited, the firms involved in aerospace research, testing, and production may have disposed of hazardous substances in ways that would not be allowed today. Disposal methods such as ponding, pouring on the ground, burying, dynamiting and burning sometimes occurred off the Aerojet site on property leased from land owners, generally ranchers.

These off-site disposal areas included the Grey Ranch, Cavitt Ranch and Prairie City sites as shown on Plate 21 which is an excerpt from the "Technical Report on Toxics" chapter of the Urban Alternatives Study, prepared by the Sacramento County Planning Department in March of 1985. These former disposal sites lie in fairly close proximity to the American River Aggregate property. Appendix E indicates that TCE is present in the groundwater in

PLATE 22 GROUNDWATER MONITORING AND PRODUCTION WELLS



MAP OF GROUNDWATER MONITORING AND PRODUCTION WELLS

Reference: U.S.G.S. 7.5 Minute Series (Topographic),
California-Buffalo Creek Quadrangle.

Modified from Harding Lawson Associates, May 1991



Luhdorff & Scalmanini
Consulting Engineers

PROPOSED MONITORING WELL LOCATIONS
SITE VICINITY MAP, ADJACENT PROPERTIES & PARCEL LOCATION MAP

FIGURE

2

the vicinity of the proposed mining area.

The reclamation plan contains the following regarding on-site groundwater contamination created by Aerojet and WRND:

...The subject property is south/southeast of Aerojet and the White Rock North Dump (WRND). In 1990, federal agencies included both Aerojet and the WRND in the national priorities list for uncontrolled hazardous wastes sites. Aerojet is both a federal and state Superfund site. The WRND is a state Superfund site. These listings are the result of the deposit during the 1950's and 1960's of toxic liquid wastes-including TCE and vinyl chloride-at Aerojet and at the WRND.

These toxic liquid wastes have contaminated groundwater in the vicinity. To monitor the extent of this groundwater contamination, many monitoring wells have been constructed as shown on Plate 22. These monitoring wells, and also groundwater supply wells in the area, have been repeatedly sampled to measure toxicity in the last decade as part of litigation and regulatory actions against Aerojet. Aerojet has already spent over \$1000 million to clean groundwater. Plate 22 shows one major Groundwater Extraction Treatment Facility constructed by Aerojet north of the area proposed for mining in this application. Aerojet announced in January 1995 that it has set aside another \$67.8 million for additional future groundwater cleanup.

In June of 1994, two groundwater monitoring wells (MW3 and MW4) were installed on the north edge of the current project site and that property located to the west across Grant Line Road which is currently being mined by ARA as indicated on Plate 22. Recent sampling of groundwater from these wells has shown significant contamination, as explained in (Appendix E) consists of two Groundwater Investigation Reports prepared in December 1994 and September 1995 by Luhdorff and Scalmanini, an independent groundwater consulting firm. (Appendix E) documents that groundwater is contaminated north and northwest of the proposed mining area and is clean at the East Well No. 1 on Grant Line Road. East Well No.1 is the primary water source for the ARA plant and this proposed mining application...

Appendix E contains groundwater investigation sampling results from Luhdorff and Scalmanini, Consulting Engineers taken in October of 1994. The report concludes as follows:

...In summary, the data indicate that the water quality near the water table beneath the former South Dump has not significantly changes since 1990. Furthermore, no volatile organic compounds have been detected in well MW1, and PCE and TCE detected in well MW2 are below the MCLs for those constituents. Ground-water contamination near the northern AKT property boundary is significant as evidence by the results for MW3 and MW4. The source(s) of contamination to those wells is likely upgradient of AKT, i.e. north of the AKT property. Ground-water contamination does not appear to exist at the AKT monitoring well/water supply well location...

In July of 1995, the same consulting engineering firm undertook additional ground-water samples from MW3 and MW4. The sampling event was the third occasion during which ground-water samples were collected for chemical analyses since the construction of those wells in June of 1994. The results of the samples are as follows:

...Ground-water contamination near the northern boundary of the property is significant as evidenced by the results for MW3 and MW4. Maximum contaminant levels for drinking water are exceeded for seven of the ten compounds detected at MW4...

The project could result in potentially adverse health and safety impacts to employees if mining excavation occurs below the water table and exposure to contaminated groundwater occurs. Health effects from exposure to hazardous materials can be acute, such as skin and eye irritation, disease, dizziness, nausea, blurred vision, tremors, headaches, chemical skin burns, blindness and death, or chronic such as various types of cancer, stillbirths, birth defects, sterility, allergies and heart, liver and lung damage. However, staff of the California Regional Water Quality Control Board (CRWQCB) indicated that, due to the types and levels of pollutants occurring at the project site, it appears unlikely that significant adverse health effects would occur unless the groundwater were used as a drinking water source (Patrick Moorse, April 24, 1996). The project applicant states that the groundwater level is at a minimum depth of 96 feet below existing grade. Sufficient buffer distance is available between the pit floor and the groundwater table. The mining operation will obtain water from East Well No.1 which is not contaminated.

As part of its groundwater cleanup activities, Aerojet currently operates groundwater extraction and treatment facilities. Mining below the water table could adversely affect Aerojet's ground-water extraction and treatment process. CRWQCB staff has expressed concern that any dewatering associated with mining below the water table and/or installation of new wells on the ARA site could draw water away from these groundwater

extraction/treatment facilities. It should be noted that no wells are proposed in conjunction with the mining project. The mining operation will obtain water from East Well No. 1 which is west of the ARA processing plant.

It does not appear that the mining project as proposed will involve excavation below the water table. The maximum depth of the proposed mining operation will be at elevation 265 feet. According to measurements provided by the project applicant, the water table in the project vicinity is at approximate elevation of 165 feet at MW3. Thus, it appears that the proposed mining operation will not breach the groundwater table, and will maintain approximately 100 feet of undisturbed ground between the bottom of the mining pit and the groundwater table.

Site Generated Materials.

The distance between the ground surface and the groundwater table will be shortened as a result of the project. This means that the travel distance for infiltrating surface water and any associated pollutants will be lessened. Therefore, care should be exercised during mining operations so that no polluting substance or toxic compound such as oil or other organics are spilled on or applied to the pit floor. Any form of pollutant used on the site should be contained and not disposed of on site. Hazardous materials to be used in the operation could include oils and greases, antifreeze and surfactant. To reduce the chance of groundwater contamination, storage of toxic substances should not be permitted in the excavated areas during and after mining.

In addition, future agricultural activities on the reclaimed land should follow good management practices with respect to water, fertilizer and pesticide application, drainage, and reuse of surface water. Limits for each may need to be established depending on the nature of the farming practice to be conducted on the reclaimed land. If the reclaimed area is used for any agricultural use other than unirrigated pasture then, prior to such use, an Agricultural Management Plan should be submitted for review by the Agricultural Commissioner and for approval by the Environmental Management Department for the protection of ground-water quality. The Plan should provide information on crops, crop rotation, pesticides, fertilizers, irrigation and drainage. The Environmental Management Department should be notified of any changes in the Management Plan.

Implementation of mitigation measures for toxic and hazardous materials should reduce the project's singular impacts to employee's health and safety to a less than significant level. Implementation of mitigation measures for toxic and polluting substances should reduce the project's cumulative contribution to groundwater quality to a less than significant level. The

MEMORANDUM



DATE: June 9, 2005
 TO: Planning Commission Members
 FROM: William Campbell, Project Planner
 SUBJECT: Grantline West Mining

OWNER:

Aerojet General Corp.
 620 Coolidge Drive, Suite 100
 Folsom, CA 95630

REPRESENTATIVE:

Grant Line Road Properties, Inc
 P.O. Box 15002
 Sacramento, CA 95851

PROJECT: Grant Line Road Properties Surface Mining

FILE: RC-05-145

LOCATION: The 583 acre proposed mining area is situated within a 1,100 acre parcel owned by Elliott Homes, Inc. The site is located approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road.

APN: 072-0370-071.

PLANNER: William Campbell, Principal Planner

REQUEST

• **Surface Mine (SM) Overlay:** The Zoning Code requires the adoption of a surface mining overlay for mines expected to extract over 200,000 cubic yards of material in a year. The estimated production rate from the mining proposed in this application is approximately 1.0 to 4.0 million cubic yards per year, with a total of approximately 7 to 12 million cubic yards to be mined.

• **Conditional Use Permit:** The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation) requires a Use Permit.

STAFF RECOMMENDATION

Planning Commission find the Mitigated Negative Declaration is adequate and has been prepared according to the Guidelines of the California Environmental Quality Act, and forward a recommendation to the City Council to approve SM Overlay Zone, along with the Use Permit to allow surface mining of gravel material, in accordance with the Mining and Reclamation Plan, and subject to the Conditions of Approval.

→ NO. conveyor transport!

BACKGROUND

On June 21, 2004, the City of Rancho Cordova adopted a new Mining and Reclamation Ordinance No. 22-2004 to replace the previously adopted Chapter 20.04 of the municipal code. The new ordinance was certified by the State Mines and Geology Board on July 23, 2004, wherein the City will be the appropriate authority to review and approve existing and future mining operations and reclamation plans.

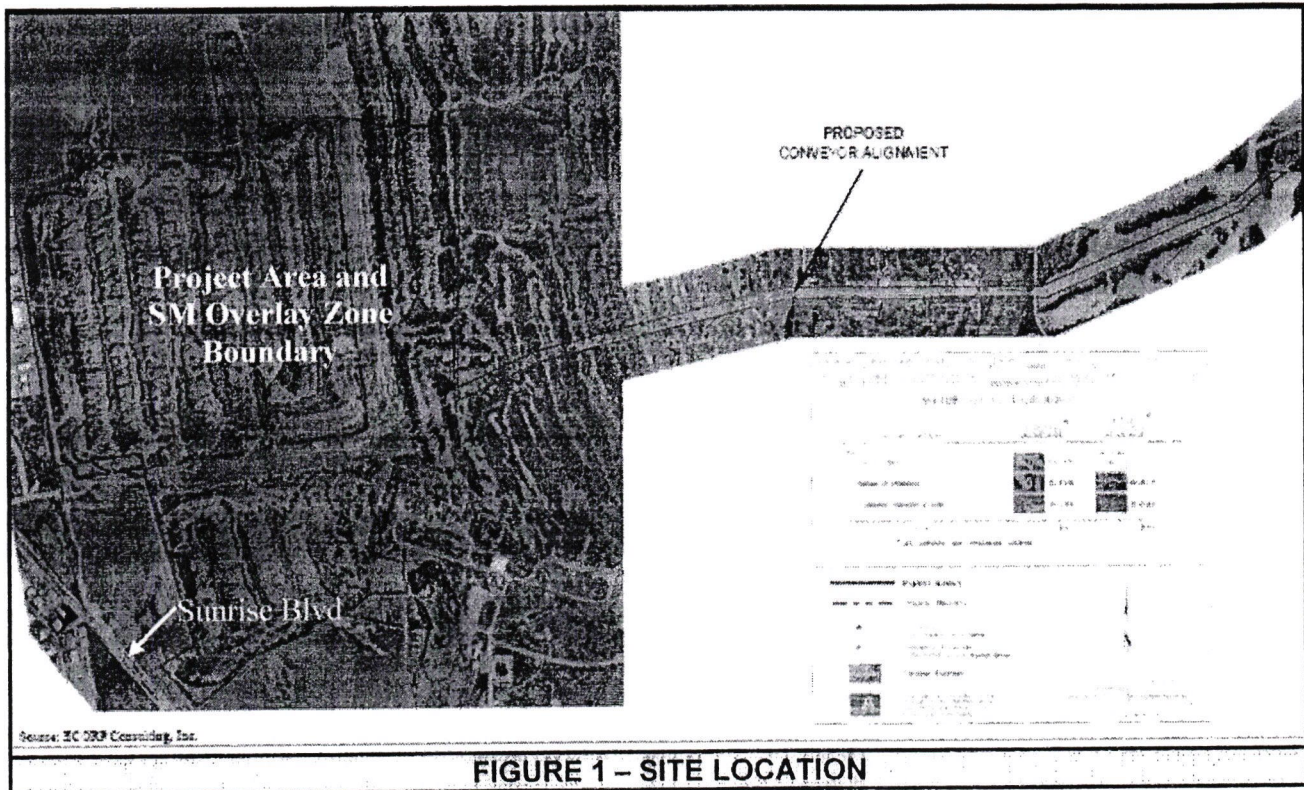


FIGURE 1 – SITE LOCATION

	General Plan Land Use Designation	Zoning and Community Plan Designations	Existing Land Use
Subject Property	Extensive Industrial	SPA	Aerojet
North	Extensive Industrial	SPA	Aerojet
East	Extensive Industrial	SPA	Aerojet
South	Residential	Sunridge Specific Plan	Residential/Commercial
West	Extensive Industrial	M-1 and M-2	Industrial

ANALYSIS

Grantline Road Properties, LLC is seeking entitlements for its Grantline West Mine, to be situated within a parcel currently owned by Elliott Homes Corporation. Only 355 acres of the proposed mining area, consisting of dredge tailings, will be disturbed. The applicant proposes to mine these tailings to an elevation of 130 to 160 feet. According to Section 230-11, Table IV of the Zoning Code, surface mining is a permitted use in the M-2 Zone for a short duration and where the volume

**Project Description and Justification
Grantline West Mining Operation**

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FEB 03 2005

RANCHO CORDOVA
PLANNING**Project Description**

Project Location: The project site consists of a 583-acre proposed mining area situated within a 1,100 acre parcel (APN 072-0370-071) owned by Elliott Homes, Inc. The site is located within the City of Rancho Cordova, approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. Approximately 355 acres of the total mining area will be disturbed as part of this application. See Exhibit A of the Grantline West Reclamation Plan, which depicts the project location.

Description of Proposed Project: The proposed project involves the mining of tailings, which were created by gold dredge mining operations approximately 60 to 100 years ago. These tailings consist of cobbles intermixed with sand and gravel, and vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. The proposed operation will remove these mounds and the end result will be a site with elevations similar to the natural elevation of the site prior to gold dredging operations. All material mined from the site will be transported via conveyor to the existing Grantline processing plant where it will be washed and processed into various products. The conveyor will cross the adjacent property to the east, which is owned by the Aerojet General Corporation. See Exhibit C of the Grantline West Reclamation Plan for a description of the proposed conveyor route. The final location of this conveyor will be determined after an assessment of various environmental constraints.

After the mining is complete, the land will be undeveloped open space and will be used for seasonal grazing, similar to the grazing which currently occurs on the property and adjacent properties. Ultimately, the site may also be used for urban development. The removal of cobbles will better prepare the land for such development.

Request: The proposed mining site is located within the Aerojet Special Planning Area and is therefore zoned SPA. According to section 508-304(c) of the Zoning Code, as amended by Ordinance No. SZC 97-0040, the uses allowed within that zone are those permitted for any Permanent Agricultural Zone. Thus, in compliance with sections 201-02, 201-04 and 205-09 of the Zoning Code, the Applicant is requesting a rezone of the site to include a Surface Mining ("SM") overlay and approval of a Conditional Use Permit and its Mining and Reclamation Plan to allow surface mining operations on this site.

Project Justification

As mentioned above, the Grantline West site contains a valuable natural resource, sand and gravel, in the form of dredge tailings. Many local sources of permitted aggregate supplies are rapidly being depleted. This material is needed to update and maintain existing infrastructure, as well as to provide new transportation systems, school facilities, and other basic forms of infrastructure. A recent report by the California Mining Association advises that counties will need to ensure local, low-cost and accessible quality aggregates in order to maintain an attractive

quality of life and economy.¹ Allowing mining at the Grantline West site will help ensure that these necessary materials can continue to be efficiently obtained, transported, and processed for use within this region.

Additionally, removal of the dredge tailings on the Grantline West site will allow for possible future development of that property. The proposed mining operation will remove the tailing mounds and create a more uniform elevation across the parcel, thereby creating better opportunities for development of this property in the future.

The environmental impacts of the proposed project are minimal. The project will not have a negative impact on City and County air quality goals. As mentioned previously, the applicant is proposing to use a conveyor system to transport mined material to its Grantline plant for processing. By transporting the material via conveyor, as opposed to trucks, the air quality impacts of the proposed mining and reclamation are substantially reduced. Additionally, the Applicant has designed its mining plan to avoid sensitive environmental resources, such as wetlands, oak trees, and elderberry bushes. Finally, the proposed project will not impact ongoing clean-up operations taking place at the adjacent Inactive Rancho Cordova Test Site.

The project is consistent with the City's land use goals. The proposed mining of the Grantline West property will not conflict with surrounding land uses. There are no residences currently existing in the vicinity of the proposed project and the nearest planned residences are located approximately 2,600 feet south of the mining area. The nearest non-residential land uses are industrial in nature. The imposition of an "SM" zoning overlay on the site will help further the City's goal of protecting mineral resource areas from incompatible land uses, as noted in section 235-40 of the Zoning Code. Furthermore, as set forth in more detail in the Grantline West Reclamation Plan, the Applicant will comply with all State and local surface mining laws, including regulations regarding fencing and screening of the proposed mining operations.

For the foregoing reasons, the proposed project is justified.

They are covering
Morrison Creek.

¹ CMAC Report Finds Sand and Gravel Shortages Looming, Aggregates Manager (October 2001); available at www.aggman.com/1001_pages/1001management.htm.

**GRANTLINE ROAD PROPERTIES, LLC
GRANTLINE WEST MINING OPERATION
RECLAMATION PLAN**

1.0 INTRODUCTION

Grantline Road Properties, LLC is seeking entitlements for its Grantline West Mine, to be situated within a parcel currently owned by Elliott Homes Corporation. This document, together with the referenced exhibits and appendices, constitutes the reclamation plan for the site. Approval of this reclamation plan update is sought from the lead agency, the City of Rancho Cordova.

This reclamation plan was prepared in accordance with:

- The Surface Mining and Reclamation Act (SMARA) of 1975, as amended (Public Resources Code § 2772 et seq.);
- The State Mining and Geology Board regulations for surface mining and reclamation practice (California Code of Regulations (CCR) Title 14, Chapter 8, Article 1, § 3500 et seq.); and
- The City of Rancho Cordova City Code Chapter 20.04 (Surface Mining & Reclamation).

Reclamation, as defined by SMARA, is the combined process of land treatments that minimize adverse environmental effects on surface mining, so that mined lands are reclaimed to a beneficial end use that is readily adaptable to alternative end uses. This reclamation plan describes a process that will minimize environmental impacts during and resulting from mining, implement reclamation activities as soon as possible, and return the mined lands to a condition suitable for grazing.

1.1 LOCATION

The 583 acre proposed mining area is situated within a 1,100 acre parcel owned by Elliott Homes, Inc. Approximately 355 acres of the mining area will be disturbed as part of this application. The site is located within the City of Rancho Cordova ("City"), approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road. The project site is surrounded by industrial uses to the west, vacant land owned by Aerojet to the north and east, and vacant land known as the Sunridge Specific Plan Area to the south. The nearest designated residential area is located approximately 2,600 feet south of the proposed site. Exhibit A is a site location and vicinity map, depicting the location of the proposed mining operation.

1.1.1 Assessor's Parcel Number

This property is also known by Assessor's Parcel Number 072-0370-071.

1.1.2 Township, Range, Section, Quadrangle

The project site is located on the Buffalo Creek USGS 7.5 minute quadrangle map in Townships 8, 9 North, Range 7 East, and Sections 5, 6, 7, 8, 31 and 32, MDBM. Please see Exhibit B, depicting the project site and its vicinity.

1.1.3 Latitude, Longitude

The project site is located at approximately latitude 121.25 North, longitude 38.58 West.

1.1.4 Claim Descriptions

The project site does not have a California Mine ID number, nor is the site currently subject to an existing use permit or reclamation plan.

2.0 DESCRIPTION OF ENVIRONMENTAL SETTING

Reclamation procedures must be designed within the constraints of the mining project and the surrounding environment. The following sections describe the environmental elements that are pertinent to the design of an effective reclamation plan. Section 3.0 will describe the mining project in relationship to the reclamation of the site.

2.1 SITE ACCESS

Access to the site is available most directly from White Rock Road. The property has frontage on Sunrise Boulevard and Douglas Road, however the site is fenced and no gates exist along these property lines.

2.2 TOPOGRAPHIC MAP

Exhibit B depicts the site's location on the 7.5-minute Buffalo Creek quadrangle map.

2.3 GEOLOGY, GENERAL

The site is located in the eastern portion of Sacramento County, an area covered with a significant number of cobble tailings as a result of early gold dredging activities conducted principally by the Natomas Company from about 1900 to 1960. Many of these tailings are visible above ground in large linear piles, although the dredgers had the capability to dig to depths of up to approximately 100 feet, and thus much of the tailings are underground as well.

2.3.1 Site-Specific Geology

Past gold dredging operations significantly disturbed the natural geologic state of the site, leaving linear mounds of cobble tailings throughout the property. These tailing piles vary from 10 to 50 feet in height with typical base widths in the range of 100 to 300 feet. The

proposed mining operation will remove these mounds and the end result will be a site with ground configuration similar to the natural configuration of the site prior to gold dredging operations. The undisturbed boundaries of the dredged area indicate that the natural terrain once sloped from elevations of 140 to 170 feet along the north and east edges of the site to elevations of 140 to 170 feet along the south and west edges of the site. Thus, the natural terrain consisted of relatively flat grounds with slopes of approximately 1-2%.

2.3.2 Material Being Mined

The applicant proposes to mine dredge tailings, consisting of cobbles (up to approximately 8 inches in diameter) intermixed with sand and gravel. The expected percentage of fines from the Aerojet Phase II tailings is 30%. All material mined at the Grantline West Site will be transported by conveyor to the existing Grant Line processing plant where it will be washed and processed into various products. All fines recovered in the processing will be deposited into current and planned sediment ponds constructed under an existing WDR on the East Site (CA Mine ID #91-34-0039) or at the existing Plant Site. The Plant Site contains a 25 acre sediment retention basin currently under construction via a Grading Permit issued by Sacramento County. Waste fines deposited on the East Site will be reclaimed to existing grade per the approved Reclamation Plan. Waste fines deposited in the 25 acre sediment basin on the Plant Site will be reclaimed per the specifications contained in the Sacramento County Grading Plan (Permit Number 2067).

2.3.3 Geologic Cross-Section

Exhibit C depicts a typical mining cross-section, which in turn depicts how most of the existing contour has been modified to date.

2.3.4 Slope Stability

Interim slopes during leveling will not exceed the natural repose angle of the material. Slopes at the perimeter boundaries of mining will consist of the undisturbed natural slope of the tailings. Final slopes will vary and will be consistent with performance standard requirements.

2.3.5 Seismicity

The site is not located within an area of active seismicity.

2.4 HYDROLOGY, GENERAL

2.4.1 Site-Specific Hydrology

There are no major streams or creeks traversing the subject site. As mentioned above, past mining disturbed the natural state of the site and left linear mounds of cobble tailings

throughout the property. Due to the creation of these mounds, the site's natural drainage patterns have been heavily modified. Because the site contains coarse dredge tailings, water infiltration is high, surface runoff is minimal and confined to the closed valleys between tailing mounds.

2.4.2 Groundwater Contamination

The subject site is adjacent to an area known as the Inactive Rancho Cordova Test Site (IRCTS), which was historically used for aerospace and industrial activities by its previous owners, the Aerojet Corporation and McDonnell Douglas Corporation. Although the Department of Toxic Substances Control (DTSC) has issued an Imminent and Substantial Endangerment Order for that site, DTSC has expressly recognized that the proposed Grantline West area was never used for aerospace or industrial activities. As such, this area is not included in the DTSC cleanup order.

Although the relevant agencies have agreed that aerospace and other industrial activities were not conducted on the Grantline West site, the DTSC and Regional Water Quality Control Board (RWQCB) have detected contaminated groundwater beneath the IRCTS property and to the west near Mather Field and south of Douglas Road. RWQCB has issued an Order to Aerojet and McDonnell Douglas requiring them to investigate the extent of pollution emanating from the eastern part of the IRCTS site and to develop an interim remedial measure to contain any groundwater pollution from migrating off-site. It is important to note, however, that any groundwater contamination which may exist is far below the surface and therefore distant from the deepest extent of the proposed mining. Groundwater is more than 100 feet below existing natural grades, which is the deepest extent of the proposed mining. Accordingly, any contamination in the groundwater has no relationship to proposed mining activities or vice versa. Mining will use no water other than from a water truck, which will take water from East Well No.1, located on the Clark Site. This well is currently used for mining and plant operations and is periodically monitored.

2.5 SOIL RESOURCES

2.5.1 Map and Units

Most of the surrounding area is mapped by the Natural Resources Conservation Service (NRCS) as Xerorthents, dredge tailings, 2-50% slopes. The Xerorthents unit contains three hydric inclusions: riverwash and Xerorfluents, associated with floodplain channels, and slickens, associated with depressions.

Additionally, the mining operation will not be conducted on prime agricultural lands.

2.5.2 Soil Contamination

Soil contamination is not expected to be present in the coarse dredge tailings that will be mined because evidence of historical industrial activities has not been found in this area.



NOT TO SCALE

APN 072-0370-071

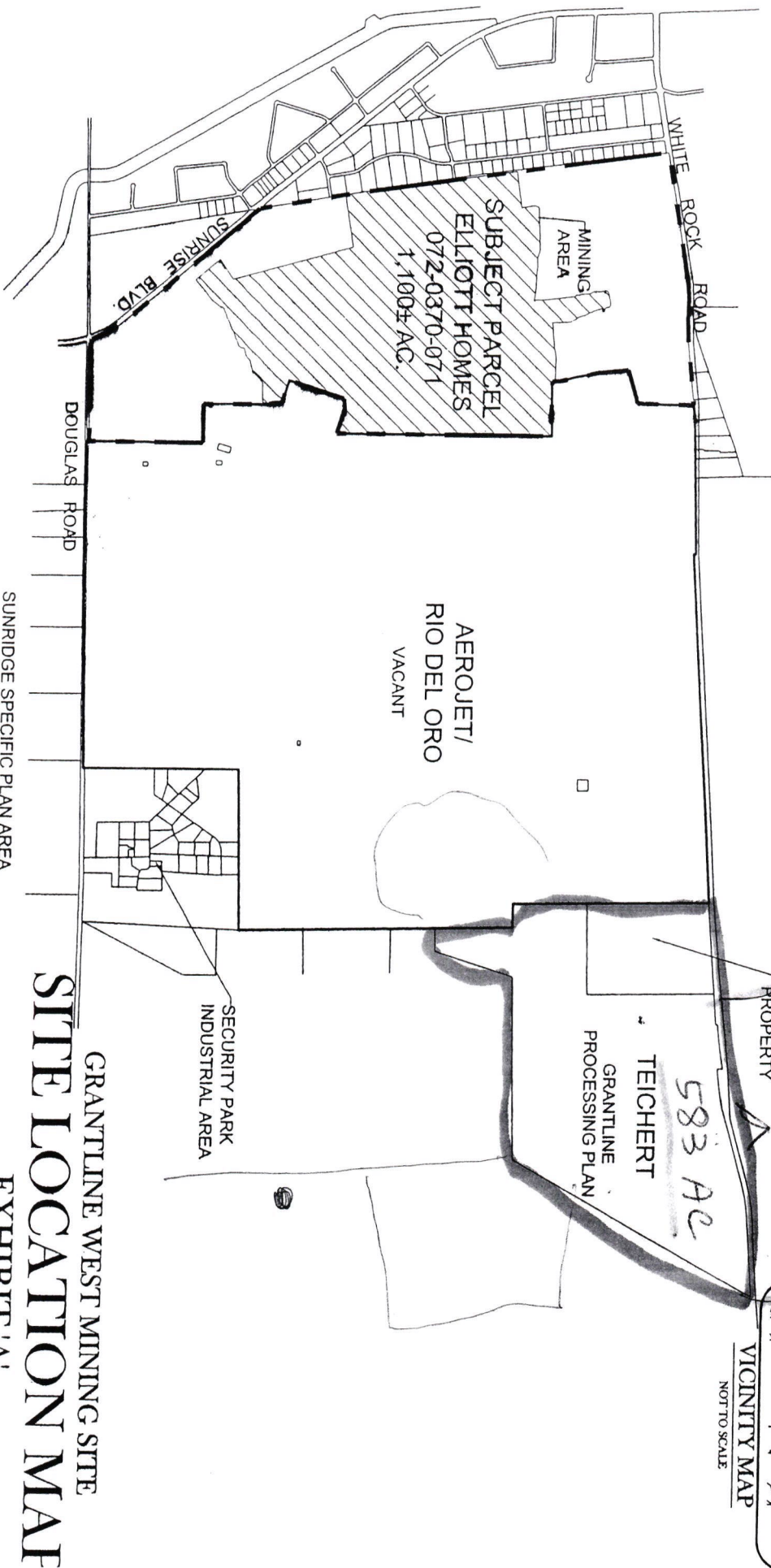
SUNRIDGE SPECIFIC PLAN AREA

GRANTLINE WEST MINING SITE SITE LOCATION MAP EXHIBIT 'A'

DECEMBER 10, 2004



G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
2130 BAKER PLAZA, SUITE 100, SACRAMENTO, CALIFORNIA 95833
TELEPHONE: (916) 286-7600 • FAX: (916) 286-7601



NOT TO SCALE

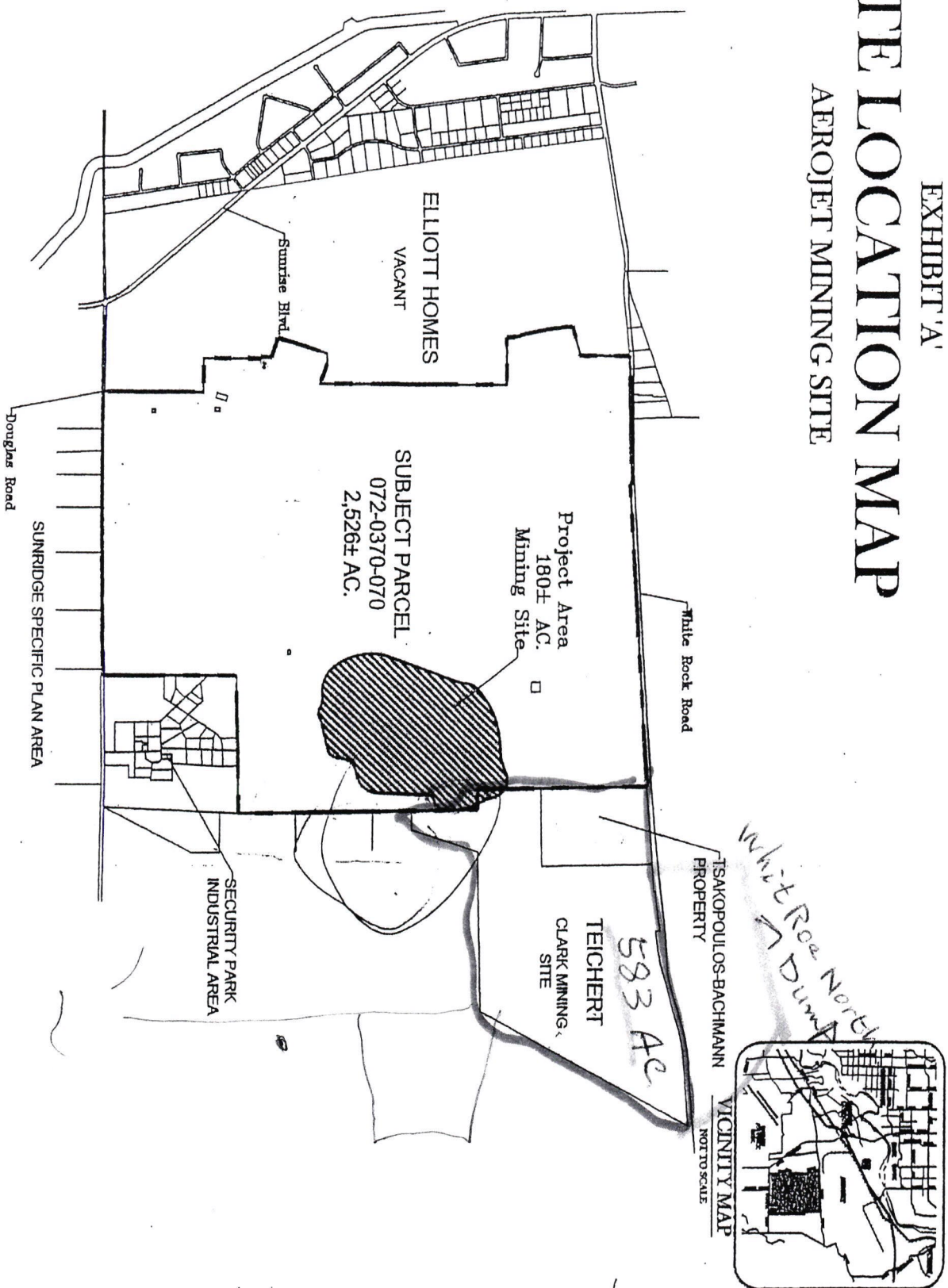
VICINITY MAP



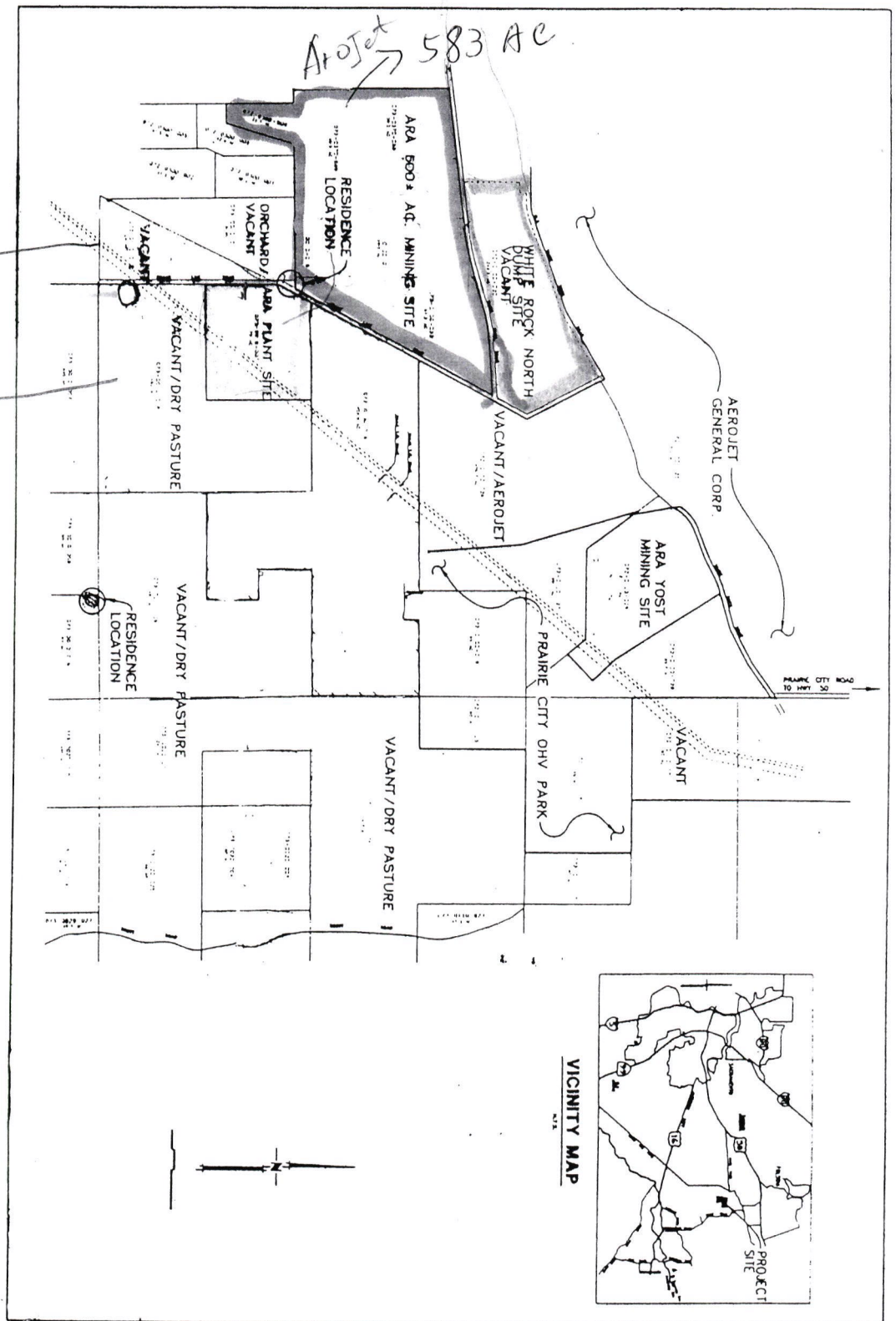


Source: G.C. Wallace, December 2003

EXHIBIT 'A' SITE LOCATION MAP AEROFJET MINING SITE



American River Aggregates
95-RZB-UPB-0658



Kim

Kim

MEMORANDUM

DATE: July 5, 2005
TO: City Council
FROM: William Campbell, Principal Planner
SUBJECT: Target Store Design Review



<u>OWNER / APPLICANT:</u>	<u>REPRESENTATIVE:</u>
Target Corporation 1000 Nicollet Mall Minneapolis, MN 55403 Nick Pearce	Pacific Land Services 2151 Salvio St. #250 Concord, CA 94520 George Smith

PROJECT:	Design Review for Exterior Remodel and Addition of the Existing Store
FILE:	RC-05-150
LOCATION:	10881 Olson Drive, east of Zinfandel Drive, north of Highway 50.
APN:	072-0280-079
PLANNER:	William Campbell, Principal Planner

REQUEST

Remove the garden center and add 14,050 square feet of retail and stock space, along with the addition of 2,668 square feet to the front of the store for a new pharmacy area. Exterior upgrades are proposed in addition to the new floor area, which include building façade improvements, new color scheme for the building and parking lot landscape and lighting improvements to meet current code requirements.

RECOMMENDATION

The Planning Commission recommends to the City Council to find the project Categorically Exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines and adopt Resolution 80-2005 approving the Design Review for the Target Remodel, Project No. RC-05-150, subject to the findings in the staff report and in accordance with the attached Design Review Package (Exhibit A) and Conditions of Approval (Exhibit B).

ANALYSIS

The application is for Design Review for additions to the existing Target Store on Olson Drive. The original plans submitted to the Planning Department have been modified in cooperation with the applicant to improve the overall architectural features of the building and to enhance the site by increasing the landscaping, replanting trees and improving the lighting plan of the site.

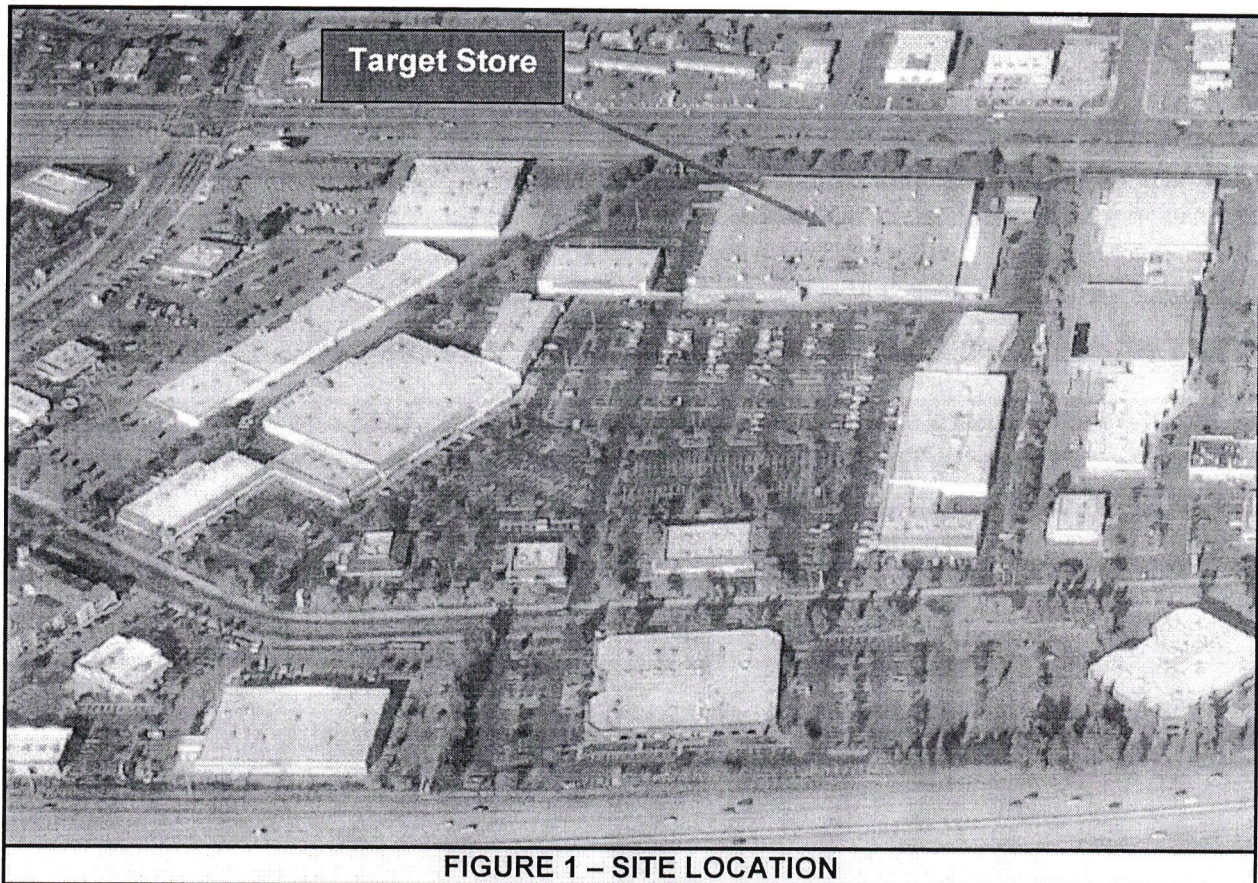


FIGURE 1 – SITE LOCATION

The City Design Concepts encourage:

Findings:

- a) High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
- b) Building designs that maintain human scale and interest.
- c) Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
- d) Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
- e) Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
- f) Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence:

- a) The buildings will be constructed of durable/maintainable materials. The main new addition will be constructed with a combination of concrete panels and wood frame/stucco. The openings will have metal storefronts and canopies, large entry glazing, well articulated wall design and off sets to the parapet walls. Metal channels will be installed at corner returns that will provide a horizontal design feature to complement the framed out wall panels (see right elevation).
- b) The north elevations faces the light rail corridor, the east elevation faces the back of the buildings in the Zinfandel Square shopping center. The western elevation is partially exposed to Folsom Blvd, but the majority is blocked by buildings to the immediate west. The southern elevation and the store's front is the most prominent feature of the building. The parking field is directly in front of the building, however the parking field is surrounded by other buildings in the immediate area (see Figure 1) and the store front has limited visibility from Olson Drive.
- c) The zoning for the site of the Target Store is GC - General Commercial. The majority of the buildings in the area are used for retail businesses. The architectural style is typical for large square footage buildings, however, the use of colors and other architectural features create a building that is architecturally pleasing and enhances the area.
- d) (See "c" above).
- e) The design includes extensive horizontal and vertical score lines that are used to break the large expanse of the wall planes. The varying height parapets of the building add to the building articulation, thereby breaking up the "basic box" appearance and adding architectural interest. Color has been used to break up the mass of the building also. The entry feature has been capitalized with architectural metal channels and other architectural projections to accentuate the entry feature.
- f) Improved landscaping and well placed pedestrian walks are proposed to connect the building to the parking field. Decorative concrete will delineate this area and pedestrian pathways are provided to the entry door.

CONCLUSION:

The proposed building is consistent with the surrounding buildings in the General Commercial zoning. The applicant and staff worked together, making changes to the proposed buildings, which improved the architecture of the building and will improve overall aesthetic of the center. The remodeled building and enhanced landscaping will improve the architectural interest and may cause a improvement trend in the center by other landlords to keep up the higher image of the center.

ENVIRONMENTAL ANALYSIS:

The project is Categorically Exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

FINANCIAL IMPLICATIONS TO CITY:

There are no significant cost implications to the City for this development.

RECOMMENDED MOTION:

1. Move the City Council find the project is Categorically Exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines, and adopt Resolution 80-2005 approving the Design Review for the Target Store Remodel RC-05-

150, subject to the findings and evidence, and Design Review Package and the Conditions of Approval

ATTACHMENTS:

1. Resolution 80-2005, with the Design Review Package (Exhibit A) and the Conditions of Approval (Exhibit B)
2. Photolocation map and photos
3. Design Review Package

RESOLUTION No. 80-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING DESIGN REVIEW FOR TARGET STORE REMODEL
PROJECT # RC-05-150**

WHEREAS, Pacific Land Services (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Design Review for the remodel of the existing Target Store (Assessor's Parcel Number 072-0280-079); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the project is Categorically Exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the City Council of the City of Rancho Cordova has conducted a property noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approve the Design Review RC-05-150, based on the following findings:

Findings

1. CEQA

Finding: The project is Categorically Exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines

Evidence:

The project meets the Class 1 conditions of CEQA which state: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services.

2. DESIGN REVIEW

Approve the Design Review, subject to the Design Review Package (see Exhibit A) and the Conditions of Approval (see Exhibit B) based on the following findings:

Findings:

1. High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
2. Building designs that maintain human scale and interest.

3. Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
4. Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
5. Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
6. Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence:

1. The buildings will be constructed of durable/maintainable materials. The main new addition will be constructed with a combination of concrete panels and wood frame/stucco. The openings will have metal storefronts and canopies, large entry glazing, well articulated wall design and off sets to the parapet walls. Metal channels will be installed at corner returns that will provide a horizontal design feature to complement the framed out wall panels (see right elevation).
2. The north elevations faces the light rail corridor, the east elevation faces the back of the buildings in the Zinfandel Square shopping center. The western elevation is partially exposed to Folsom Blvd, but the majority is blocked by buildings to the immediate west. The southern elevation and the store's front is the most prominent feature of the building. The parking field is directly in front of the building, however the parking field is surrounded by other buildings in the immediate area and the store front has limited visibility from Olson Drive.
3. The zoning for the site of the Target Store is GC - General Commercial. The majority of the buildings in the area are used for retail businesses. The architectural style is typical for large square footage buildings, however, the use of colors and other architectural features create a building that is architecturally pleasing and enhances the area.
4. (See "3" above).
5. The design includes extensive horizontal and vertical score lines that are used to break the large expanse of the wall planes. The varying height parapets of the building add to the building articulation, thereby breaking up the "basic box" appearance and adding architectural interest. Color has been used to break up the mass of the building also. The entry feature has been capitalized with architectural metal channels and other architectural projections to accentuate the entry feature.
6. Improved landscaping and well placed pedestrian walks are proposed to connect the building to the parking field. Decorative concrete will delineate this area and pedestrian pathways are provided to the entry door.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of July, 2005.

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

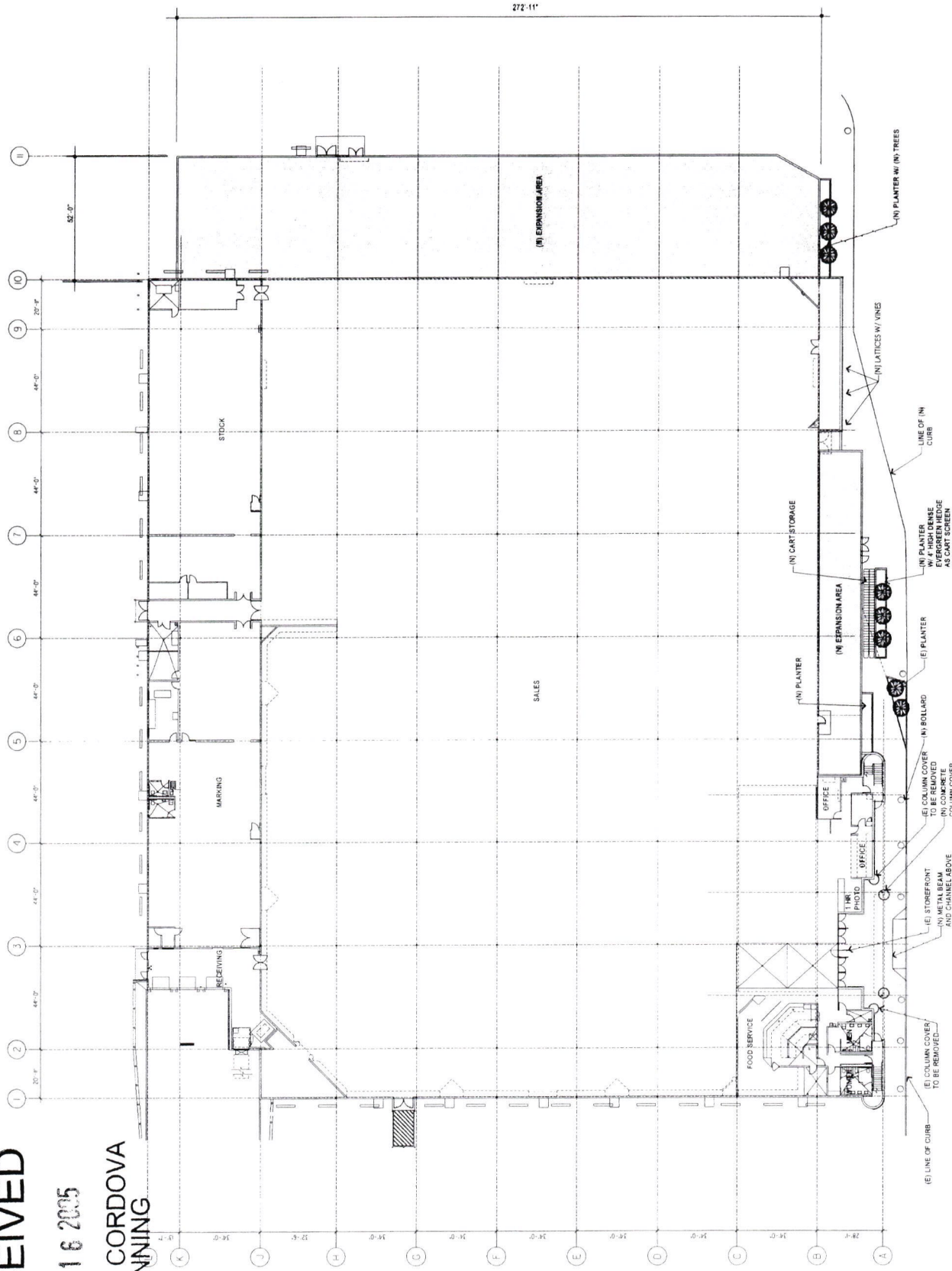
KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

LILLIAN HARE
CITY CLERK

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JUN 16 2005

RANCHO CORDOVA
PLANNING



T-0268 RANCHO CORDOVA, CALIFORNIA

FLOOR PLANS

PROJECT NO. 49858

10881 OLSON DRIVE RANCHO CORDOVA, CALIFORNIA

1115 ATLANTIC AVENUE
ALAMEDA, CA 94501
TEL 510.845.8943
FAX 510.845.1411

MBI

PROPOSED FRONT ELEVATION

PROPOSED RIGHT ELEVATION

PROPOSED REAR ELEVATION

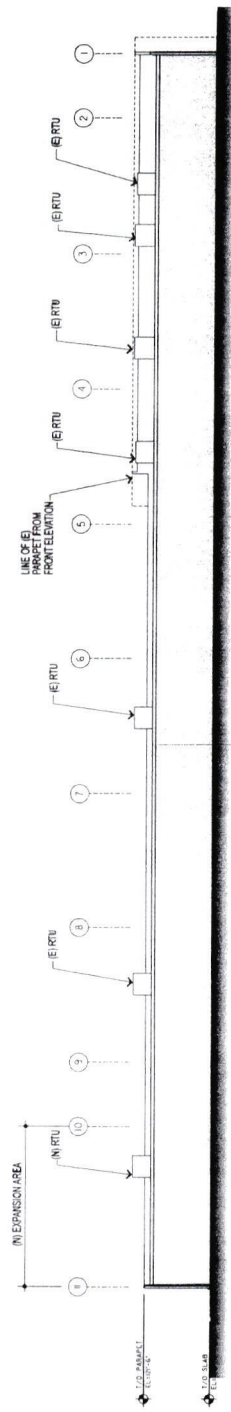
RANCHO CORDOVA
PLANNING

PROPOSED LEFT ELEVATION

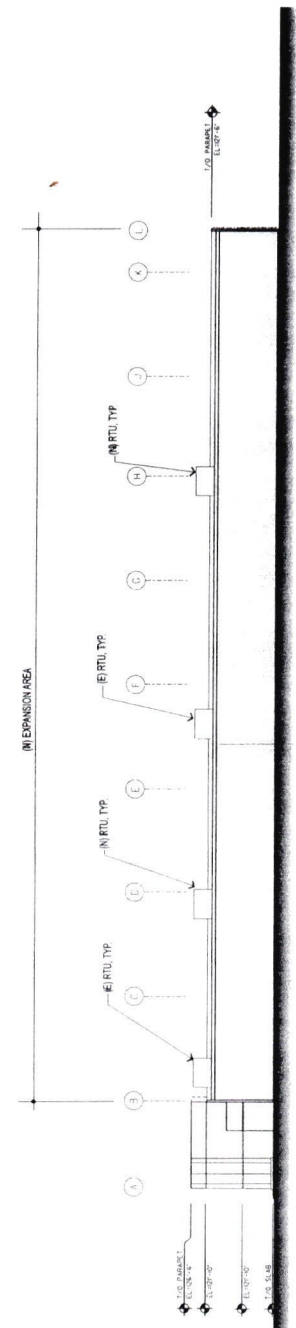
14 JUNE 2005
CT NO. 40658

ELEVATIONS

10881 OLSON DRIVE RANCHO CORDOVA, CALIFORNIA 95670



SECTION A



SECTION B

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RANCHO CORDOVA
PLANNING

T-0268 RANCHO CORDOVA, CA

BUILDING SECTIONS

14 JUNE 2005
PROJECT NO. 40658

10881 OLSON DRIVE RANCHO CORDOVA, CALIFORNIA 95670

1115 ATLANTIC AVENUE
ALAMEDA, CA 94501
TEL 916.843.8443
FAX 916.843.4111



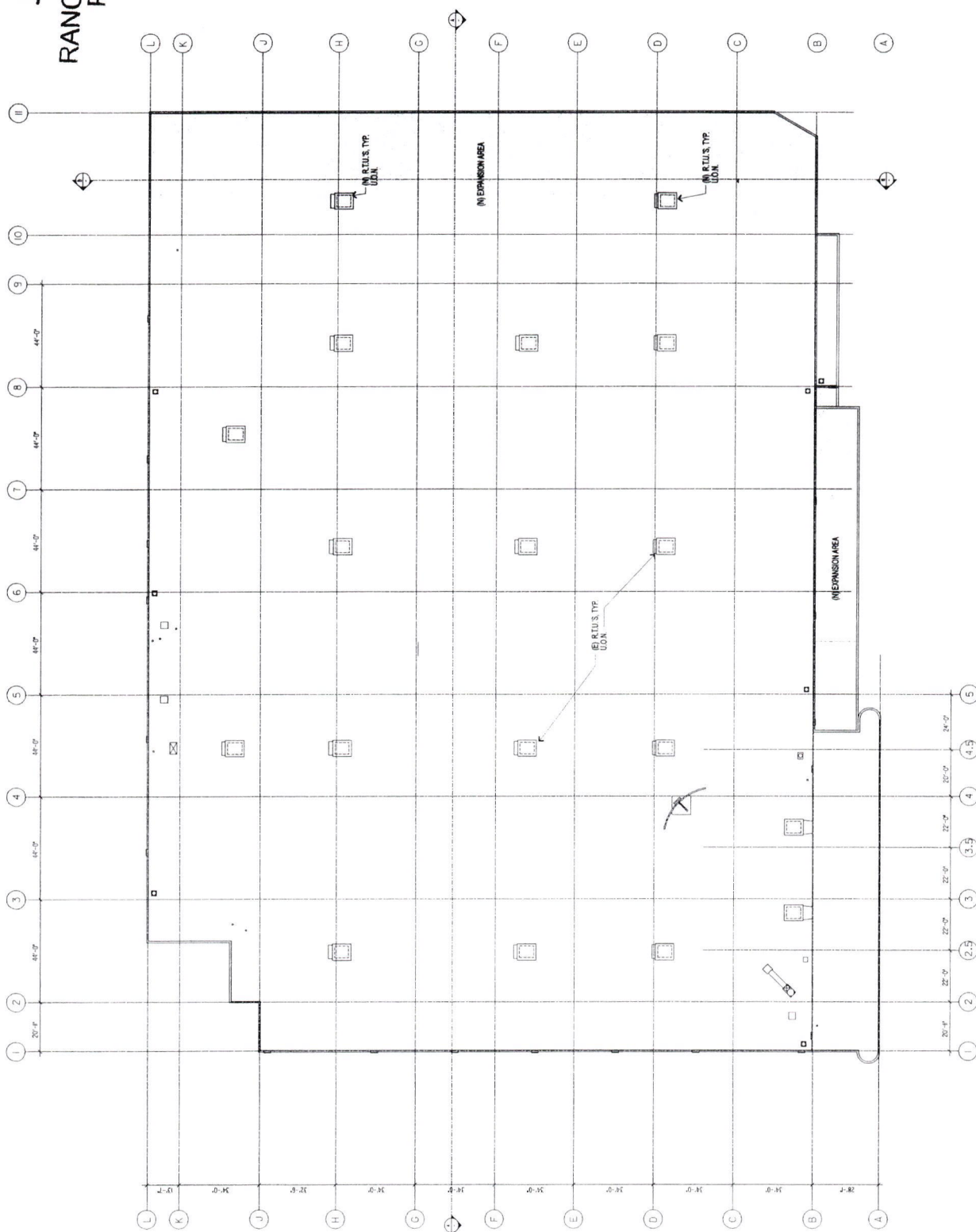
RANCHO CORDOVA PLANNING



T-0268 RANCHO CORDOVA, CA

10881 OLSON DRIVE RANCHO CORDOVA, CALIFORNIA 95670

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1115 ATLANTIC AVENUE
ALAMEDA, CA 94501
TEL 510.865.8463
FAX 510.865.1611



DATE	06-18-05	REV #	BT	SHEET	DESCRIPTION
SCALE	1" = 30'				
DRAWN BY	JAT				
CHECKED BY	CM				
INCHES	1/4"				
FEET	1/8"				
FILE PATH	H:\2007\24\02-07-05\24\02.dwg				

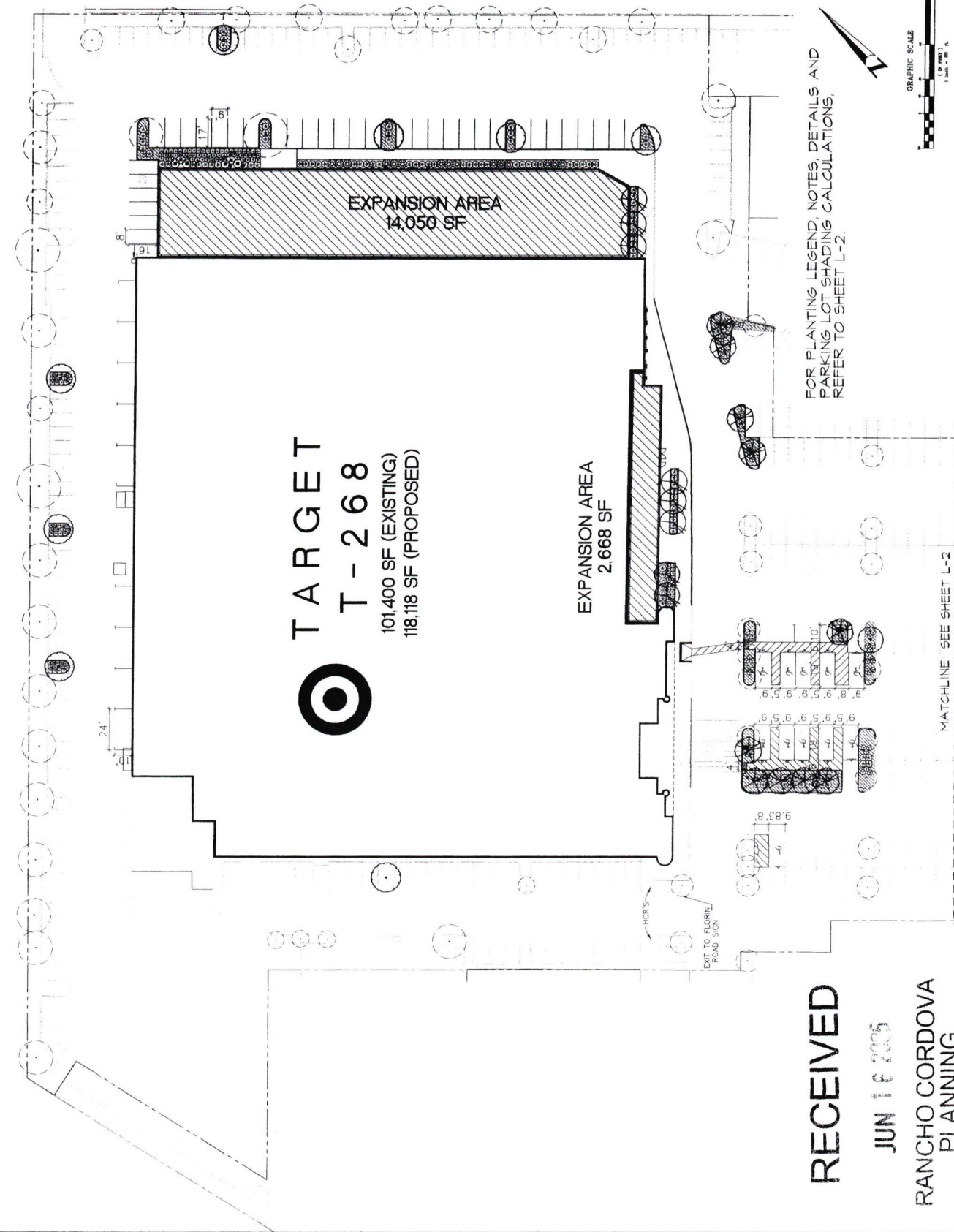
PACIFIC LAND SERVICES
 281 SALVO STREET, SUITE 250, CONCORD, CA 94520
 PHONE 925-650-6400 FAX 925-650-6407
 LANDSCAPE ARCHITECTURE

LANDSCAPE PLAN
 TARGET, T-268
 1081 OLSON DRIVE
 SACRAMENTO COUNTY
 CALIFORNIA

5077
 L-1



FOR PLANTING LEGEND NOTES DETAILS AND
 PARKING LOT SHADING CALCULATIONS,
 REFER TO SHEET L-2.



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 RANCHO CORDOVA
 PLANNING

MATCHLINE SEE SHEET L-1

RETAIL

OLSON DRIVE

PLANT LEGEND

SYMBOL TREES



QTY

SIZE

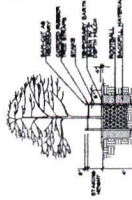
BOTANICAL NAME/
COMMON NAME

MATERIAL
USAGE

10	15 GAL	Lagerstroemia l. CATANBA CAPE MYRTLE	L
6	15 GAL	Ulmus PARVIFOLIA CHINESE ELM	X
6	15 GAL	Prunus s. SPANZIAN FLOWERING CHERRY	X
555	1 GAL # 5 04	ASAPANTHUS ORIENTALIS GREEN ANNE LILY-OF-THE-NILE	X
52	5 GAL	FITTOFORUM T. WHEELER'S DWARF DWARF FITTOFORUM	X
104	5 GAL	RHAPHIGLIS L. ENCHANTRISS INDIAN HATHORN	L
6	5 GAL	PHORMIUM T. ATROSCUREUM NEW ZEALAND FLAX	L
15	5 GAL	PHOTINIA FRASERI BIRMINGHAM PHOTINIA	X
74	5 GAL	TRACHELOSPERMUM JAMINOIDES STAR JASMINE	X
14	5 GAL	DODONAEA VISCOSA PURPUREA PURPLE HORSESHOE BUSH	L
12	5 GAL	JASMINUM POLYANTHUM JASMINE	X
		TRAIN TO TRELLIS EXISTING TREES TO REMAIN VARIOUS SPECIES	

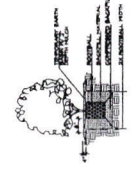
PARKING LOT SHADING CALCULATIONS:

Project Area	20462 Sq. Ft.
50% Shade Area Required	10461 Sq. Ft.
Shade Area Provided	2164 Sq. Ft.
% of Shade Provided	100 %
Botanical Name/ Common Name	Quantity & Unit Shade Sq. Ft.
Lagerstroemia l. Catamba Cape Myrtle	6 @ 462 5,712
Ulmus parvifolia Chinese Elm	6 @ 462 15,942
Total Shade Provided	2164



PLANTING NOTES
1. ALL PLANTS TO BE PLANTED BY THE CONTRACTOR AND MAINTAINED BY THE CONTRACTOR FOR A PERIOD OF TWO YEARS AFTER PLANTING.
2. PLANTING SHALL BE ACCORDING TO THE SPECIFICATIONS AND REQUIREMENTS OF THE CALIFORNIA PLANTING STANDARDS.
3. ALL TREES TO BE PLANTED IN THE PARKING LOT SHALL BE PLANTED IN THE SPACES SHOWN IN THE PLANTING PLAN.
4. ALL PLANTS TO BE PLANTED IN THE PARKING LOT SHALL BE PLANTED IN THE SPACES SHOWN IN THE PLANTING PLAN.
5. PLANT LOCATIONS ARE TO BE ADJUSTED IN THE FIELD AS NECESSARY TO MAINTAIN THE SPACING AND TO MAINTAIN THE PLANTING PLAN.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS TO REMAIN.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS TO REMAIN.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS TO REMAIN.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS TO REMAIN.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND PLANTS TO REMAIN.

TREE PLANTING



SHRUB PLANTING



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JUN 16 2005

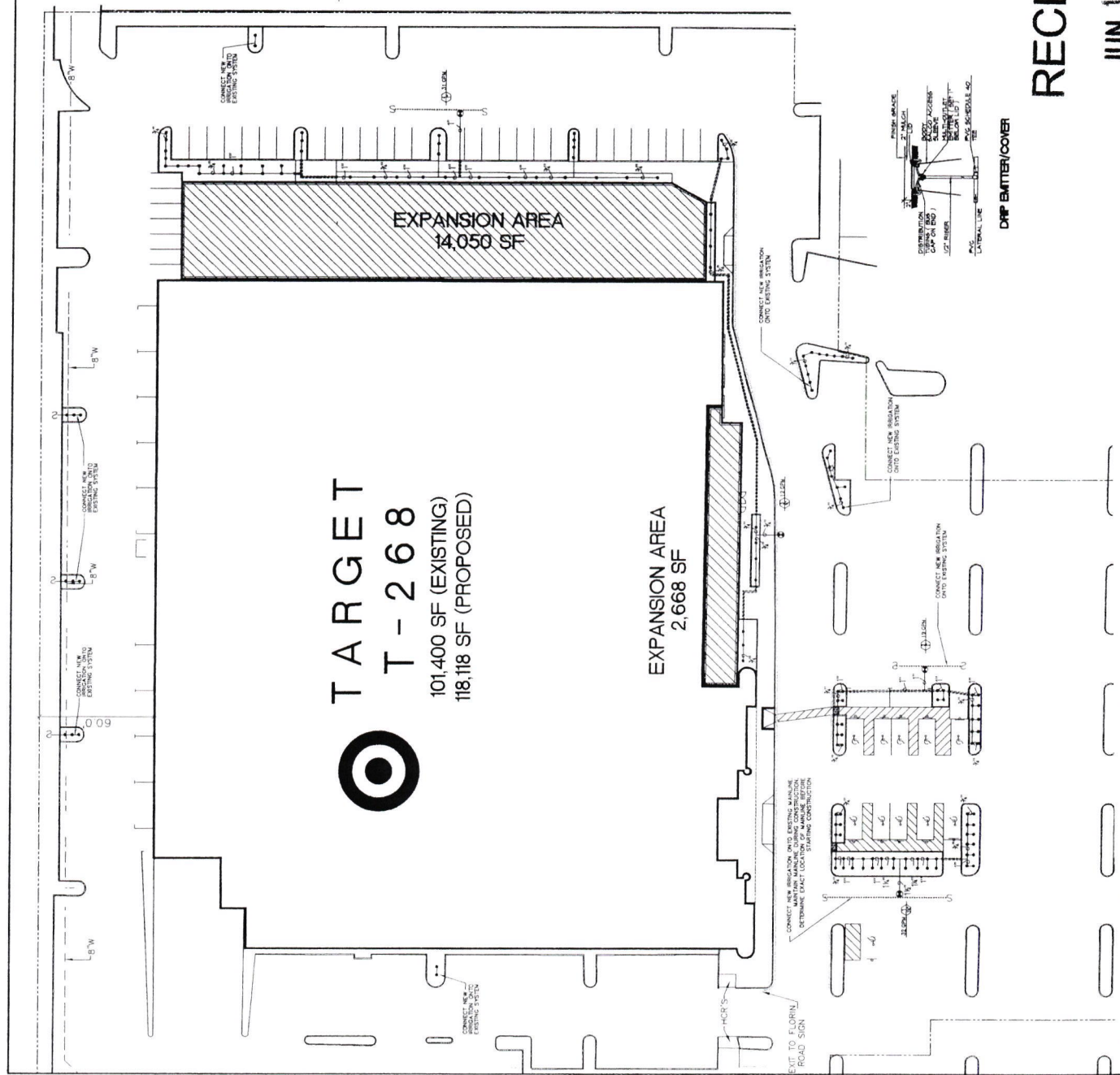
RANCHO CORDOVA
PI ANNING

L-2
5077

LANDSCAPE PLAN
TARGET, T-208

PACIFIC LAND SERVICES
2851 SALVO STREET, SUITE 250, CONCORD, CA 94520
925-690-6100
FAX 925-690-6407
LANDSCAPE ARCHITECTURE
REGISTERED
CALIFORNIA

DATE	05-18-05	REV	4	BY	DATE
REVISION					
01	05-18-05	01	05-18-05	01	05-18-05



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JUN 16 1965

**RANCHO CORDOVA
PLANNING**

GRAPHIC SCALE

(IN FIRST)

DRP EMITTER/COVER

[illegible]

1. IRRIGATION CONTRACTOR SHALL PROVIDE TRENCHING THROUGH PAVEMENT AS NECESSARY, AND BACKFILL PAVEMENT TRENCHES

[illegible]

THE IRRIGATION CONTRACTOR SHALL PUSH AND ADJUST ALL BRINKER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSTRESSING OF THE PIPING. THE CONTRACTOR SHALL PUSH THE PIPING ONTO PULKS, INGRADES, AND /OR BUILDING FOUNDATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SELECTING THE BEST DESIGN OF ANK TO FIT THE EXISTING PIPING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE PIPING IN ITS ORIGINAL CONDITION AND TO THROTTLE IN THE FLOW CONTROL. AT THE END OF EACH DAY, THE CONTRACTOR SHALL OBTAIN THE OPERATING PRESSURE FOR EACH SYSTEM.

SPRING OF VALVE BOX WIRE WILL NOT BE PROVIDED EXCEPT IN VALVE BOXES HAVE A 1/2" O.D. WIRE IN EACH VALVE AND 100 FEET OF CENTER ALONG WIRE TAPPING PREPARED INDICATE VALVES.

INSTALL A SHARED CONTROL WIRE OF A DIFFERENT COLOR TO EACH VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES.

IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND TO BE RESPONSIBLE FOR THE LOCATION OF ALLS, RETAINING WALLS, ETC. THE OWNER SHALL COORDINATE HIS WORK WITH THE GENERAL CONTRACTOR AND SHALL BE RESPONSIBLE FOR THE INSTALLATION OF ALL SLEEVES THROUGH WALLS, UNDER ROADS, PAVING, STRUCTURES, ETC.

[illegible]



**	2" SCHEDULE 40 PIPE	24" HILL COVER
	BACKFLOW PREVENTER EXISTING TO REMAIN	24" HILL COVER
	CONTROLLER, EXISTING TO REMAIN	VERIFY IT GOOD FOR USE
	100 TON PUMP SERIES SIZE AS NOTED	VERIFY IT GOOD FOR USE
	POINT OF CONNECTION	TESTING, REPORTS CONTROL VALVE
		TEE OFF OF EXISTING MAIN

[illegible]

DATE	TIME	WIND	WAVE	SEA	WAVE PERIOD
10/10/2019	14:00	10	1.5	1.5	10

Conditions of Approval

Exhibit B

		<u>Timing/ Implementation</u>	<u>Enforcement / Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The project shall be constructed in substantial compliance with the approved Design Review plans for the Target Store located at 10881 Olson Drive, APN 072-0280-079, Project number RC-05-150.	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
	Prior to Issuance of Building Permits			
3.	On site fire protection devices, hydrants, and adequate water supply shall be installed and approved by the Metro Fire, prior to combustible materials stored on site.	Prior to Building Permits	Metro Fire District	
4.	The building shall be reviewed for architectural consistency with the approved plans by the Planning Director. The building colors shall be as depicted in the submitted building design plans.	Prior to Building Permits	Planning	
	Prior to Occupancy Permit			
5.	The building shall be reviewed for substantial compliance, according to the approved design plans and accepted by the Planning Director.	Prior to Final Inspection	Planning	
6.	All landscaping shall be planted according to the approved landscape plans and accepted by the Planning Director.	Prior to Final Inspection	Planning	

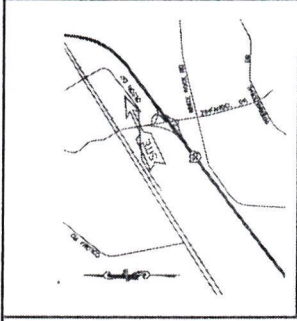
5077
PROJECT
C-3

RANCHO CORDOVA
SACRAMENTO COUNTY
10861 OLSON DRIVE
TARJETT, T-268
PHOTOLOCATION MAP
CALIFORNIA



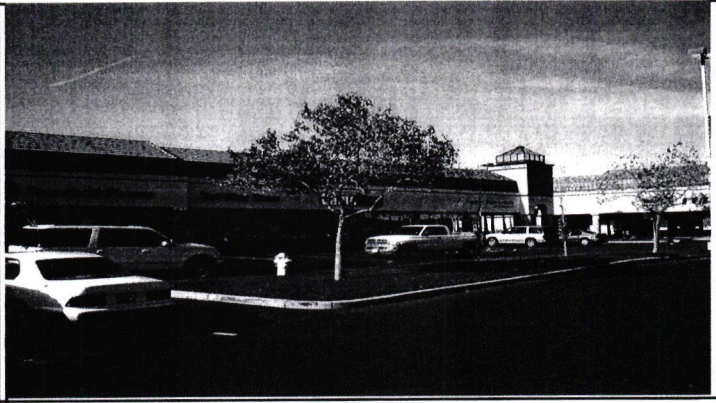
PACIFIC LAND SERVICES
2151 SALVIO STREET, SUITE 200, COLCOWD, CA 94520
925-580-5405 FAX 925-580-5407
LANDSCAPE ARCHITECTURE
SPECIALTY
DESIGNING

DATE	3-2-02
SCALE	1" = 40'
DESIGNER	ML
CHECKED	ML
FILE PATH	C:\US\J\44-0000\DATA\VL\VL.DWG
PROJECT	5077
DATE	
BY	
REVISION	

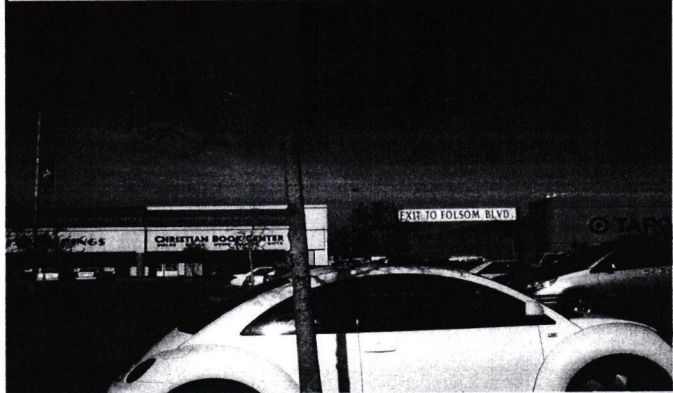




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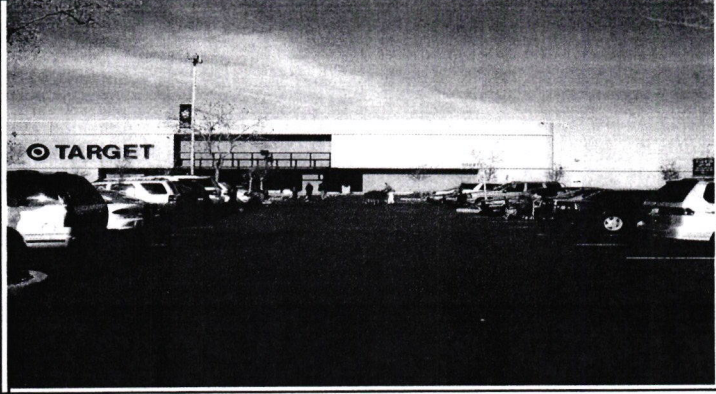
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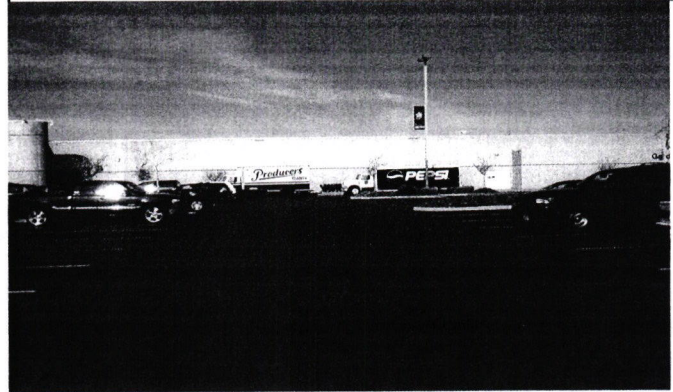
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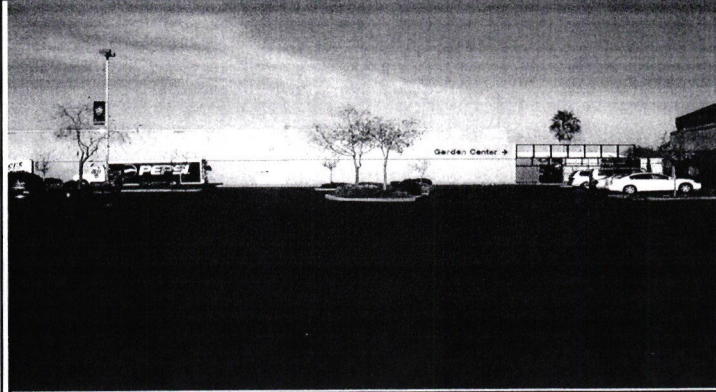
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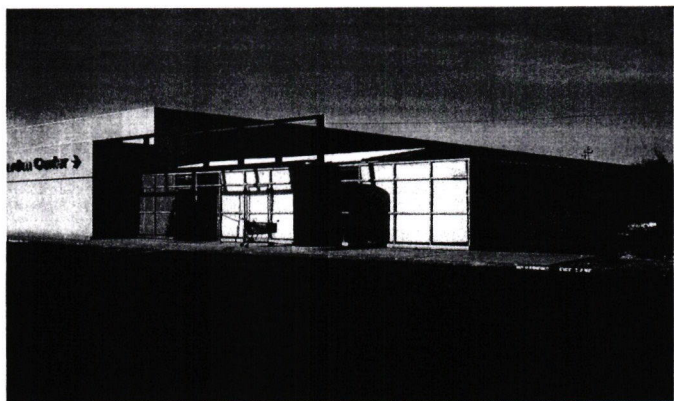
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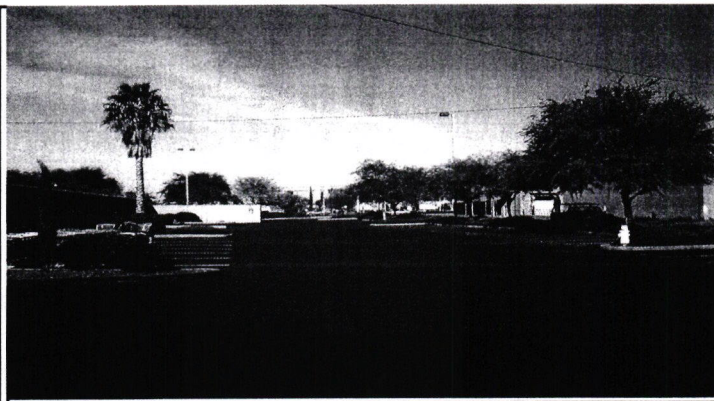
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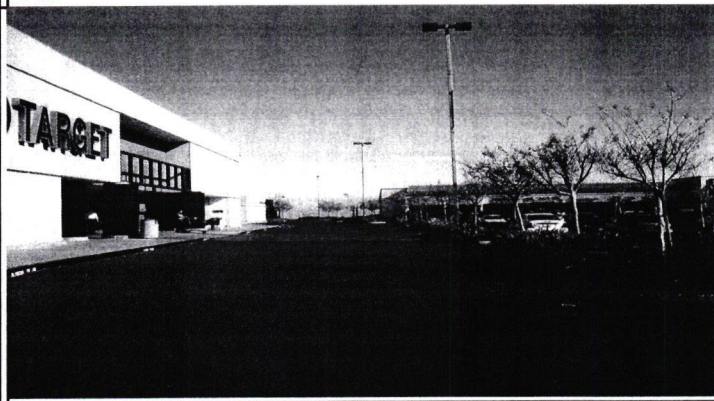
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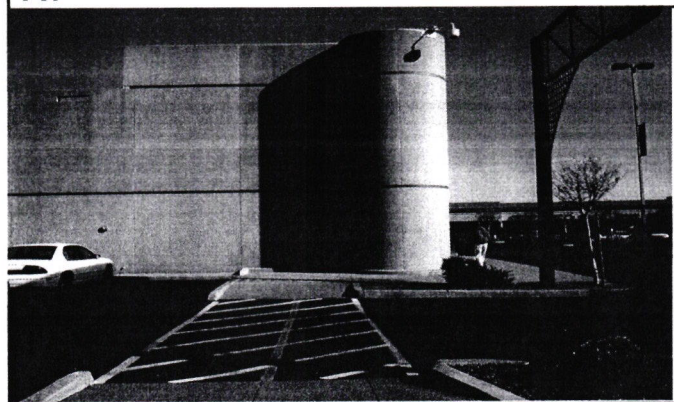
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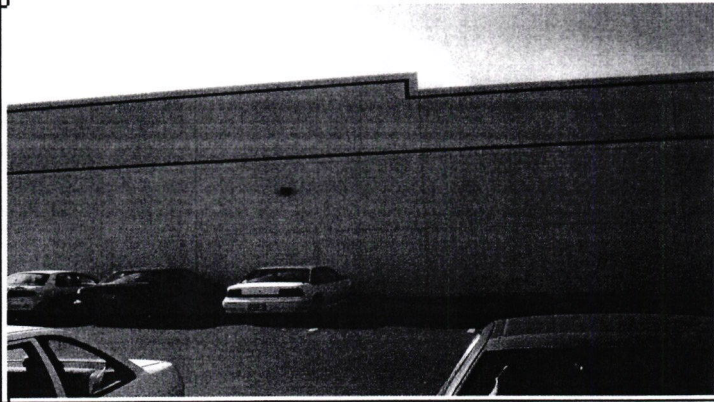
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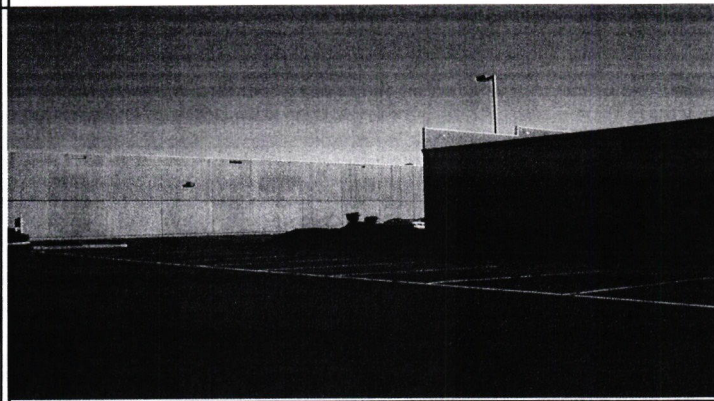
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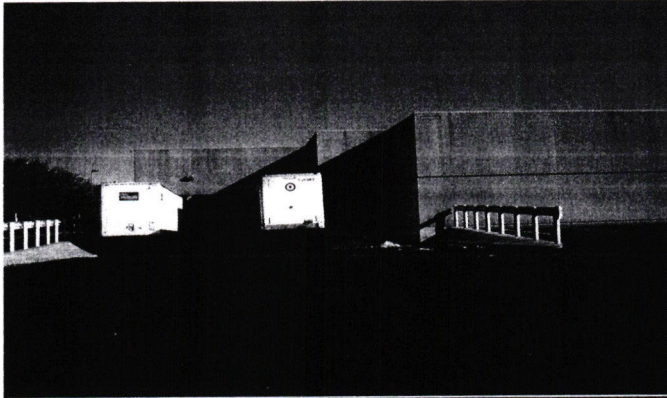
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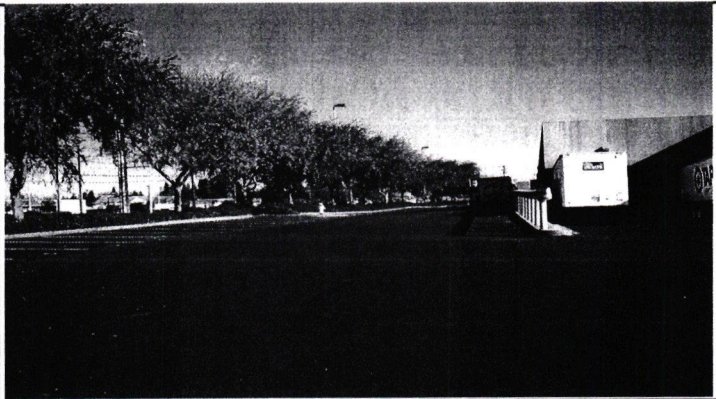
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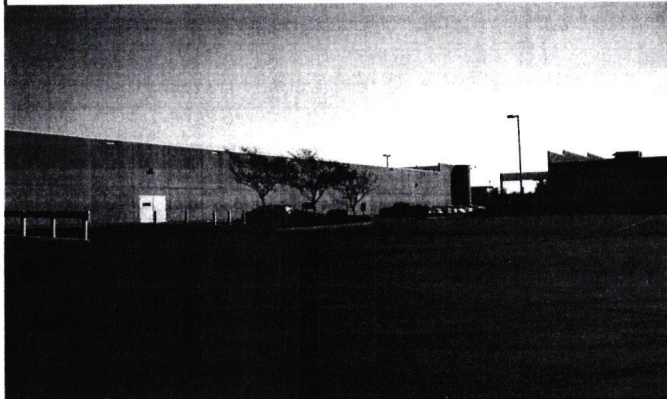
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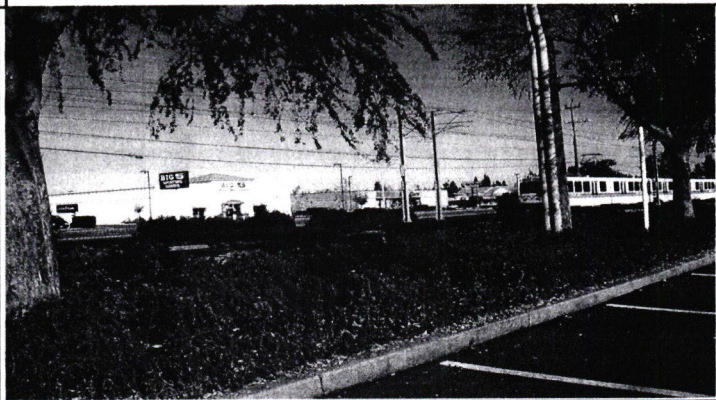
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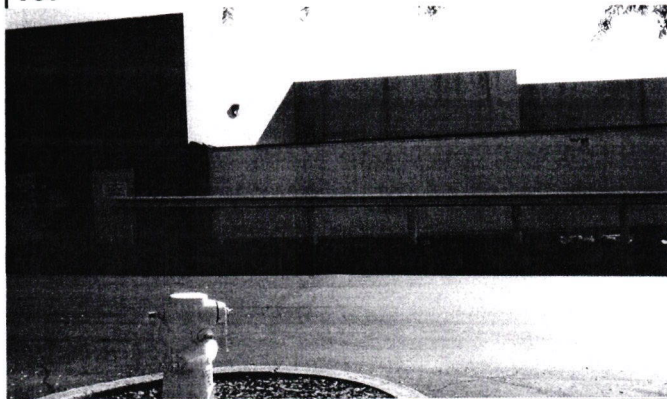
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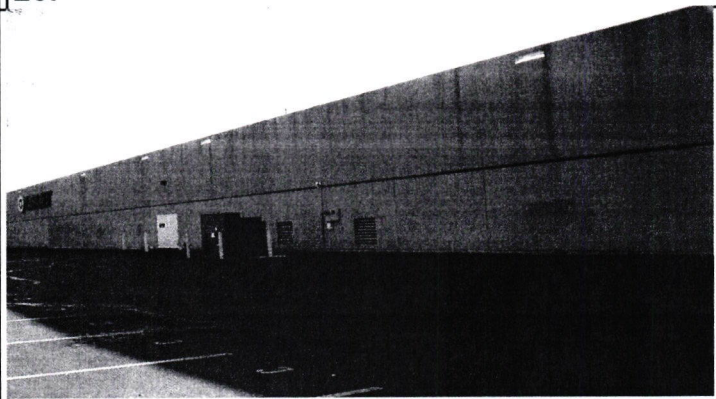
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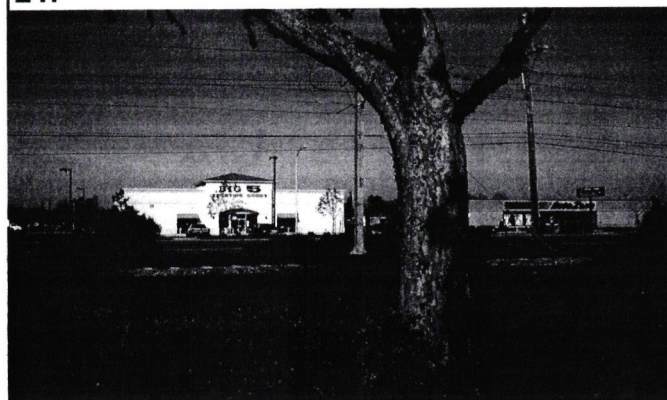
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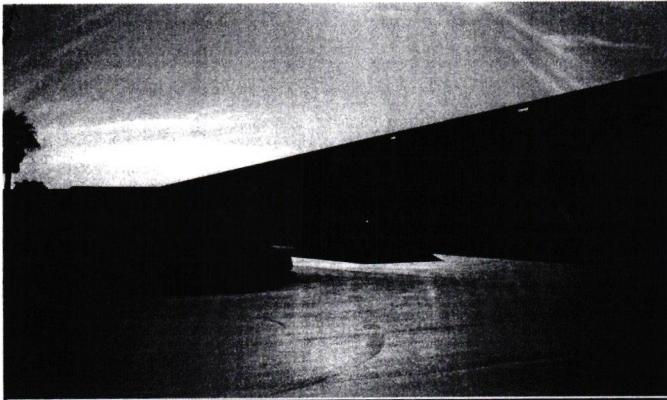
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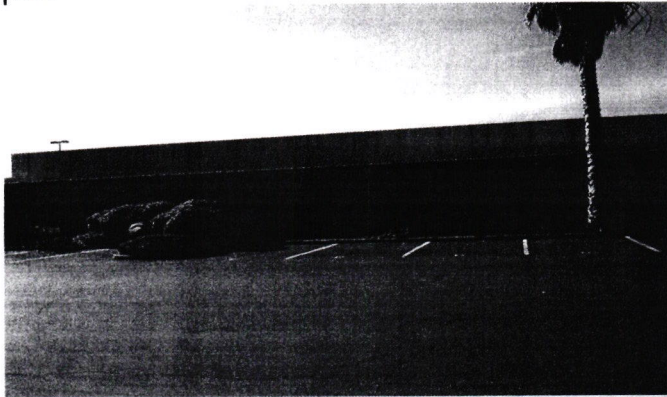
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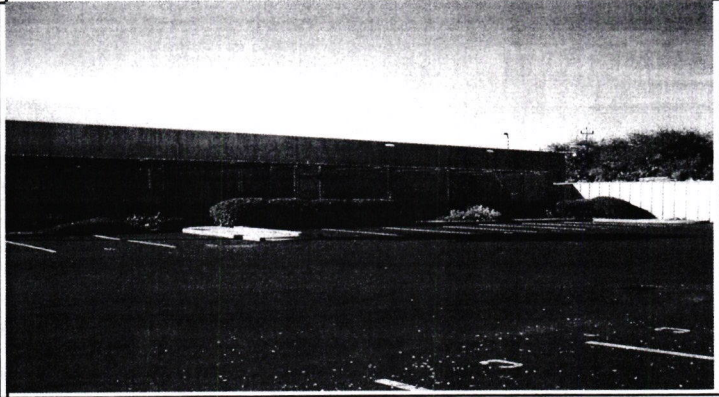
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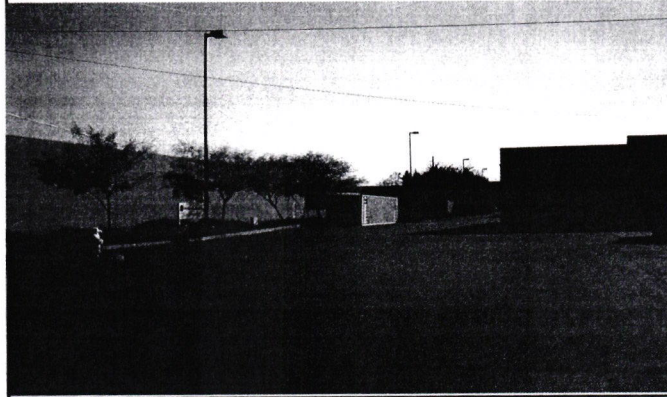
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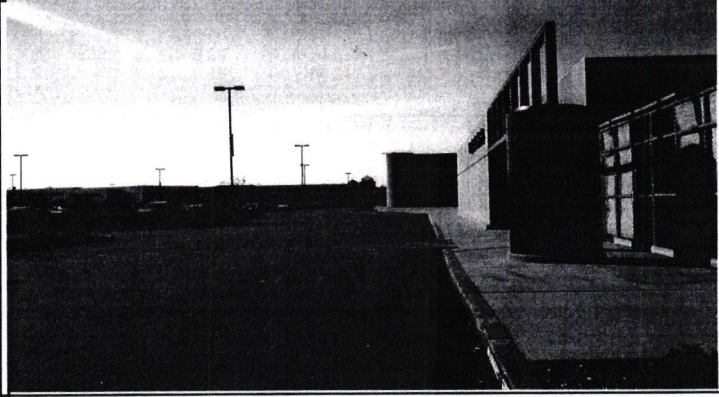
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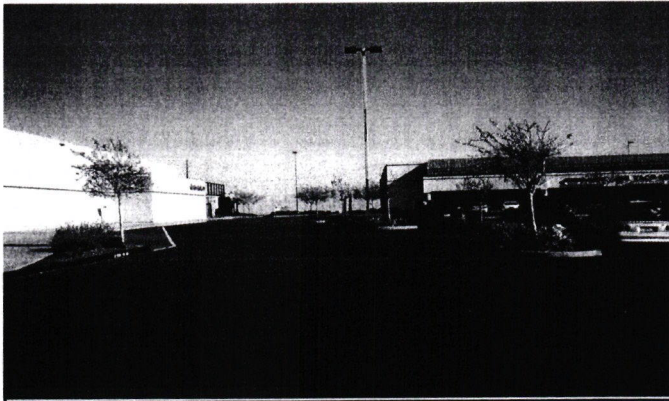
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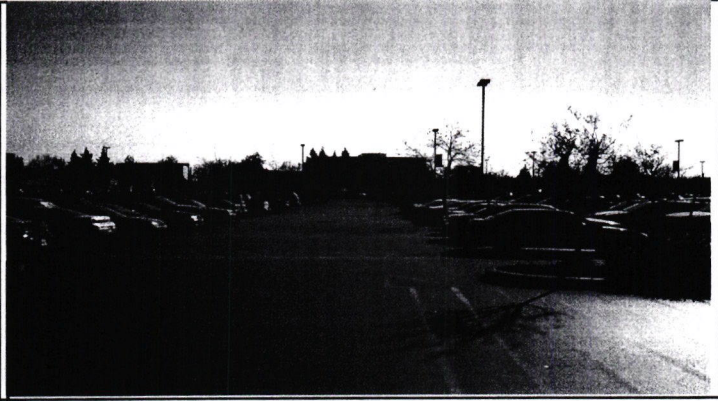
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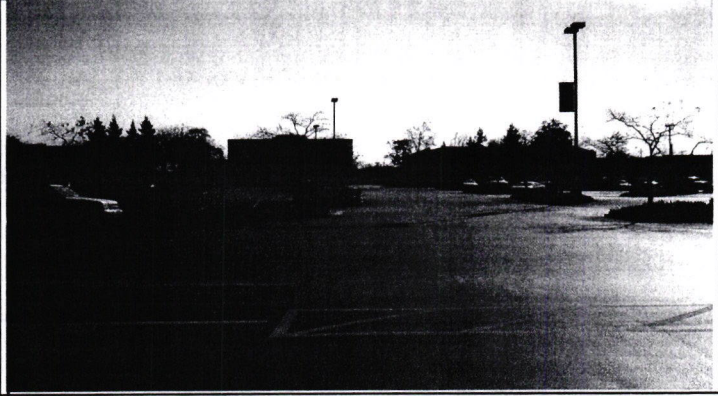
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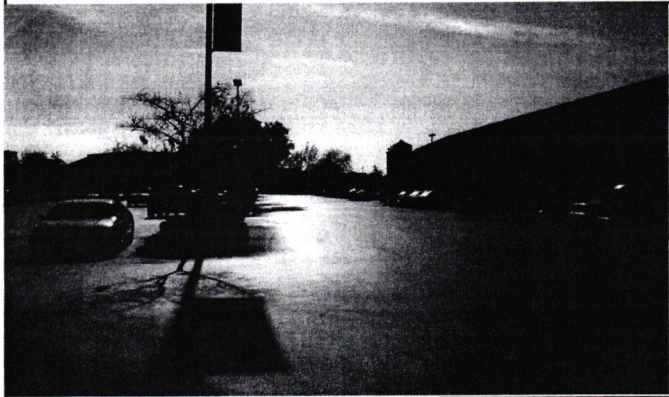
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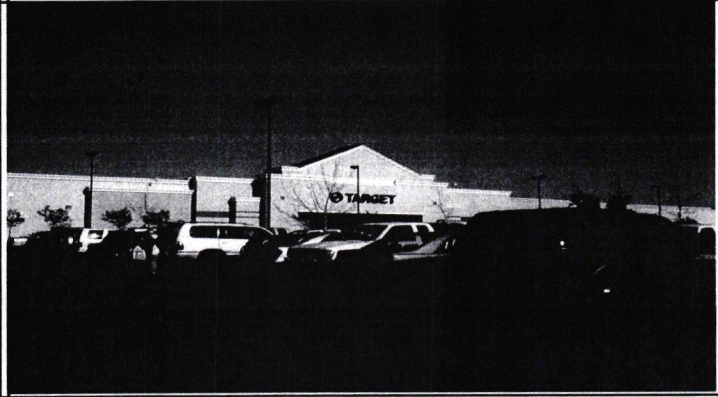
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ATTACHMENT 3

Reference to the Design Review Package consists of full-size and color renderings identical to Exhibit A contained within Resolution No. 80-2005. This attachment is for review by staff and the Council members only.

MEMORANDUM



DATE: July 5, 2005
TO: Mayor and Council Members
FROM: Paul Junker, Planning Director
Eric Norris, AICP, Planning

SUBJECT: INITIATING ANNEXATION OF THE CITY'S SPHERE OF INFLUENCE

RECOMMENDATION

Staff recommends that the City Council consider the information in this staff report and, if desired, adopt Resolution No. 84-2005 initiating the process of annexing the City's Sphere of Influence

BACKGROUND

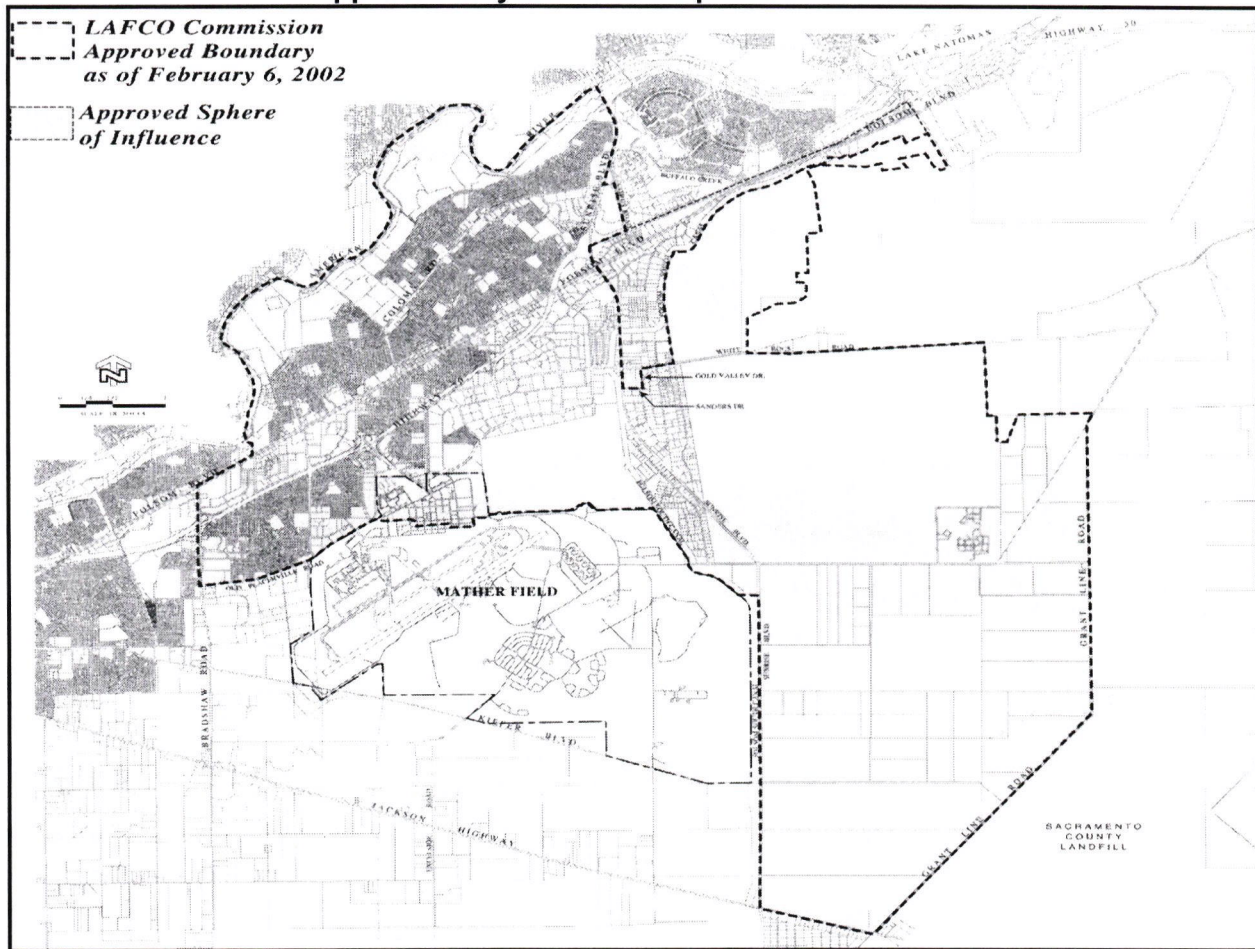
When the City of Rancho Cordova was incorporated on July 1, 2003, the Local Agency Formation Commission (LAFCO) action which created the City identified both the city limits and a "Sphere of Influence" area which was intended to be annexed and become part of Rancho Cordova. The city limits and the Sphere of Influence are shown in the map below.

At this time, staff is presenting to the Council the first step in the annexation of this Sphere of Influence area—the adoption of a Resolution initiating the annexation process. A summary of the procedural steps involved in the annexation process is presented later in this report.

If the area is annexed, the City of Rancho Cordova will assume control over land uses in the area. All future land uses and their operations would be required to conform with City of Rancho Cordova requirements.

Those services provided by the City (police protection, code enforcement, etc.) would be provided by the City of Rancho Cordova upon annexation. Depending on the terms of a tax sharing agreement negotiated by the City and County, the City would begin receiving some tax revenues from this area (potentially including transient occupancy tax and sales tax).

Approved City Limits and Sphere of Influence



The City's Sphere of Influence area, as shown above, is generally located east of Sunrise Boulevard and south of Folsom Boulevard.

ANNEXATION PROCESS

A brief summary of the steps involved in annexation of this area is presented below:

- 1) City Council adopts Resolution initiating process
- 2) City negotiates Property Tax Sharing Agreement with County of Sacramento
- 3) City Council holds public hearing on Pre-Zoning of the area
- 4) City staff submits application to LAFCO. Contents include:
 - Application
 - Map and description of area
 - Pre-Zoning map
 - Master Services Element describing plan for providing public services
 - Property tax sharing agreement
- 5) City holds public hearing on proposed Annexation
- 6) LAFCO Board of Directors holds public hearing and makes decision on annexation
(Note: A public hearing will not be scheduled until the tax sharing agreement is in

place; this requires action by both the County Board of Supervisors and the City Council)

- 7) After the LAFCO vote, property owners or voters (depending on the number of residents within the annexation area) can protest the annexation. Based on the level of protest (by either voters or property owners), the following would occur:

- Less than 25% protest: No action
- 25-50% protest: Election is held
- More than 50% protest: Annexation is halted

COSTS ASSOCIATED WITH ANNEXATION

If the City Council directs staff to proceed with the annexation of the Sphere of Influence, several types of costs would be involved:

- LAFCO application fees (approximately \$5,000)
- LAFCO environmental processing fees (to be determined by LAFCO staff, potentially \$10,000 or more)
- Staff time for meetings and the preparation of materials to accompany the City's application (approximately \$30,000)
- Subconsulting services associated with the preparation of materials for the application, including a metes and bounds description and detailed map of the annexation area (approximately \$5,000)

Based on these figures, the total estimated cost for the annexation process is approximately \$50,000, although the exact figure could be higher or lower depending on LAFCO staff's determination regarding the type of environmental document which will be required. Because the City will be required to pay the fee charged to the LAFCO by their consultant for the preparation of the environmental analysis, a decision to prepare an environmental impact report could substantially increase costs to the City.

At this time, all costs associated with the annexation process would be drawn from the City's General Fund.

ATTACHMENTS

1. Resolution No. 84-2005

CITY OF RANCHO CORDOVA

RESOLUTION NO. 84-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
INITIATING PROCEEDINGS WITH THE SACRAMENTO LOCAL
AGENCY FORMATION COMMISSION TO ANNEX THE CITY'S
SPHERE OF INFLUENCE AREA**

WHEREAS, The City of Rancho Cordova was provided upon incorporation on July 1, 2003, with a Sphere of Influence area which was intended to ultimately become part of the incorporated City; and

WHEREAS, The Sphere of Influence area is a logical expansion of the City of Rancho Cordova and would provide for the more efficient provision of public services; and

WHEREAS, The City Council desires to annex the Sphere of Influence area; and

WHEREAS, City Council action is required to initiate the annexation proceedings by the Local Agency Formation Commission; and

WHEREAS, The City has complied with all provisions of state law, including sending notice of this proposed resolution to the Local Agency Formation Commission, the County of Sacramento, and other affected agencies.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council formally notifies the Sacramento Local Agency Formation Commission and all other interested parties of its intention to file an application to annex the City's Sphere of Influence area.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Rancho Cordova directs staff to prepare the City's application to the Sacramento Local Agency Formation Commission (LAFCO) and to work with the LAFCO, the County of Sacramento, and other interested parties.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of July, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

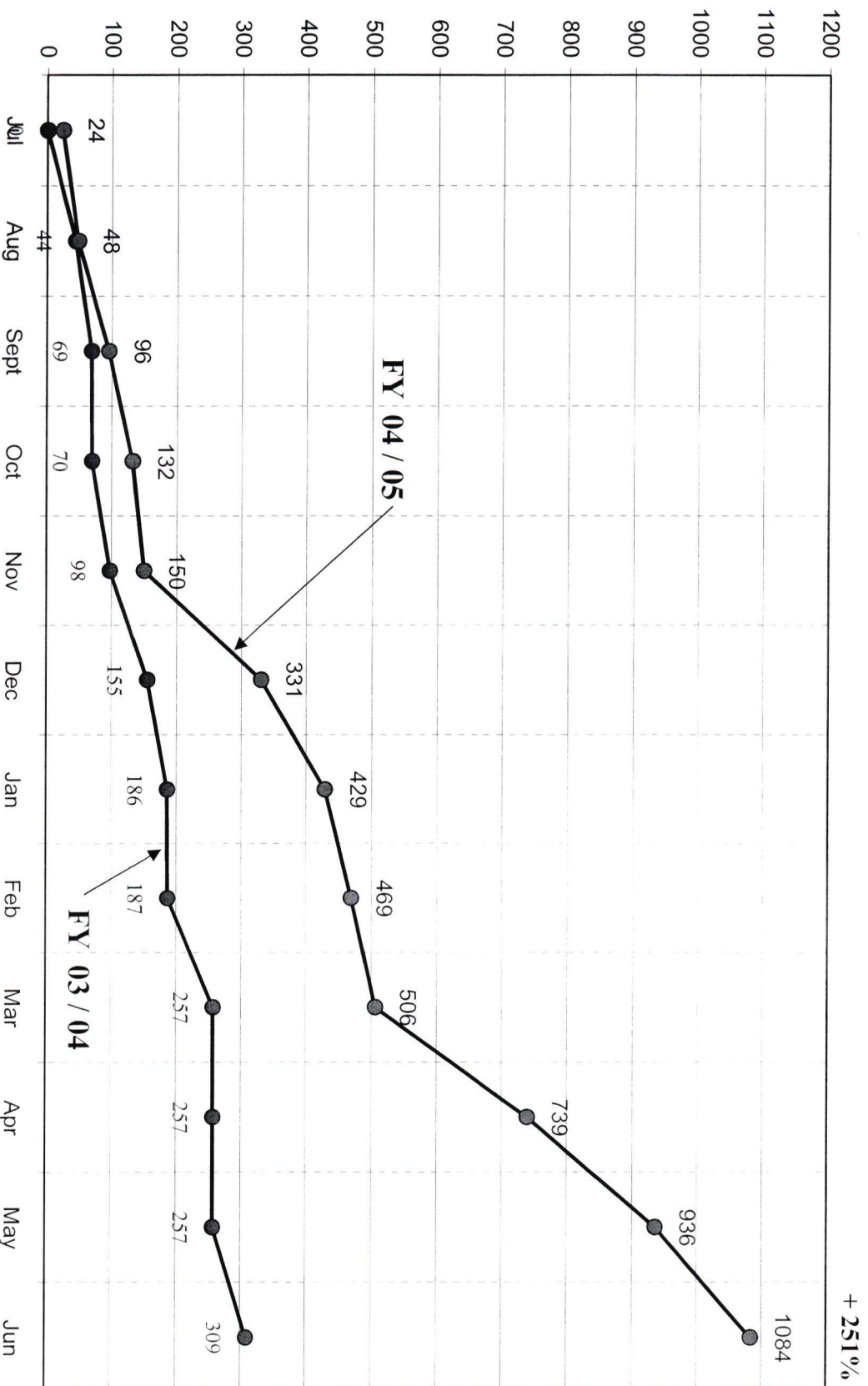
**City Manager's Report
Agenda Item**

**Material received during the
Council Meeting of July 5, 2005.**

CITY OF RANCHO CORDOVA

SINGLE FAMILY DWELLING PERMITS ISSUED

FY 04 / 05 Vs. FY 03 / 04

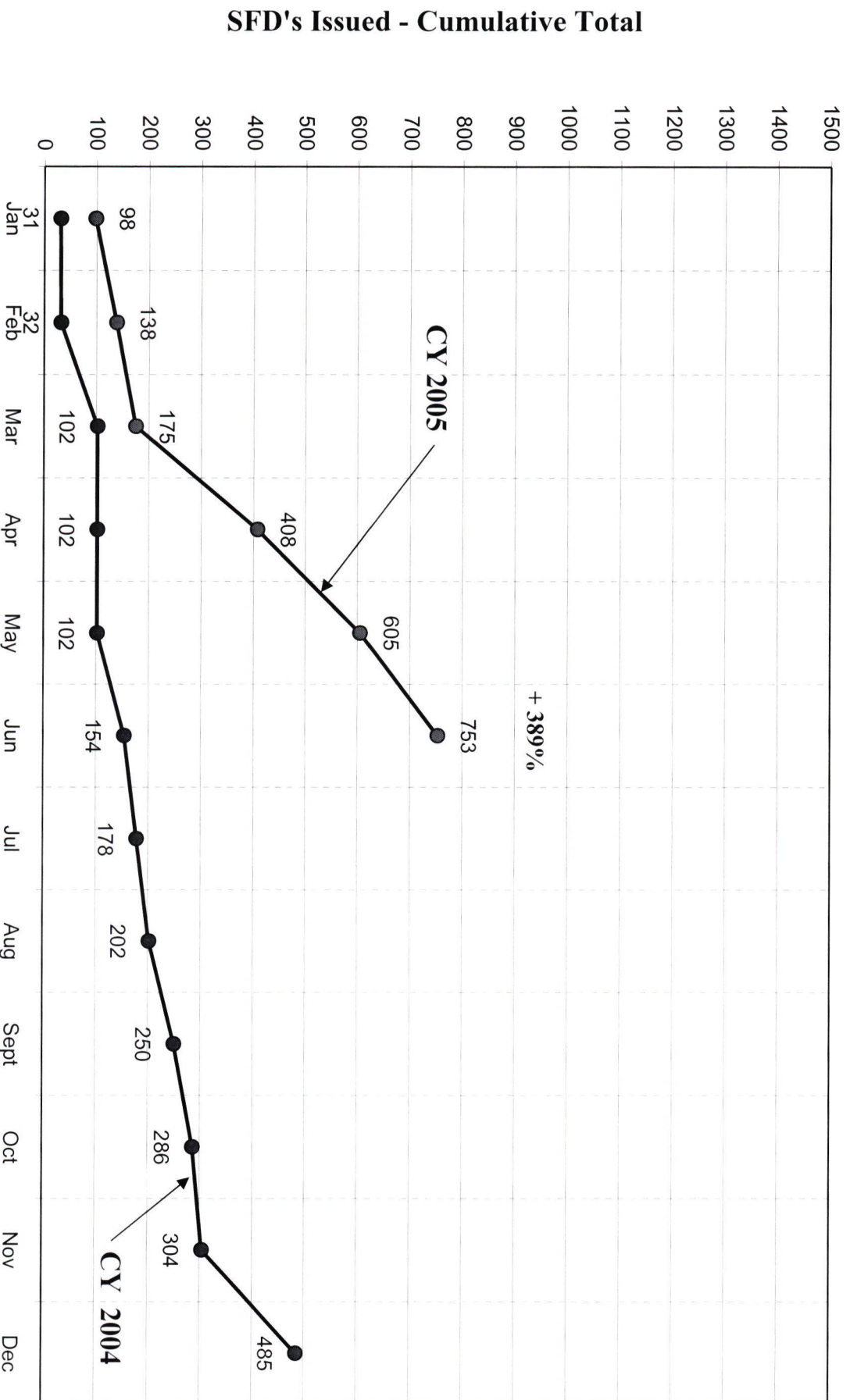


SFD's Issued - Cumulative Total

CITY OF RANCHO CORDOVA

SINGLE FAMILY DWELLING PERMITS ISSUED

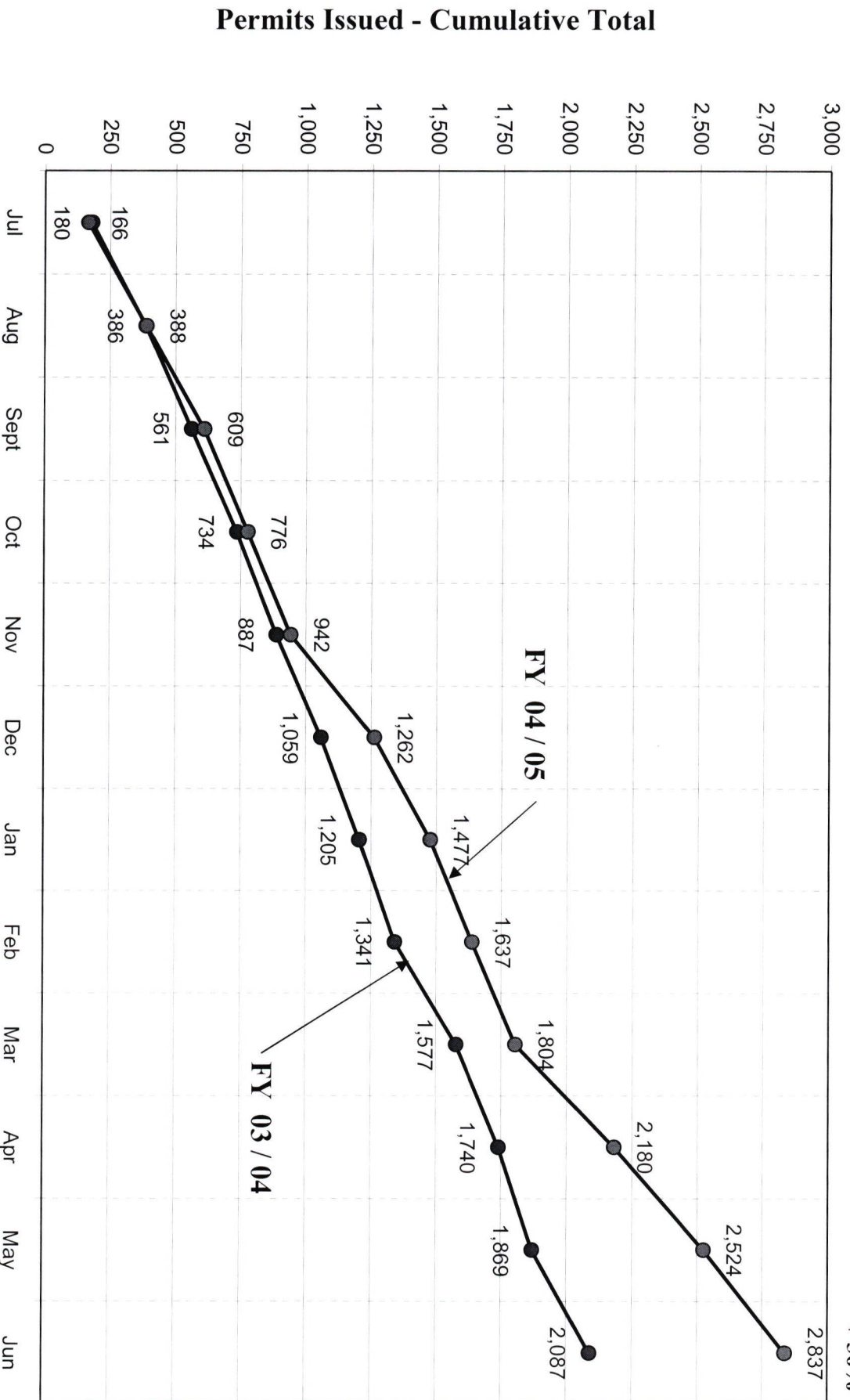
CY 2005 Vs. CY 2004



CITY OF RANCHO CORDOVA

OF BUILDING PERMITS ISSUED

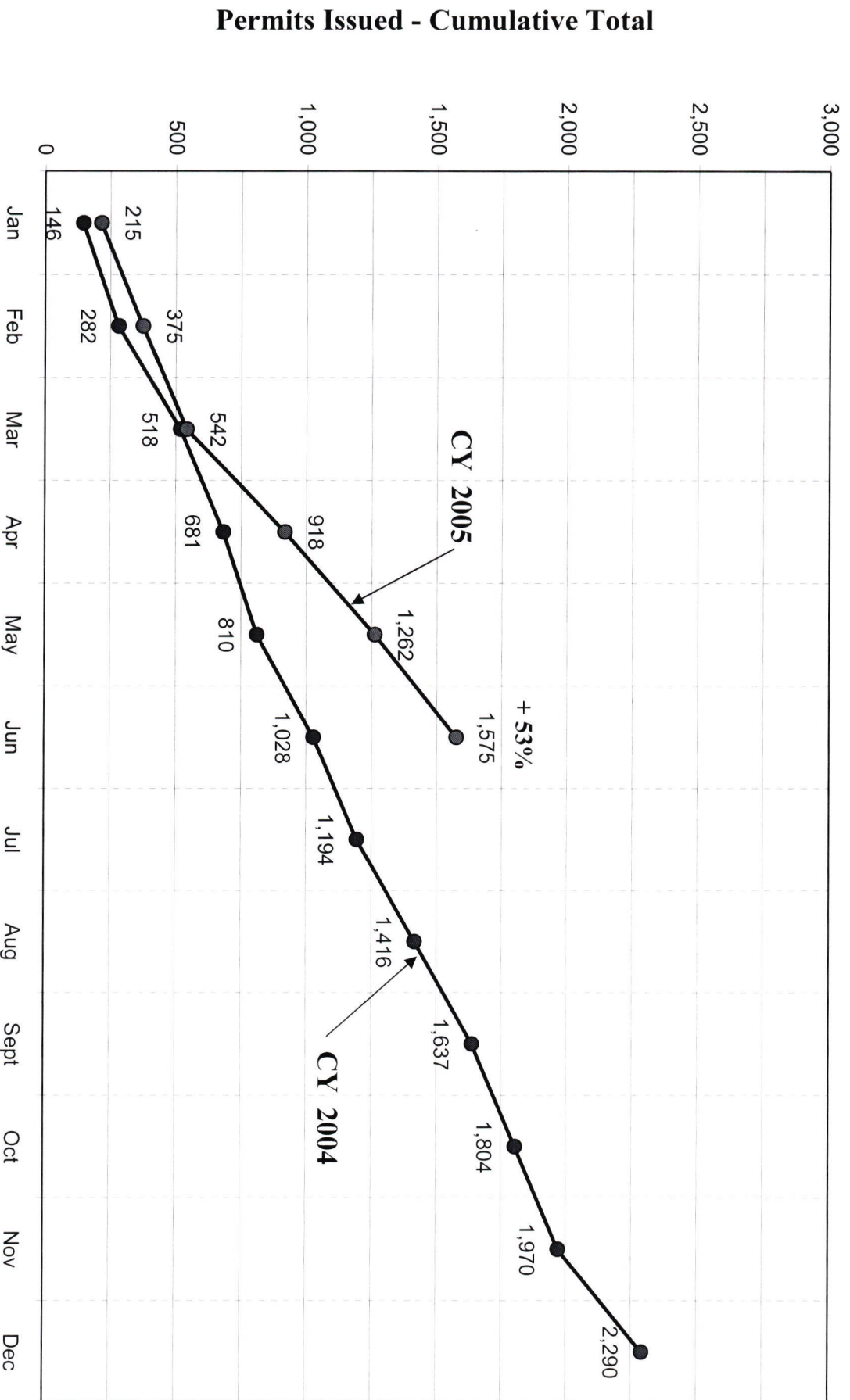
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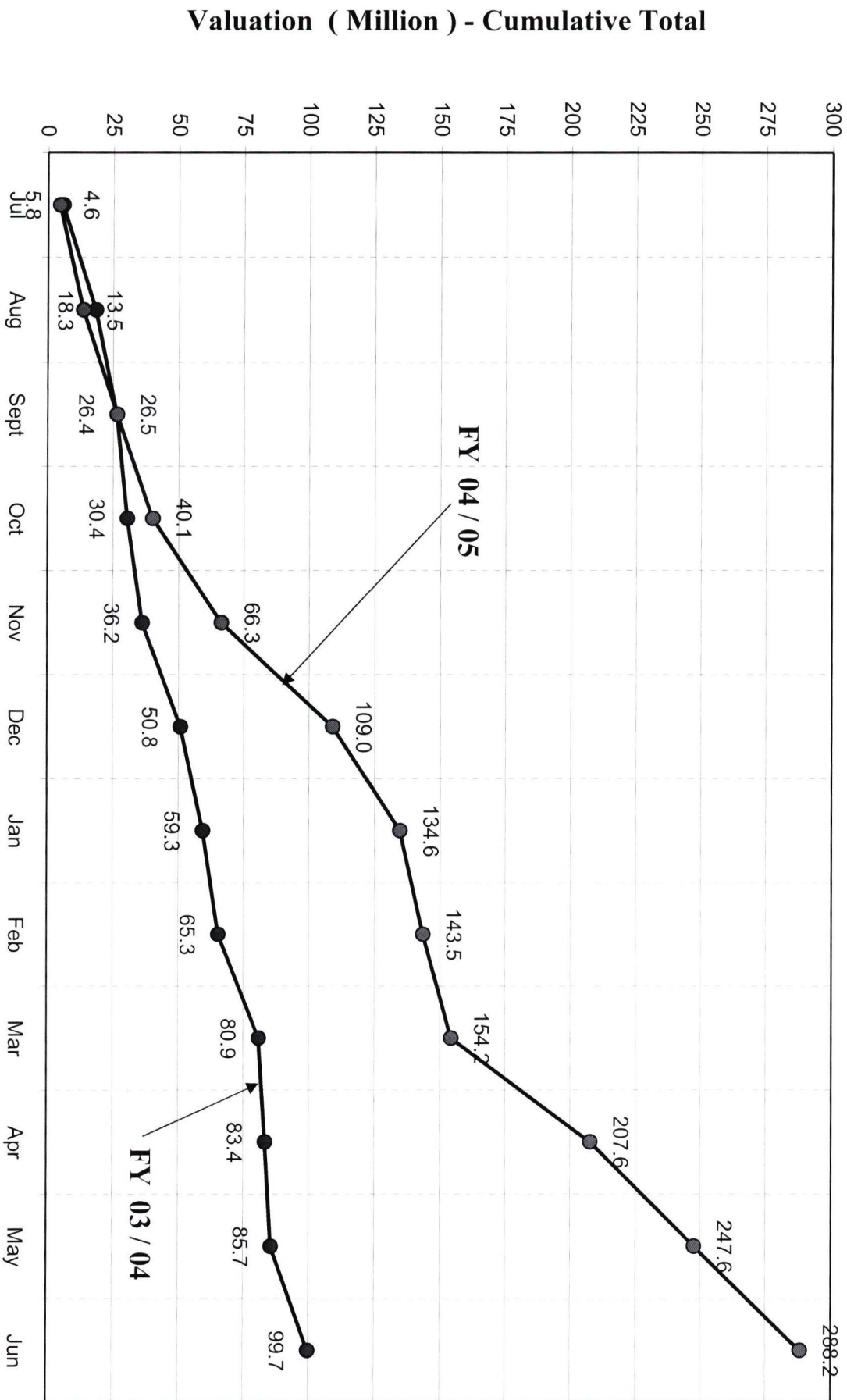


CITY OF RANCHO CORDOVA

VALUATION OF BUILDING PERMITS ISSUED

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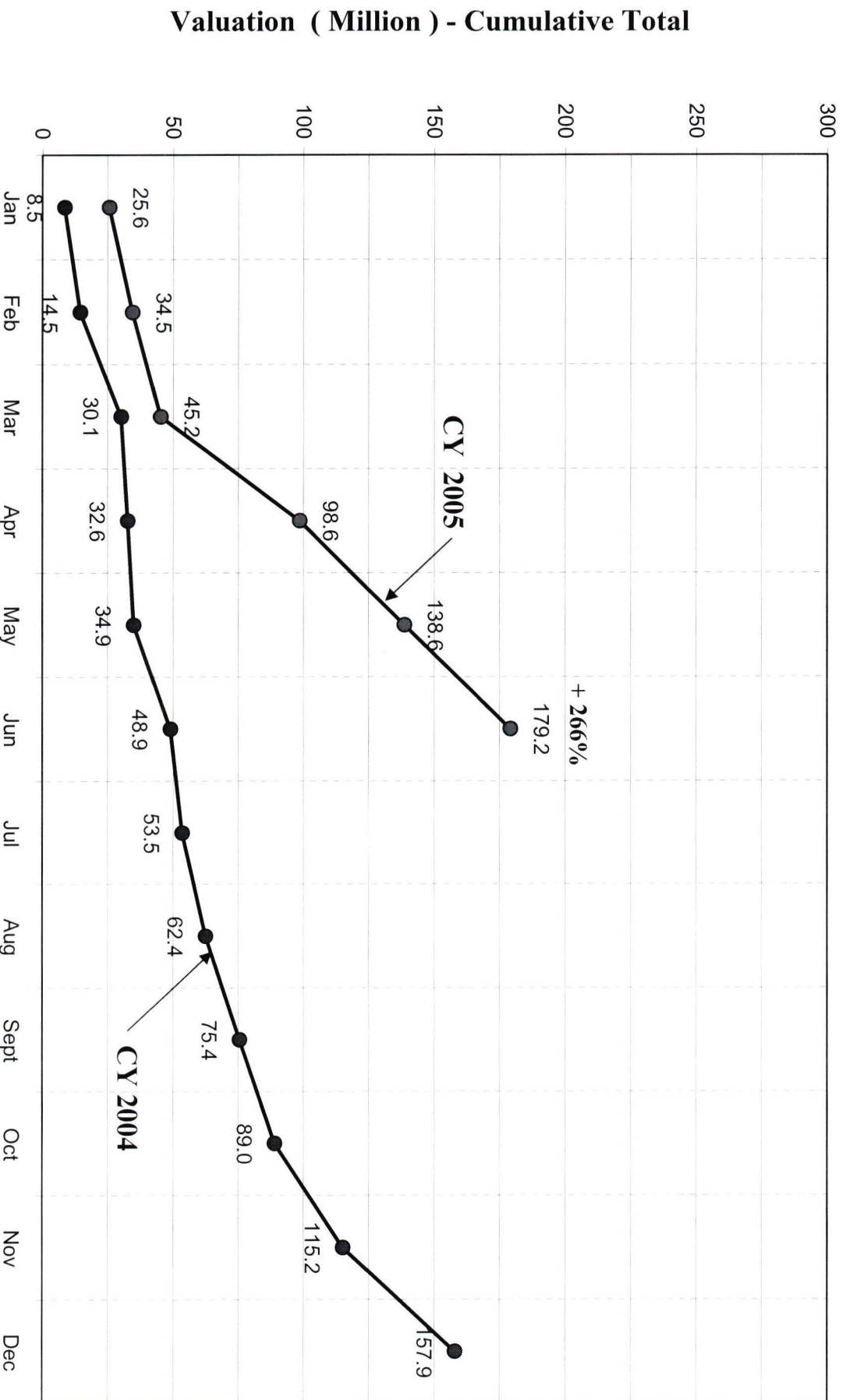
+ 189%



CITY OF RANCHO CORDOVA

VALUATION OF BUILDING PERMITS ISSUED

CY 2005 Vs. CY 2004



CITY OF RANCHO CORDOVA
BUILDING PERMITS ISSUED DATA

FY 04 / 05 Vs. FY 03 / 04

SINGLE FAMILY DWELLINGS										# of PERMITS ISSUED										VALUATION (Million)									
MONTH	01/02	YTD	02/03	YTD	03/04	YTD	04/05	YTD	YTD	01/02	YTD	02/03	YTD	03/04	YTD	04/05	YTD	YTD	01/02	YTD	02/03	YTD	03/04	YTD	04/05	YTD	YTD		
									04/05 vs 03/04 % + or -									04/05 vs 03/04 % + or -									04/05 vs 03/04 % + or -		
Jul	0	0	62	62	0	0	24	24		143	143	231	231	180	180	166	166	(- 8%)	13.3	13.3	23.2	23.2	5.8	5.8	4.6	4.6	(- 21%)		
Aug	0	0	0	62	44	44	24	48	+ 9%	148	291	150	381	206	386	222	388	Even	4.1	17.4	4.6	27.8	12.5	18.3	8.9	13.5	(- 26%)		
Sept	14	14	50	112	25	69	48	96	+ 39%	117	408	199	580	175	561	221	609	+ 9%	6.7	24.1	11.0	38.8	8.1	26.4	13.0	26.5	Even		
Oct	18	32	0	112	1	70	36	132	+ 89%	167	575	161	741	173	734	167	776	+ 6%	8.6	32.7	2.7	41.5	4.0	30.4	13.6	40.1	+ 32%		
Nov	0	32	15	127	28	98	18	150	+ 53%	120	695	134	875	153	887	166	942	+ 6%	0.9	33.6	9.4	50.9	5.8	36.2	26.2	66.3	+ 83%		
Dec	24	56	21	148	57	155	181	331	+ 114%	142	837	128	1,003	172	1,059	320	1,262	+ 19%	23.5	57.1	4.6	55.5	14.6	50.8	42.7	109.0	+ 115%		
Jan	4	60	15	163	31	186	98	429	+ 131%	121	958	107	1,110	146	1,205	215	1,477	+ 23%	6.5	63.6	6.5	62.0	8.5	59.3	25.6	134.6	+ 127%		
Feb	32	92	39	202	1	187	40	469	+ 151%	142	1,100	167	1,277	136	1,341	160	1,637	+ 22%	7.9	71.5	16.3	78.3	6.0	65.3	8.9	143.5	+ 120%		
Mar	25	117	26	228	70	257	37	506	+ 97%	138	1,238	163	1,440	236	1,577	167	1,804	+ 14%	4.8	76.3	11.1	89.4	15.6	80.9	10.7	154.2	+ 91%		
Apr	13	130	15	243	0	257	233	739	+ 188%	128	1,366	163	1,603	163	1,740	376	2,180	+ 25%	5.1	81.4	10.0	99.4	2.5	83.4	53.4	207.6	+ 149%		
May	17	147	20	263	0	257	197	936	+ 264%	125	1,491	181	1,784	129	1,869	344	2,524	+ 35%	5.8	87.2	6.9	106.3	2.3	85.7	40.0	247.6	+ 189%		
June	25	172	47	310	52	309	148	1,084	+ 251%	169	1,660	207	1,991	218	2,087	313	2,837	+ 36%	5.2	92.4	15.6	121.9	14.0	99.7	40.6	288.2	+ 189%		
Total =	172		310		309		1,084			1,660	1,991		2,087		2,837				92.4		121.9	99.7		288.2					

Rancho Cordova Building and Safety
Changes 2004-2005

1. The City completes all scheduled residential inspections each day. No "Roll-Over's" allowed"!
2. The City provides an "In Progress Re-roof Inspection" to ensure proper flashing and roofing installation before 50 % of the roof is covered. A final inspection is also required.
3. The City requires all overhead service entrance to attach to the service riser at all new services, re-roof permits and electric panel upgrades.
4. The City requires sewer lines to be filled at gravel inspection to check for potential leaks before pouring concrete.
5. The City offers scheduled appointments. Appointments are scheduled at the time of the applicant's choosing with a 2 hr window guarantee.
6. The City requires a grounding electrode for residential additions
7. The City provides insulation inspection prior to allowing sheetrock for all residential new homes and additions.
8. The City provides sheetrock fire nail inspection, prior to allowing a gas connection.
9. The City requires hard-wired and interconnected smoke detectors in all bedrooms and hallways for additions and bedroom conversions.
10. All inspectors are accessible to the public by phone or on the job to provide information to help.
11. The City requires sales offices for model homes to be accessible to people with disabilities.
12. The City requires an accessible path of travel from the public way on all commercial alterations over the threshold valuation established by the state of California.
13. The City adopted the 2002 California Electric Code with reduced local amendments and coordinated with Sacramento County to reduce their code to match ours.
14. The City amended it's codes to reduce the number of local amendment.
15. The City ensures that permittees meet contractor's license law as owner, authorized designee, licensed architect or contractor.
16. The City coordinates efforts with the California State License Board to ensure that contractor's are operating legally.
17. The City has enacted contracts with three consulting companies to provide alternate plan review options and ensure optimum service.

- 18. The City Building and Safety Department has taken some duties from Public Works Technical Resources section for coordination of setback and PUE issues, verification of addresses and Sac Metro Fire Fees.**
- 19. The city uses a modified plumbing and mechanical inspection criteria for business license-related permits to ensure safety, but not necessarily strict code compliance.**
- 20. Instituted a hot-weather inspection schedule.**