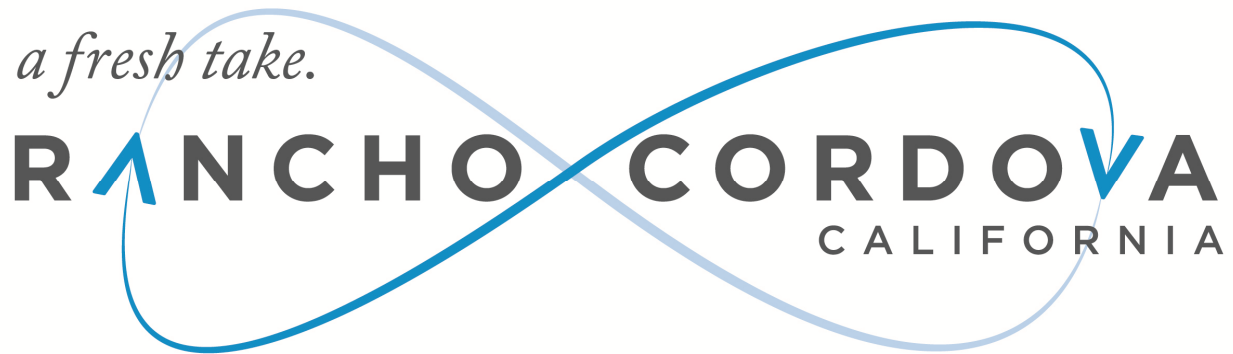


CITY OF RANCHO CORDOVA



CONCURRENT MEETING CITY COUNCIL/SUCCESSOR AGENCY TO THE CRA/RCFC

Monday, February 06, 2017

4:00 PM – Special Meeting

5:30 PM – Regular Meeting

AGENDA

Donald Terry, Mayor

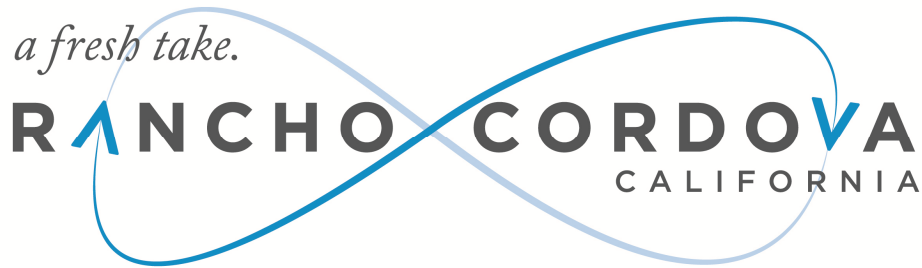
Linda Budge, Vice Mayor

Robert J. McGarvey, Council Member

Dan Skoglund, Council Member

David Sander, Council Member

CITY OF RANCHO CORDOVA



CONCURRENT MEETING CITY COUNCIL/SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY (CRA)/RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, February 06, 2017

3:00 PM – Special Meeting
American River North Community Room North

5:30 PM – Regular Meeting
David B. Roberts Council Chambers

AGENDA

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Council Members Budge, McGarvey, Sander, Skoglund, and Mayor Terry.

2. PUBLIC COMMENT

At a special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda.

3. SPECIAL MEETING ITEM

3.1 **Subject:** Zoning Code Update Discussion.

Recommendation: Discussion and Direction from the Council.

Result of Recommended Action: Through direction make revisions to the Zoning Code Update.

Staff Report: Aaron Busch, Community Development Director.

Advances Goals: 1, 2, 6.

4. ADJOURNMENT OF SPECIAL MEETING

Mayor Terry will adjourn the special meeting to regular meeting in the David B. Roberts Council Chambers.

5. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Budge, McGarvey, Sander, Skoglund, and Mayor Terry.

6. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk will announce the meetings video recording and playback schedules.

7. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

8. INVOCATION

Wayne Langford, President of LDS Church will give the invocation.

9. PRESENTATIONS

- 9.1 Community Enhancement Fund Grant Check Presentations.
- 9.2 Welcome to PRO Youth & Families, Youth @ City Council Program Students.
- 9.3 Presentation of Proclamation in Honor of Spay Day 2017 to Sacramento Area Animal Coalition, Rancho Cordova Animal Services Staff, and Whisker Warriors.
- 9.4 Recognition of Mayor Terry's Birthday on February 8.

10. PUBLIC COMMENT

Citizens wishing to address the Council for any matter on the Consent Calendar or not on the agenda may do so at this time by completing and submitting a Speaker Card to the City Clerk. For items on the agenda, speakers will be called up to the podium by the Mayor at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state 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 item not on the agenda 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.

11. COUNCIL REPORTS

12. CITY MANAGER'S REPORT

13. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 13.1 **Subject:** Meeting Minutes of January 17, 2017 Regular Meeting and January 31, 2017 Special Meeting.
Recommendation: Adopt Minutes.
- 13.2 **Subject:** Resolution Authorizing the Examination of Prepaid Mobile Telephony Services Surcharge and Local Charge Records.
Recommendation: Adopt Resolution No. 142-2016.
Result of Recommended Action: This resolution will amend an existing Utility Users Tax audit contract that the City has with MuniServices, LLC to authorize the company to analyze and audit prepaid wireless.
Staff Report: Liisa Behrends, Senior Accountant.
Advances Goals: 1, 4, 5.
- 13.3 **Subject:** Resolution Declaring the Results of Mail Ballot Election for Rancho Cordova Transit-related Services Special Tax Area Zone 19, 3287 Monier Circle Warehouse Project.
Recommendation: Adopt Resolution No. 13-2017.
Result of Recommended Action: Adoption of this resolution will declare the result of the mail ballot election concerning Transit-Related Service Special Tax Area Zone 19, establishing a special tax transit services for 3287 Monier Circle Warehouse Project.
Staff Report: Elizabeth Sparkman, Engineering Manager.
Advances Goal: 5.
- 13.4 **Subject:** Resolution Appointing Donald Terry to the Lower American River Conservancy Program Advisory Committee.
Recommendation: Adopt Resolution No. 10-2017.
Result of Recommended Action: Adoption of this resolution will appoint Donald Terry to serve on the Lower American River Conservancy Advisory Committee.
Staff Report: Mindy Cuppy, City Clerk.
Advances Goals: 1, 2, 3, 4, 5.
- 13.5 **Subject:** Memorandum of Understanding between the County of Sacramento, City of Rancho Cordova, and Sacramento Regional Transit Relating to Distribution of Transit Fees.
Recommendation: Adopt Resolution No. 6-2017.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute the Memorandum of Understanding (MOU) in the form of Contract No. 2-2017 with the County of Sacramento (COUNTY), and Sacramento Regional Transit (RT) relating to the distribution and expenditure of development fees for transit purposes that have been collected by the County.
Staff Report: Elizabeth Sparkman, Engineering Manager.
Advances Goals: 2, 5.

14. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

- 14.1 **Subject:** Resolution Declaring a Protest Hearing and Authorizing the Mailing of Property Owner Ballot Relating to the Imposition of the Annual Stormwater Utility Fee for Veranda at Stone Creek Project.
Recommendation: Adopt Resolution No. 14-2017.
Result of Recommended Action: Action on this item will declare the results of the property owner protest and, if there exists less than a majority protest, authorize the mailing of a ballot to property owner to approve the levy of the fee to pay for

maintenance of storm drainage and flood protection systems for the Veranda at Stone Creek Project. The action also sets 5:30 p.m. on February 21, 2017 in the office of the City Clerk, as the time and date for the public hearing for the matter.

Staff Report: Elizabeth Sparkman, Engineering Manager.

Advances Goals: 5.

- 14.2 **Subject:** Grantline Road Properties, LLC – Project No. DD 9619 Grantline West Renewal of Surface Mining and Reclamation Plan Amendment Permit.

Recommendation: That Council:

a) Adopt Resolution No. 17-2017 Approving the Renewal of the Surface Mining and Reclamation Plan Amendment Permit for the Grantline West Mining Operation, Project No. DD 9619.

b) Adopt Resolution No. 18-2017 Authorizing the City Manager to execute a Roadway Impact and Truck Management Program Agreement and a Payment Agreement with Grantline Road Properties, LLC for the Grantline West Mining Operation.

Result of Recommended Action: Adoption of this referenced resolution would permit the surface mining to continue for an additional 10 years and the reclamation plan for an additional 12 years.

Staff Report: June Cowles, Senior Planner.

Advances Goals: 5, 6.

- 14.3 **Subject:** Zoning Text Amendment to Allow Cardrooms in the Convention Overlay District and Conditional Use Permit; Project No. DD9675 – Located at 11275 Folsom Boulevard, for a Cardroom Use at This Location, Contingent Upon the Adoption and Effective Date of the Zoning Code Text Amendment Allowing the Use.

Recommendation: Introduce and waive the first reading of Ordinance 1-2017 and adopt Resolution 19-2017.

Result of Recommended Action: Approval of Ordinance 1-2017 would amend land use table 23.325-1 to add “Card Room” to the Land Use Category and allow card rooms with the approval of a Conditional Use Permit in the Convention Overlay zone. Adoption of Resolution 19-2017 would approve a Conditional Use Permit for the Card Room use at 11275 Folsom Boulevard, contingent upon the adoption and effective date of Ordinance 1-2017.

Staff Report: Nicholas Sosa, Assistant Planner.

Advances Goals: 2, 6.

15. PUBLIC HEARING ITEMS

NONE.

16. REGULAR CALENDAR ITEMS

- 16.1 **Subject:** Legislative Update by Joe. A Gonsalves & Son.

Recommendation: Receive report.

Result of Recommended Action: Council will receive an update from our state lobbyist regarding highlights of the 2016 legislative session and key issues for the current 2017 session.

Staff Report: Maria Kniestedt, Communications and Legislative Affairs Manager.

Advances Goals: 1, 2, 4, 5, 6.

17. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

18. ADJOURNMENT

ADDITIONAL INFORMATION

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11:00 PM WILL BE CONTINUED TO THE NEXT DAY AT 5:30 PM OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Thursdays or Fridays prior to the Regular City Council Meeting.

CITYWIDE GOALS - (Adopted March 27, 2012)	
1.	Promote the Positive Image of Rancho Cordova
2.	Ensure a Safe, Inviting and Livable Community
3.	Empower Responsible Citizenship
4.	Establish Logical City Boundaries that Provide Regional Leadership and Address Financial Challenges
5.	Ensure the Availability of the Best Public Services in the Region while Practicing Sound Fiscal Management
6.	Drive Diverse Economic Opportunities

UPCOMING MEETINGS	
Tuesday, February 21, 2017	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, February 28, 2017	5:30 PM Special Meeting/Work Session
Monday, March 6, 2017	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, March 20, 2017	5:30 PM Regular Meeting
Tuesday, March 28, 2017	5:30 PM Special Meeting/Work Session
Monday, April 3, 2017	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Wednesday, April 5, 2017	8:15 AM – 12:00 PM Special Meeting
Monday, April 17, 2017	5:30 PM Regular Meeting
Tuesday, April 25, 2017	5:30 PM Special Meeting/Work Session
Monday, May 1, 2017	MEETING CANCELLED
Tuesday, May 9, 2017	5:30 PM Special Meeting/Work Session
Monday, May 15, 2017	5:30 PM Regular Meeting
Tuesday, May 23, 2017	5:30 PM Special Meeting/Work Session
Monday, June 5, 2017	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, June 19, 2017	5:30 PM Regular Meeting
Tuesday, June 27, 2017	5:30 PM Special Meeting/Work Session

If you have any technical questions related to the agenda items, please contact the appropriate department as follows:

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building and Safety Division	(916) 851-8760
City Attorney's Office	(916) 556-1531
City Clerk's Department	(916) 851-8720
City Manager's Office	(916) 851-8800
Communications Department	(916) 851-8791
Economic Development Department	(916) 851-8780
Finance Department	(916) 851-8730
Housing Division	(916) 851-8784
Human Resources Department	(916) 851-8740
IT Department	(916) 851-8700
Neighborhood Services – Animal Services	(916) 851-8770
Parks & Recreation (Cordova Recreation & Park District)	(916) 362-1841
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Rancho Cordova Police Department	(916) 875-9600
Redevelopment Department	(916) 851-8780
Sac Metro Fire District	(916) 859-4300

The Rancho Cordova City Council/Successor Agency to the CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A VHS copy is available for check out from any library branch, a DVD copy is available from the City Clerk's Department, and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

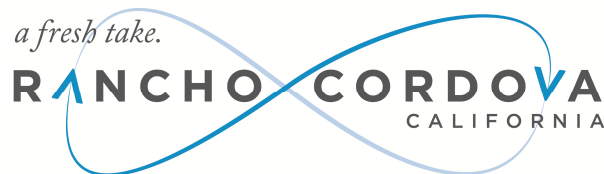
In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Mindy Cuppy, MMC, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the Monday, February 06, 2017 Special and Regular Meeting of the Rancho Cordova City Council/Successor Agency to the CRA/RCFC was posted and available for review on Thursday, February 2, 2017 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranhocordova.org.

Signed Thursday, February 2, 2017 at Rancho Cordova, California.


Mindy Cuppy, MMC, City Clerk



**CONCURRENT MEETING
CITY COUNCIL/SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT
AGENCY (CRA)/RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Tuesday, January 17, 2017

**5:30 PM – Regular Meeting
David B. Roberts Council Chambers**

DRAFT MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Vice Mayor Budge called the regular meeting to order in the David B. Roberts Council Chambers at 5:34 PM.

Council Members Present: McGarvey, Sander, Budge, Skoglund

Council Members Absent: Terry

Staff Members Present: Lindgren, Cuppy, Abhar, Busch, Haven, Simpson, Stricker, Flory, Adams, Pittman, Kniestedt, Rodriguez, M., Sosa, Harriman, Juran-Karageorgiou, Chan, Heisler

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedules.

3. PLEDGE OF ALLEGIANCE

Chief of Police Chris Pittman led the pledge.

4. INVOCATION

Vice Mayor Budge recognized a moment of silence.

5. PRESENTATIONS

- 5.1 Presentation of Proclamation Commending Rancho Cordova Police Department Deputy James Crouson for his Life Saving Actions.

- 5.2 10 Year Service Awards Presented to Michael Rodriguez, Reed Flory and Kerry Simpson by Cyrus Abhar, City Manager.

6. PUBLIC COMMENT

Vice Mayor Budge opened the public comment period. The following individuals addressed the Council:

- David Constante

Vice Mayor Budge closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

ACTION: Motion to approve by Skoglund second by Sander;
Carried by a 4:0 roll call vote. (Terry absent)

- 9.1 **Subject:** Meeting Minutes of December 19, 2016 Regular Meeting and January 10, 2017 Special Meeting.

Recommendation: Adopt Minutes.

- 9.2 **Subject:** Resolution Authorizing the City Manager to Execute Contract Change Order No. 3 with Westcon Construction Corporation to Increase the Contract from \$1,245,893.02 to \$1,337,689.85 for the Anatolia Preserve Bike Trail Project.

Recommendation: Adopt Resolution No. 3-2017.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute Contract Change Order No. 3 with Westcon Construction Corp. to increase the contract amount from \$1,245,893.02 to \$1,337,689.85 for the construction of the Anatolia Preserve Bike Trail Project.

Staff Report: Albert Stricker, Public Works Director and Chris Boyer, Associate Civil Engineer.

Advances Goals: 1, 2, 5.

- 9.3 **Subject:** A Resolution Authorizing the City Council to Approve the First Amendment to the Sacramento Central Groundwater Authority (SCGA) Joint Powers Agreement to Allow the Florin Resources Conservation District/Elk Grove Water Service, the Omoichumne-Hartnell Water District and the Rancho Murieta Community Services District to Appoint a Designated Employee to the SCGA Governing Board.

Recommendation: Adopt Resolution No. 8-2017.

Result of Recommended Action: Adoption of this resolution will approve the First Amendment to the Sacramento Central Groundwater Authority (SCGA) Joint Powers Agreement (JPA) to allow the Florin Resources Conservation District/Elk Grove Water Service, the Omoichumne-Hartnell Water District and the Rancho Murieta Community

Services District to appoint a designated employee to the SCGA Governing Board.

Staff Report: Albert Stricker, Public Works Director

Advances Goals: 1, 3, 4, 5.

- 9.4 **Subject:** Approval of the Annexation Boundary Map for the Veranda at Stone Creek Project and Annexation to the City of Rancho Cordova Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance).

Recommendation: Adopt Resolution No. 2-2017.

Result of Recommended Action: Adoption of Resolution No. 2-2017 approves Annexation Boundary Map. No. 20 for the Veranda at Stone Creek Project and Annexation to Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance, hereinafter “CFD No. 2008-1”). There is no financial impact to existing residents.

Staff Report: Elizabeth Sparkman, Engineering Manager.

Advances Goal: 5.

- 9.5 **Subject:** Resolution Declaring City’s Intention to Impose an Annual Stormwater Utility Fee for the Maintenance of Storm Drainage and Flood Protection Systems for the Veranda at Stone Creek Project.

Recommendation: Adopt Resolution No. 1-2017 designating a time and place for hearing protests in connection with the Annual Stormwater Utility Fee for the Veranda at Stone Creek Project.

Result of Recommended Action: Action on this item will declare the Council’s intention to impose an Annual Stormwater Utility Fee for the maintenance of the storm drainage and flood protection system in the Veranda at Stone Creek and sets a public hearing for February 6, 2017 on the matter.

Staff Report: Elizabeth Sparkman, Engineering Manager.

Advances Goal: 5.

- 9.6 **Subject:** Resolution Authorizing the City Manager to Sign a Contract with NexLevel IT to Prepare an Information Technology Roadmap and Provide Interim IT Manager Services.

Recommendation: Adopt Resolution No. 12-2017.

Result of Recommended Action: Approval of this contract will allow NexLevel IT to prepare an Information Technology Roadmap and provide Interim IT Manager services.

Staff Report: Kim Juran-Karageorgiou, Chief Financial Officer.

Advances Goal: 1, 4, 5.

- 9.7 **Subject:** Resolution of the Successor Agency to the Community Redevelopment Agency of the City of Rancho Cordova Approving the Recognized Obligation Payment Schedule (ROPS) 17-18 and Administrative Budget for the Period Covering July 1, 2017 Through June 30, 2018.

Recommendation: Adopt Resolution No. SA-01-2017.

Result of Recommended Action: Adoption of this resolution will allow the Rancho Cordova Successor Agency to make payments on obligations listed on the Recognized Obligation Payment Schedule (ROPS) and establishes the administrative budget for the period covering July 1, 2017 through June 30, 2018; to the extent funds are available.

Staff Report: Michelle Mingay, Finance Department.

Advances Goal: 5.

COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE CRA

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

Vice Mayor Budge announced that there were no Consent Public Hearing items.

11. PUBLIC HEARING ITEMS

- 11.1 **Subject:** Mi Rancho Administrative Use Permit, Conditional Use Permit, Letter of Public Convenience and Necessity for off-site alcohol sales; Project No. DD9666 – Located at 10669 Coloma Road.

Recommendation: Adopt Resolution 11-2017.

Result of Recommended Action: Adoption of Resolution 11-2017 would approve the applicant's request for an Administrative Use Permit (AUP), Conditional Use Permit (CUP), and a letter of Public Convenience and Necessity (PCN) to allow the off-site sale of beer and wine. This resolution would be forwarded to the Department of Alcoholic Beverage Control (ABC), which would allow the applicant to obtain a Type 20 license to sell alcohol.

Staff Report: Nicholas Sosa, Assistant Planner.

Advances Goals: 1, 2.

Vice Mayor Budge opened the public comment period. There were no speakers. Vice Mayor Budge closed the public comment period.

ACTION: Motion to approve by Sander second by McGarvey;
Carried by a 4:0 roll call vote. (Terry absent)

12. REGULAR CALENDAR ITEMS

- 12.1 **Subject:** Approval of Final Design and Location of Folsom Boulevard Murals, Selection of the Lincoln Village Art Installation, and Authorization for the City Manager to Negotiate Final Contracts and Installation Details.

Recommendation: Staff recommends that Council:

- 1) Approve the final design and location of the previously selected Folsom Boulevard murals.
- 2) Select the preferred proposal for the Lincoln Village Art Installation and authorize the City Manager to negotiate the final installation details and contracts.

Result of Recommended Action: If approved:

- 1) Staff would proceed with installation of the previously selected Folsom Boulevard murals at locations approved by City Council.
- 2) The City Manager would negotiate the final installation details and price for the Lincoln Village Art Installation, and then enter into a contract with the selected artist to perform the work.

Staff Report: Albert Sticker, Public Works Director.

Advances Goals: 1, 2, 3.

ACTION: Motion to approve the final design and location of the previously selected Folsom Boulevard murals by Sander second by McGarvey;
Carried by a 4:0 roll call vote. (Terry absent)

ACTION: Motion to accept proposal by Sid Wellman, Donine Wellman, and Linda Nunes for the Lincoln Village Art Installation and authorize the City Manager to negotiate final installation details and contracts and direction to staff to engage the school district in discussion to see if it is possible to add a vertical element on their property by

Sander second by Skoglund;
Carried by a 4:0 roll call vote. (Terry absent)

- 12.2 **Subject:** Discussion and Direction on Horizons at New Rancho Affordable Senior Housing Project Changing to an Affordable Family Housing Project, Crossings at Woodberry Way at 10447 Folsom Boulevard.

Recommendation: Authorize staff to pursue the development of the Crossings at Woodberry Way, a 28-unit low-income family housing project in place of the Horizons at New Rancho, a 48-unit low-income senior housing project.

Result of Recommended Action: Staff will pursue a Design Review Amendment, Zoning Amendment, and Disposition Development Loan Agreement (DDLA) amendment (or new DDLA) with Developer Partner UHC in order to submit for Low Income Housing Tax Credits in March of this year, which, if successful, will satisfy funding requirements for the project and allow for construction start this calendar year.

Staff Report: Reed Flory, Reinvestment and Housing Opportunities Manager.

Advances Goals: 1, 2, 3, 5, 6.

ACTION: Discussion item only; no action taken.

- 12.3 **Subject:** Resolution Authorizing the Acquisition of Property and Authorizing Execution of Purchase and Sale Agreement and a Certificate of Acceptance and Recordation of a Grant Deed for 3303 Luyung Drive in the Amount of \$1,017,500 (APN: 072-0500-004).

Recommendation: Adopt Resolution No. 7-2017.

Result of Recommended Action: Adoption of this resolution will allow the City Manager to proceed with the execution of documents necessary to purchase and take possession of the property located at 3303 Luyung Drive for a Public Works corporation yard for the amount of \$1,017,500.

Staff Report: Albert Stricker, Public Works Director and Steve Harriman, Operations and Maintenance Division Manager.

Advances Goals: 1, 2, 5.

ACTION: Motion to approve by McGarvey second by Skoglund;
Carried by a 4:0 roll call vote. (Terry absent)

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

14. ADJOURNMENT

Vice Mayor Budge adjourned the meeting to Closed Session at 8:03 PM.

15. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Vice Mayor Budge called the closed session to order in the Community Board Room at 8:10 PM.

Council Members Present: McGarvey, Sander, Budge, Skoglund

Council Members Absent: Terry

Staff Members Present: Abhar, Lindgren, Busch, Haven, Juran-Karageorgiou

16. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code section 54956.9(d)(1).

City of Rancho Cordova vs. Cordova Recreation and Park District; Sacramento Superior Court Case No. 34-2016-80002474.

ACTION: Discussion item only; no action taken.

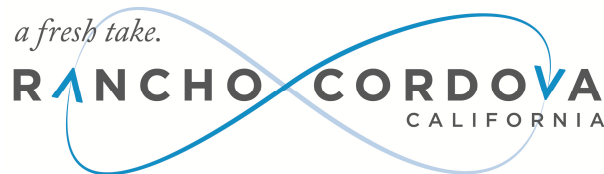
17. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that an update was given by the City Attorney and direction was given to the City Attorney.

18. ADJOURNMENT

Vice Mayor Budge adjourned the meeting at 9:04 PM.

Mindy Cuppy, MMC, City Clerk



**CONCURRENT MEETING
CITY COUNCIL/SUCCESSOR AGENCY COMMUNITY REDEVELOPMENT AGENCY
(CRA)/RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**Rancho Cordova Police Station
2897 Kilgore Road, Rancho Cordova, CA 95670**

Tuesday, January 31, 2017

12:00 PM – Special Meeting

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor Terry called the special meeting to order in the Larry Canfield Community Room at 12:30 PM.

Council Members Present: McGarvey (until 12:30 PM), Terry, Budge, Skoglund (until 3:00 PM), Sander

Council Members Absent: None

Staff Members Present: Abhar, Lindgren, Cuppy, Juran-Karajeorgiou, Behrends, Mingay, Kniestedt, Norton, Huber, Haven, Flory, Simpson, Pittman, Adams, Taylor, Brown, Delaney, Leitner, Siren, Ibrahim, Busch, Stricker, Ulm (at 12:40 PM), Downton (at 12:40 PM)

2. PUBLIC COMMENT

The public were encouraged to comment throughout the meeting.

3. SPECIAL MEETING ITEM

3.1 Receive Presentation and Provide Direction for the Preparation of the Fiscal Year 2017-19 Budget.

- City Financial Overview
- City Priorities for Fiscal Year 2017-19
- Policy Direction for the preparation of the 2017-19 Budget

ACTION: Discussion item only; no action taken.

4. ADJOURNMENT

Mayor Terry adjourned the meeting at 4:20 PM.

Mindy Cuppy, MMC, City Clerk

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Liisa Behrends, Sr. Accountant



SUBJECT: RESOLUTION AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY SERVICES SURCHARGE AND LOCAL CHARGE RECORDS.

RECOMMENDATION

Adopt Resolution 145-2016.

RESULT OF RECOMMENDED ACTION

This resolution will amend an existing Utility Users Tax audit contract that the City has with MuniServices, LLC to authorize the company to analyze and audit prepaid wireless.

BACKGROUND

In September 2016 the City entered into an agreement with MuniServices, LLC to provide compliance and protection services including auditing for the City's Utility Users' tax including Telecommunications.

Assembly Bill (AB) 1717, enacted on January 1, 2015 with collection commencing January 1, 2016 established the Prepaid Mobile Telephony Services Surcharge Collection Act, which created a statewide standard of collection on prepaid wireless services. The attached resolution contains amending language to maintain the City and MuniServices compliance with the provisions of AB 1717.

Per the requirements of AB 1717 pertaining to third part consultants, MuniServices is designated by the City and authorized by the Board of Equalization to examine documents related to City of Rancho Cordova collection of UUT on prepaid wireless services. The authorization granted to MuniServices in the following resolution includes the following points:

- Examine the collection of prepaid wireless surcharge by the BOE, using confidential information gained from the process only for the purpose related to collection, only disclosing information to an employee authorized by the resolution to examine the confidential information.
- MuniServices will not consult nor conduct business on behalf of a prepaid wireless "seller."
- MuniServices will not contain any records or information related to the collection of the prepaid wireless surcharge after the contract has expired.

- All services performed by MuniServices relating to prepaid mobile telephony services surcharge.

FISCAL IMPACT

MuniServices original fee schedule and the original scope of work with the City as provided in Contract 17-2004 is not altered by this resolution. MuniServices will continue to adhere to all City vendor and purchasing requirements and related ordinances/resolutions for the life of the contract.

ATTACHMENT

Resolution No. 145-2016.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 145-2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY SERVICES
SURCHARGE AND LOCAL CHARGE RECORDS**

WHEREAS, pursuant to Utility Users Tax Ordinance No. 9-2010 of the City of Rancho Cordova and the Local Prepaid Mobile Telephony Services Collection Act, the City of Rancho Cordova, hereinafter called Local Jurisdiction, entered into a contract with the State Board of Equalization, hereafter referred to as the Board, to perform all functions incident to the administration and collection of the prepaid mobile telephony services surcharge and local charges (Rev. & Tax. Code, § 42101.5); and

WHEREAS, the Local Jurisdiction deems it desirable and necessary for authorized representatives of the Local Jurisdiction to examine confidential prepaid mobile telephony services surcharge and local charge records pertaining to the prepaid mobile telephony services surcharge and local charges collected by the Board for the Local Jurisdiction pursuant to that contract;

WHEREAS, the Board will make available to the Local Jurisdiction any information that is reasonably available to the Board regarding the proper collection and remittance of a local charge of the Local Jurisdiction by a seller, including a direct seller, subject to the confidentiality requirements of Sections 7284.6, 7284.7 and 19542 of the Revenue and Taxation Code; and

WHEREAS, Sections 42110 and 42103 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board of Equalization records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from the prepaid mobile telephony services surcharge and local charge records of the Board;

NOW, THEREFORE IT IS RESOLVED AND ORDERED AS FOLLOWS:

Section 1. That the City Manager or other officer or employee of the Local Jurisdiction designated in writing by the City Manager to the Board is hereby appointed to represent the Local Jurisdiction with authority to examine prepaid mobile telephony services surcharge and local charge records of the Board pertaining to prepaid mobile telephony services surcharge and local charges collected for the Local Jurisdiction by the Board pursuant to the contract between the Local Jurisdiction and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of the Local Jurisdiction's prepaid mobile telephony services surcharge and local charges by the Board pursuant to the contract.

Section 2. That the City Manager and the UUT Tax Administrator (Finance Director) or other officer or employee of the Local Jurisdiction designated in writing by the City Manager to the Board is hereby appointed to represent the Local Jurisdiction with authority to examine those prepaid mobile telephony services surcharge and local charge records of the Board for purposes related to the following governmental functions of the Local Jurisdiction:

- a) compliance and enforcement of the utility users tax (local charge);

- b) administrative functions set out in City's utility users tax ordinance;
- c) legal interpretation and enforcement of utility users tax ordinance, including but not limited to refunds and defense of claims against Ordinance 9-2010

The information obtained by examination of Board records shall be used only for those governmental functions of the Local Jurisdiction listed above.

Section 3. That MuniServices, LLC is hereby designated to examine the prepaid mobile telephony services surcharge and local charges records of the Board of Equalization pertaining to prepaid mobile telephony services surcharge and local charges collected for the Local Jurisdiction by the Board. The person or entity designated by this section meets all of the following conditions (Rev. & Tax. Code, § 42110, subd. (b)(2)):

- a) has an existing contract with the Local Jurisdiction that authorizes the person to examine the prepaid mobile telephony services surcharge and local charge records;
- b) is required by that contract with the Local Jurisdiction to disclose information contained in or derived from, those records only to an officer or employee of the Local Jurisdiction authorized by the resolution to examine the information;
- c) is prohibited by that contract from performing consulting services for a seller during the term of that contract;
- d) is prohibited by that contract from retaining information contained in, or derived from, those prepaid mobile telephony services surcharge and local charge records, after that contract has expired.

The contract between the Local Jurisdiction and MuniServices, LLC designated by the Local Jurisdiction to request information from the Board shall be subject to the following limitations (Rev. & Tax. Code, § 42103, subd. (g)):

- a) MuniServices, LLC shall, to the same extent as the Board, be subject to Section 55381, relating to unlawful disclosures.
- b) the contract between the Local Jurisdiction and MuniService, LLC shall not provide, in whole or in part, in any manner a contingent fee arrangement as payment for services rendered.

BE IT FURTHER RESOLVED THAT the information obtained by examination of the Board records shall only be used for purposes related to the collection of the Local Jurisdiction's prepaid mobile telephony services surcharge and local charges by the Board pursuant to the contract between the Local Jurisdiction and Board, or for purposes related to other governmental functions of the Local Jurisdiction, as identified above in section 2.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Engineering Manager

SUBJECT: **RESOLUTION DECLARING THE RESULTS OF MAIL BALLOT ELECTION FOR RANCHO CORDOVA TRANSIT-RELATED SERVICES SPECIAL TAX AREA ZONE 19- 3287 MONIER CIRCLE WAREHOUSE PROJECT.**



RECOMMENDATION

Adopt Resolution No. 13-2017.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will declare the result of the mail ballot election concerning Transit-Related Services Special Tax Area Zone 19, establishing a special tax for transit services for the 3287 Monier Circle Warehouse Project.

BACKGROUND

On December 5, 2016, the City Council approved Resolution No. 119-2016, which created the Rancho Cordova Transit-Related Services Special Tax Area Zone 19 and announced the City's intention to impose a transit-related services tax on the 3287 Monier Circle Warehouse Project.

In order for the transit-related services special tax to go into effect, the ordinance must be approved by two-thirds of the affected property owners voting in a mail-ballot election to be held by the City. If the tax in Zone 19 is approved by at least two-thirds of the property owners voting, the tax will first be collected hereunder for the tax year beginning July 1, 2017.

PENDING ELECTIONS

In accordance with this above-described process, the City recently adopted Resolution No. 119-2016 creating Special Tax Area Zone 19 and Ordinance No. 23-2016 that established the special tax for transit-related services subject to landowner-voter confirmation. A ballot was mailed out to the property owner of 3287 Monier Circle Warehouse Project following approval of the Ordinance.

The ballot has been tabulated by the City Clerk and the Council should now announce the result of the elections:

“Special Tax Area Zone 19: 1 “yes” vote; 0 “no” vote

ATTACHMENT

Resolution No. 13-2017.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 13-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
DECLARING THE RESULTS OF THE ELECTION FOR
RANCHO CORDOVA TRANSIT-RELATED SERVICES SPECIAL TAX AREA ZONE 19**

WHEREAS, December 5, 2016, the City adopted Resolution No. 119-2016, creating Special Tax Area Zone 19 within the Transit-Related Services Special Tax Area. Pursuant to Resolution No. 119-2016, the City Council directed the City Clerk to conduct a transit-related services tax election, to be conducted by mail ballot, pursuant to Elections Code section 4000; and

WHEREAS, the property owner within Zone 19 waived the timing requirements of Elections Code section 4000 in order to conduct the election on a date earlier provided under the Elections Code; and

WHEREAS, on December 19, 2016 the City adopted Ordinance No. 23-2016, which established a special tax for transit-related services in Zone 19, subject to landowner-voter confirmation; and

WHEREAS, Ordinance No. 23-2016 takes effect immediately upon confirmation by two-thirds of the voters voting within the relevant zone, so that taxes will be first collected for the tax year beginning July 1, 2017; and

WHEREAS, a ballot was sent to the landowner of Zone 19 (3287 Monier Circle Warehouse Project), which asked them a single question in the form of: "Shall Ordinance No. 23-2016 of the City Council of the City of Rancho Cordova be approved so as to authorize a special tax on property located in Zone 19 of the Rancho Cordova Transit-Related Services Special Tax Area to maintain the present level of transit-related services and provide additional funding for increased transit-related services?"; and

WHEREAS, the owner of the real property subject to the Transit-Related Services Special Tax Area Zone 19 has voted on the issue of whether to approve Ordinance No. 23-2016 and the City now wishes to declare the results of this transit-related services tax election for Zone 19.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA:

1. The foregoing recitals are all true and correct.
2. The City Clerk has tabulated the transit-related services special tax ballot and the following are the responses to the question on the ballot asking whether the landowner approves of Ordinance No. 23-2016 authorizing a special tax in the portion of Transit-Related Services Special Tax Zone 19 that encompasses the landowner's property, in order to maintain the present level of transit-related services and provide additional funding for increased transit-related services:

Special Tax Area Zone 19: 1 “yes”; 0 “no”.

3. In accordance with Ordinance No. 23-2016, the transit-related services special tax for Zone 19 shall take effect immediately, so that taxes will first be collected hereunder for the tax year beginning July 1, 2017.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

CITY OF RANCHO CORDOVA

RESOLUTION NO. 10-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPOINTING DONALD TERRY TO THE LOWER AMERICAN RIVER
CONSERVANCY PROGRAM ADVISORY COMMITTEE**

WHEREAS, Assembly Bill 1716 enacted legislation that, effective January 1, 2017, created the Lower American River Conservancy Program (Program); and

WHEREAS, The Program is mandated to be implemented and administered within the California Wildlife Conservation Board (WCB), a separate and independent board within the California Department of Fish and Wildlife; and

WHEREAS, Within that framework, the WCB is required to establish an advisory committee whose membership will be partially comprised of a representative from the City of Rancho Cordova; and

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA appoints Donald Terry to serve as the City of Rancho Cordova representative on the Lower American River Conservancy Advisory Committee.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Mindy Cuppy, City Clerk



SUBJECT: RESOLUTION APPOINTING DONALD TERRY TO THE LOWER AMERICAN RIVER CONSERVANCY PROGRAM ADVISORY COMMITTEE.

RECOMMENDATION

Adopt Resolution No. 10-2017.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will appoint Donald Terry to serve on the Lower American River Conservancy Advisory Committee.

BACKGROUND

Assembly Bill 1716 enacted legislation that, effective January 1, 2017, created the Lower American River Conservancy Program (Program). The Program is mandated to be implemented and administered within the California Wildlife Conservation Board (WCB), a separate and independent board within the California Department of Fish and Wildlife. Within that framework, the WCB is required to establish an advisory committee whose membership will be partially comprised of a representative from the City of Rancho Cordova.

The legislation reads in part:

Pursuant to Section 5845.4 (a) of AB1416, the Lower American River Conservancy advisory committee shall consist of the following members:

1. Three members of the Board of Supervisors of the County of Sacramento, selected by a majority vote of the board of supervisors, or their designees.
2. Two representatives of the City of Sacramento, which may include the Mayor and one member of the City Council of the City of Sacramento, or two members of the city council, selected by a majority vote of the city council, or their designees.
3. The Mayor or a member of the City Council of the City of Rancho Cordova, selected by a majority vote of the city council, or his or her designee.
4. Representatives from the Natural Resources Agency, the Department of Finance, and the State Lands Commission.

5. Three members from the public at large who have a demonstrated knowledge of and expertise in the American River Parkway and the American River Parkway Plan. One member shall be appointed by the Governor, one member shall be appointed by the Senate Committee on Rules, and one member shall be appointed by the Speaker of the Assembly.

FISCAL IMPACT

None.

ATTACHMENT

Resolution No. 10-2017.

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Engineering Manager



SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SACRAMENTO, CITY OF RANCHO CORDOVA, AND SACRAMENTO REGIONAL TRANSIT RELATING TO DISTRIBUTION OF TRANSIT FEES.

RECOMMENDATION

Adopt Resolution No. 6-2017.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute the Memorandum of Understanding (MOU) in the form of Contract No. 2-2017 with the County of Sacramento (COUNTY), the City of Rancho Cordova (CITY), and Sacramento Regional Transit (RT) relating to the distribution and expenditure of development fees for transit purposes that have been collected by the County.

BACKGROUND

On August 31, 1988, the Board of Supervisors adopted County Ordinance 742 (SCC No. 742), establishing development fees for roadway and transit purposes. The purpose of the development fees is to provide infrastructure funding to mitigate the impacts of new traffic and transit ridership generated by land development. Assessing a development fee is also a condition of receiving Measure "A" Transportation Sales Tax allocations.

The development fees established by SCC No. 742 included a Roadway Fee to generate funding for road improvements and a separate Transit Fee to generate funding for transit facilities and equipment. Today's item deals with the Transit Fee. The Transit Fees were collected by the COUNTY with the issuance of new building permits, and transferred to RT for their expenditure on designated transit projects that were identified in the Transit Analysis adopted concurrently with SCC No. 742. SCC No. 742 also established fee districts from which the Transit Fees would be collected, and required that revenues collected from particular fee districts be expended on projects in those same districts, as identified in the Transit Analysis.

The Transit Analysis placed a heavy emphasis on the continued development of the RT light rail system to mitigate traffic impacts anticipated in new growth areas. The majority of transit projects identified in the Transit Analysis have been completed by RT under the original estimated project budgets, yielding a fund balance in Transit Fee revenues. Other remaining projects from the Transit Analysis have been determined by RT to no longer be priorities due to intervening demographic changes since 1988. No funding has been expended on those

projects since they would not provide the beneficial transportation mitigations that were previously anticipated in the Transit Analysis.

RT is presently holding a fund balance of approximately \$6 million in Transit Fee revenues that had been collected in various unincorporated area fee districts and in the CITY. This fund balance represents the accumulation of completed project cost savings and the unspent Transit Fees for projects that are no longer a mitigation priority due to demographic changes since 1998. The approximate fund balances currently held by RT are summarized below:

<u>Fee District</u>	<u>Transit Fee Fund Balance</u>
District 1	\$2,475,720
District 2	\$0.00
District 3	\$214,006
District 4	\$2,424,193
District 5	\$65,147
District 6	\$0.00
District 7	\$109,350
Rancho Cordova	\$810,615

On December 16, 2008, the Board approved the Sacramento County Transportation Development Fee (SCTDF) which updated and replaced the Roadway and Transit Fee program established in 1988 under SCC No. 742. The updated SCTDF incorporated a more comprehensive trip generation and population forecasting model to identify transportation infrastructure projects needed to accommodate new development through 2032. The adopted SCTDF includes a capital improvement program (CIP) that identifies the projects that are eligible for expenditure of fee revenues. The CIP identifies a broad range of transportation projects including roadway, transit, bicycle and pedestrian improvements. Transit projects specifically identified in the SCTDF include improvements to develop and implement high quality transit service, including bus rapid transit facilities, in the Watt Avenue, Florin Road and Sunrise Boulevard corridors. Since the SCTDF includes transit projects under a single development fee for transportation, collection of the separate Transit Fee was discontinued in the COUNTY when the SCTDF was adopted and went into effect in 2009.

The City of Rancho Cordova incorporated in 2003 and adopted ordinances that continued in effect the then current Roadway and Transit Fees that had been established by SCC No. 742 in 1988. The COUNTY agreed to continue collecting the development fees on behalf of the CITY, and to transfer the Transit Fee revenues to RT. In December 2005, through the adoption of Ordinance No. 33-2005, CITY subsequently adopted a citywide transportation impact fee for roadway improvements which replaced the original Roadway Fee but did not modify or repeal the original Transit Fee. The Transit Fee has continued to be collected by the COUNTY for development projects in the CITY. The COUNTY currently holds approximately \$663,000 in Transit Fees collected for development in the CITY. However, these funds have not been transferred to RT because the current SCTDF, which discontinued collection of a separate transit fee in the COUNTY, includes no provisions authorizing the transfer of development fee revenues.

DISCUSSION

The purpose of the proposed MOU between the COUNTY, CITY and RT is to establish mutual understandings and provide administrative authority to distribute collected Transit Fee revenues to RT, to address the expenditure of Transit Fee fund balances held by RT, and to address the future collection and allocation of Transit Fees for development in the CITY.

The MOU when executed by the COUNTY, CITY and RT will generally establish the following understandings:

1. Authorize RT to expend the approximately \$6 million Transit Fee fund balance as follows: light rail vehicle rehabilitation; Horn Road station design and construction; and future transit projects as determined by the RT Board that are consistent with the objectives of SCC No. 742, and mitigate the transportation impacts caused by new development.
2. Authorize the COUNTY to transfer to RT the Transit Fees (approximately \$663,000) collected and currently held by the COUNTY for development in the CITY.
3. Provide up to a 12 month administrative transition period during which the COUNTY may continue to collect Transit Fees on behalf of the CITY and transfer those funds to RT for their use as referred to in Item 1 above. This will provide adequate time for the CITY to establish their own administrative process to assume the collection of Transit Fees for development in the CITY and to transfer those funds to RT for transit related improvements in the CITY.

FISCAL IMPACT

The recommended action will provide authority for SacDOT to distribute development fee revenue that COUNTY has collected on behalf of CITY (approximately \$663,000) to RT and allow RT to allocate the current fund balances (approximately \$6 million) for RT's transit projects. There will be no direct fiscal impact to the City.

ATTACHMENT

Resolution No. 6-2017, including Exhibit 1, Contract No. 2-2017.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 6-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING
WITH COUNTY OF SACRAMENTO AND SACRAMENTO REGIONAL TRANSIT RELATING
TO DISTRIBUTION OF TRANSIT FEES**

WHEREAS, on August 31, 1988, the County of Sacramento Board of Supervisors (COUNTY) adopted Ordinance Number 742 (SCC No. 742), which established development impact fees for transportation and transit purposes; and

WHEREAS, SCC No. 742, with reference to a concurrently adopted Transit Analysis, established fee districts from which fees would be collected and revenues would be specifically allocated for expenditure; and

WHEREAS, SCC No. 742, by and through the Transit Analysis, identified particular projects to be funded with the impact fees and required that revenues collected from particular fee districts be expended in those same fee districts; and

WHEREAS, SCC No. 742 provided for COUNTY to collect and allocate a portion of the impact fees to the Sacramento Regional Transit District (RT) for expenditure on certain transit projects, uses and purposes; and

WHEREAS, RT is presently holding approximately \$6 million in developer transit fees ("RT Funds") that were collected by COUNTY pursuant to SCC No. 742, and subsequent related codes; and

WHEREAS, the RT Funds were collected from the following Districts under SCC No. 742 and subsequent related codes, resulting in the following remaining approximate RT Fund balances:

District 1	\$2,475,720
District 2	\$0.00
District 3	\$214,006
District 4	\$2,424,193
District 5	\$65,147
District 6	\$0.00
District 7	\$109,350
Rancho Cordova	\$810,615

WHEREAS, the majority of transit projects to be funded by the fund balances either (a) have been completed under the estimated RT budget, yielding excess revenue or (b) are no longer appropriate to carry out due to intervening changes in conditions since 1988 and would not have the mitigating effect anticipated at the time the Transit Analysis was adopted; and

WHEREAS, COUNTY repealed SCC No. 742 in 2008 and replaced it with the current Sacramento County Transportation Development Fee (“SCTDF”) Ordinance, which does not address the expenditure of transit fees collected under the prior ordinance; and

WHEREAS, under the Transit Analysis, the majority of the funds collected were to be dedicated to light rail station and park and ride facility acquisition and construction. The Transit Analysis identified the RT light rail system as a critical mitigation measure for transportation impacts caused by anticipated regional development. The alternative dispositions authorized in the attached Memorandum of Understanding are consistent with the original intent of the Transit Analysis and will serve the mitigating purpose initially identified in the Transit Analysis; and

WHEREAS, a portion of the RT Funds was collected by COUNTY on behalf of the City of Rancho Cordova (CITY), which incorporated in 2003; and

WHEREAS, the consent of both the County Board of Supervisors and City Council is necessary to authorize the re-designation of the RT Funds; and

WHEREAS, after the 2003 incorporation of CITY, COUNTY continued to collect development impact fees for transit purposes on behalf of CITY (RT/City Transit Fees); and

WHEREAS, the City Code continues to provide for the imposition, collection and allocation of a development impact transit fee, while COUNTY’S newly adopted SCTDF Ordinance eliminated a transit-based fee; and

WHEREAS, separate and apart from the RT Fund Balances currently held by RT, COUNTY presently holds approximately \$663,000 in RT/City Transit Fees; and

WHEREAS, COUNTY has not forwarded the approximately \$663,000 of RT/City Transit Fee balance currently held by COUNTY to RT because there is no current COUNTY Ordinance or Agreement that provides for the collection or transfer of said Funds; and

WHEREAS, the attached Memorandum of Understanding by and Between the County of Sacramento, the City of Rancho Cordova and Sacramento Regional Transit District Relating to Distribution of Transit Fees (MOU) provides for the transfer and allocation of RT Funds and RT/City Transit Fees and, further, transfers administrative responsibilities associated with the RT/City Transit Fees.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute the MOU with COUNTY and RT, attached as **Exhibit 1**.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE COUNTY OF SACRAMENTO, THE CITY OF
RANCHO CORDOVA AND SACRAMENTO REGIONAL TRANSIT
DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into as of this _____ day of _____, 20__, by and between the COUNTY OF SACRAMENTO, a political subdivision of the State of California, hereinafter referred to as “COUNTY,” and the CITY OF RANCHO CORDOVA, a municipal corporation, hereinafter referred to as “CITY,” and the SACRAMENTO REGIONAL TRANSIT DISTRICT, a public corporation, hereinafter referred to as “RT”.

RECITALS

WHEREAS, on August 31, 1988, COUNTY adopted Ordinance Number 742 (SCC No. 742), which established development impact fees for transportation and transit purposes; and

WHEREAS, SCC No. 742, with reference to a concurrently adopted Transit Analysis, established fee districts from which fees would be collected and revenues would be specifically allocated for expenditure; and

WHEREAS, SCC No. 742, by and through the Transit Analysis, identified particular projects to be funded with the impact fees and required that revenues collected from particular fee districts be expended in those same fee districts; and

WHEREAS, SCC No. 742 provided for COUNTY to collect and allocate a portion of the impact fees to RT for expenditure on certain transit projects, uses and purposes; and

WHEREAS, RT is presently holding approximately \$6 million in developer transit fees (“RT Funds”) that were collected by COUNTY pursuant to SCC No. 742, and subsequent related codes; and

WHEREAS, the RT Funds were collected from the following Districts under SCC No. 742 and subsequent related codes, resulting in the following remaining approximate RT Fund balances:

District 1	\$2,475,720
District 2	\$0.00
District 3	\$214,006
District 4	\$2,424,193
District 5	\$65,147
District 6	\$0.00
District 7	\$109,350
Rancho Cordova	\$810,615

WHEREAS, the majority of transit projects to be funded by the fund balances either (a) have been completed under the estimated RT budget, yielding excess revenue or (b) are no longer

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF SACRAMENTO, THE CITY OF RANCHO CORDOVA AND SACRAMENTO REGIONAL TRANSIT DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES

appropriate to carry out due to intervening changes in conditions since 1988 and would not have the mitigating effect anticipated at the time the Transit Analysis was adopted; and

WHEREAS, COUNTY repealed SCC No. 742 in 2008 and replaced it with the current Sacramento County Transportation Development Fee (“SCTDF”) Ordinance, which does not address the expenditure of transit fees collected under the prior ordinance; and

WHEREAS, under the Transit Analysis, the majority of the funds collected were to be dedicated to light rail station and park and ride facility acquisition and construction. The Transit Analysis identified the RT light rail system as a critical mitigation measure for transportation impacts caused by anticipated regional development. The alternative dispositions authorized herein are consistent with the original intent of the Transit Analysis and will serve the mitigating purpose initially identified in the Transit Analysis; and

WHEREAS, a portion of the RT Funds was collected by COUNTY on behalf of CITY, which incorporated in 2003; and

WHEREAS, the consent of both the County Board of Supervisors and City Council is necessary to authorize the re-designation of the RT Funds; and

WHEREAS, after the 2003 incorporation of CITY, COUNTY continued to collect development impact fees for transit purposes on behalf of CITY (RT City Transit Fees); and

WHEREAS, the City Code continues to provide for the imposition, collection and allocation of a development impact transit fee, while COUNTY’S newly adopted SCTDF Ordinance eliminated a transit-based fee; and

WHEREAS, separate and apart from the RT Fund Balances currently held by RT, COUNTY presently holds approximately \$663,000 RT City Transit Fees; and

WHEREAS, COUNTY has not forwarded the approximately \$663,000 of RT City Transit Fee balance currently held by COUNTY to RT because there is no current COUNTY Ordinance or Agreement that provides for the collection or transfer of said Funds; and

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are hereby incorporated into this MOU, and the mutual promises hereinafter set forth, COUNTY, CITY and RT agree as follows:

I. a) COUNTY authorizes RT to spend the RT Funds up to the amounts listed below, on the following projects:

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF SACRAMENTO, THE CITY OF RANCHO CORDOVA AND SACRAMENTO REGIONAL TRANSIT DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES

UTDC Light Rail Vehicle Rehabilitation

District 4 (South Sacramento/Vineyard):	\$1,934,853
District 5 (Laguna):	\$65,147
Total:	\$2,000,000

Southline Phase 3

District 7:	\$109,350
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Future Projects

County further agrees that the balance of RT Funds (other than the RT City Transit Fees), including any funds specified above not spent on the above-identified projects may be allocated by the RT Board for any appropriate transit purpose on the condition that the RT Board finds a reasonable nexus between the proposed expenditure and the source of funds (i.e., Fee District) as set forth in in Recitals above. The Parties acknowledge that the regional interconnectedness of the RT system supports a broad nexus to justify a flexible re-designation of the RT Funds.

b) COUNTY and CITY authorize RT to spend RT Funds on the Horn Road Station design and construction as follows:

Horn Road Station design and construction

Rancho Cordova:	\$810,615
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City's authorization and approval is limited to the Horn Road Station design and construction. Unless agreed otherwise in writing by the CITY, the RT City Transit Fees must be expended on projects within the CITY.

II. Within thirty (30) days of the execution of this MOU by all Parties, COUNTY shall transfer to RT the RT City Transit Fees to add to the current RT Fund balances held by RT. CITY consents to said transfer of funds. RT shall appropriate the RT City Transit Fees as provided for in Section I of this MOU.

Upon execution of this agreement, CITY shall take the appropriate actions to assume collecting the RT Transit Fees for developments within the CITY. Transferring the administrative process from the COUNTY to the CITY could take several months before full implementation. Therefore, in the interim COUNTY may continue to collect RT City Transit Fees and transfer the funds to RT for up to one year from the date of execution of this MOU, at which time COUNTY would no longer collect Transit Fees in the CITY on behalf of CITY.

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF SACRAMENTO, THE CITY OF RANCHO CORDOVA AND SACRAMENTO REGIONAL TRANSIT DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES

COUNTY will transfer to RT all final RT City Transit Fee balances either 30 days from the date the CITY has assumed the role of collecting RT transit fees, or 30 days from the one year anniversary of this MOU, whichever comes first.

III. The final transfer of funds provided for in Paragraph II shall constitute full and final satisfaction of any previous agreement, practice or understanding whereby COUNTY would collect development impact fees authorized under the City Code for transit purposes on behalf of CITY.

IV. AMENDMENT

Except as provided herein, no alteration, amendment, variation, or waiver of the terms of this MOU shall be valid unless made in writing and signed by the Parties. Waiver by any Party of any default, breach or condition precedent shall not be construed as a waiver of any other default, breach or condition precedent, or any other right hereunder.

V. INDEMNIFICATION

COUNTY must defend, indemnify and hold harmless RT and CITY and their respective officers, directors, agents, employees and volunteers from and against all demands, claims, actions, liabilities, losses, damages, and costs, including reasonable attorneys' fees, arising out of or resulting from the performance of the Agreement by COUNTY's officers, directors, agents, employees, volunteers or contractors.

RT must defend, indemnify, and hold harmless COUNTY and CITY and their respective officers, directors, agents, and employees, and volunteers from and against all demands, claims, actions, liabilities, losses, damages and costs, including reasonable attorneys' fees, arising out of or resulting from the performance of the Agreement by RT's officers, directors, agents, employees, volunteers or contractors.

CITY must defend, indemnify, and hold harmless COUNTY and RT and their respective officers, directors, agents, and employees, and volunteers from and against all demands, claims, actions, liabilities, losses, damages and costs, including reasonable attorneys' fees, arising out of or resulting from the performance of the Agreement by CITY's officers, directors, agents, employees, volunteers or contractors.

It is the intention of the parties that the provisions of this paragraph be interpreted to impose on each party responsibility to the others for the acts of their respective officers, directors, agents, employees, volunteers, and contractors. It is also the intention of the parties that where comparative fault is determined to have been contributory, principles of comparative fault will be followed and each party shall bear the proportionate cost of any damage attributable to the fault of that party, its officers, directors, agents, employees, volunteers, and contractors.

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF
SACRAMENTO, THE CITY OF RANCHO CORDOVA AND SACRAMENTO REGIONAL
TRANSIT DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES

VI. DISPUTES

In the event of any dispute arising out of or relating to this Agreement, the parties shall attempt, in good faith, to promptly resolve the dispute mutually between themselves. If the dispute cannot be resolved within 15 calendar days of initiating such negotiations or such other time period as may be mutually agreed to by the parties in writing, any party may pursue its available legal and equitable remedies, pursuant to the laws of the State of California.

VII. PRIOR AGREEMENTS

This MOU constitutes the entire agreement between CITY, COUNTY and RT regarding the subject matter of this MOU. Any prior agreements, whether oral or written, between the Parties regarding the subject matter of this MOU are hereby terminated effective immediately upon full execution of this MOU.

VIII. SEVERABILITY

If any term or condition of this MOU or the application thereof to any person(s) or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect other terms, conditions, or applications which can be given effect without the invalid term, condition, or application; to this end the terms and conditions of this MOU are declared severable.

IX. AUTHORITY TO EXECUTE

Each person executing this MOU represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this MOU for or on behalf of the parties to this MOU. Each party represents and warrants to the other that the execution and delivery of the MOU and the performance of such party's obligations hereunder have been duly authorized.

X. COUNTERPARTS

This MOU may be executed in duplicate counterparts. The MOU shall be deemed executed when it has been signed by all parties.

(SIGNATURE PAGE FOLLOWS)

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF SACRAMENTO, THE CITY OF RANCHO CORDOVA AND SACRAMENTO REGIONAL TRANSIT DISTRICT RELATING TO DISTRIBUTION OF TRANSIT FEES

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be duly executed as of the day and year first written above.

COUNTY OF SACRAMENTO, a political subdivision of the State of California By: _____ Michael J. Penrose, Director Department of Transportation Date: _____ Agreement approved by the Board of Supervisors with authority delegated to the director to sign. Agenda Date: _____ Item Number: _____ Resolution Number: _____ Reviewed and Approved by County Counsel By: _____ William Burke, Deputy County Counsel Date: _____	CITY OF RANCHO CORDOVA, a municipal corporation By: _____ Cyrus Abhar City Manager Date: _____ Approved as to Form _____ Adam U. Lindgren, City Attorney Date: _____ SACRAMENTO REGIONAL TRANSIT DISTRICT, a public transit agency By: _____ Name: _____ Title: _____ Date: _____ Approved as to Form _____ District Counsel Date: _____
---	--

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Engineering Manager

SUBJECT: **RESOLUTION DECLARING A PROTEST HEARING AND AUTHORIZING THE MAILING OF PROPERTY OWNER BALLOT RELATING TO THE IMPOSITION OF AN ANNUAL STORMWATER UTILITY FEE FOR VERANDA AT STONE CREEK PROJECT.**



RECOMMENDATION

Adopt Resolution No. 14-2017.

RESULT OF RECOMMENDED ACTION

Action on this item will declare the results of the property owner protest and, if there exists less than a majority protest, authorize the mailing of a ballot to property owner to approve the levy of the fee to pay for maintenance of storm drainage and flood protection systems for the Veranda at Stone Creek Project. The action also sets 5:30 p.m. on February 21, 2017 in the office of the City Clerk, as the time and date for the public hearing for the matter.

BACKGROUND

Veranda at Stone Creek Project has a condition of approval which requires that the property owner annex to a District formed by the City of Rancho Cordova to fund operation and maintenance of the storm drainage system. This condition will be satisfied by the participation in the new Stormwater Utility Fee for storm drainage and flood protection services which is the subject of tonight's action.

The property owner of Veranda at Stone Creek Project has requested the City annex the project to the City's Stormwater Utility Fee pursuant to the California Health and Safety Code Section 5471 et seq. to provide the method of financing for storm drainage and flood protection services required to meet the condition.

DISCUSSION

The property owner has submitted a petition and waiver for the City to institute the proceedings to participate in the Stormwater Utility Fee. This annexation to the Stormwater Utility Fee will include the project generally known as Veranda at Stone Creek, see **ATTACHMENT 1**. The maintenance services to be funded include the furnishing of services and materials for the ordinary and usual operation, maintenance, and servicing of the storm drain and flood protection systems.

ATTACHMENT 2 is the Resolution declaring the results of the property owner protest and authorizing the mailing of the property owner ballot, as required by Article XIII D of the California Constitution (also known as Proposition 218). The resolution sets forth the tabulation of ballots on February 17, 2017 at 1:00 p.m. in the office of the City Clerk. The results of the mailed ballot election will be presented to City Council at their regularly scheduled meeting on February 21, 2017 and additional actions will be recommended based the ballot results.

A "Rate Analysis Report" was approved by City Council on September 4, 2014 by Resolution 103-2014 setting Fiscal Year 2014/2015 maximum annual Stormwater Utility Fee amount for each parcel proportionate to the estimated stormwater runoff for each parcel, see **ATTACHMENT 3**. The maximum annual fee will increase each subsequent Fiscal Year by the annual change in the Consumer Price Index (CPI), during the preceding year, for All Urban Consumers, for the San Francisco-Oakland-San Jose areas, published by the United States Department of Labor, Bureau of Labor Statistics.

A sample of the Stormwater Utility Fees for Fiscal Year 2016/2017 are summarized in the following table:

Table 1

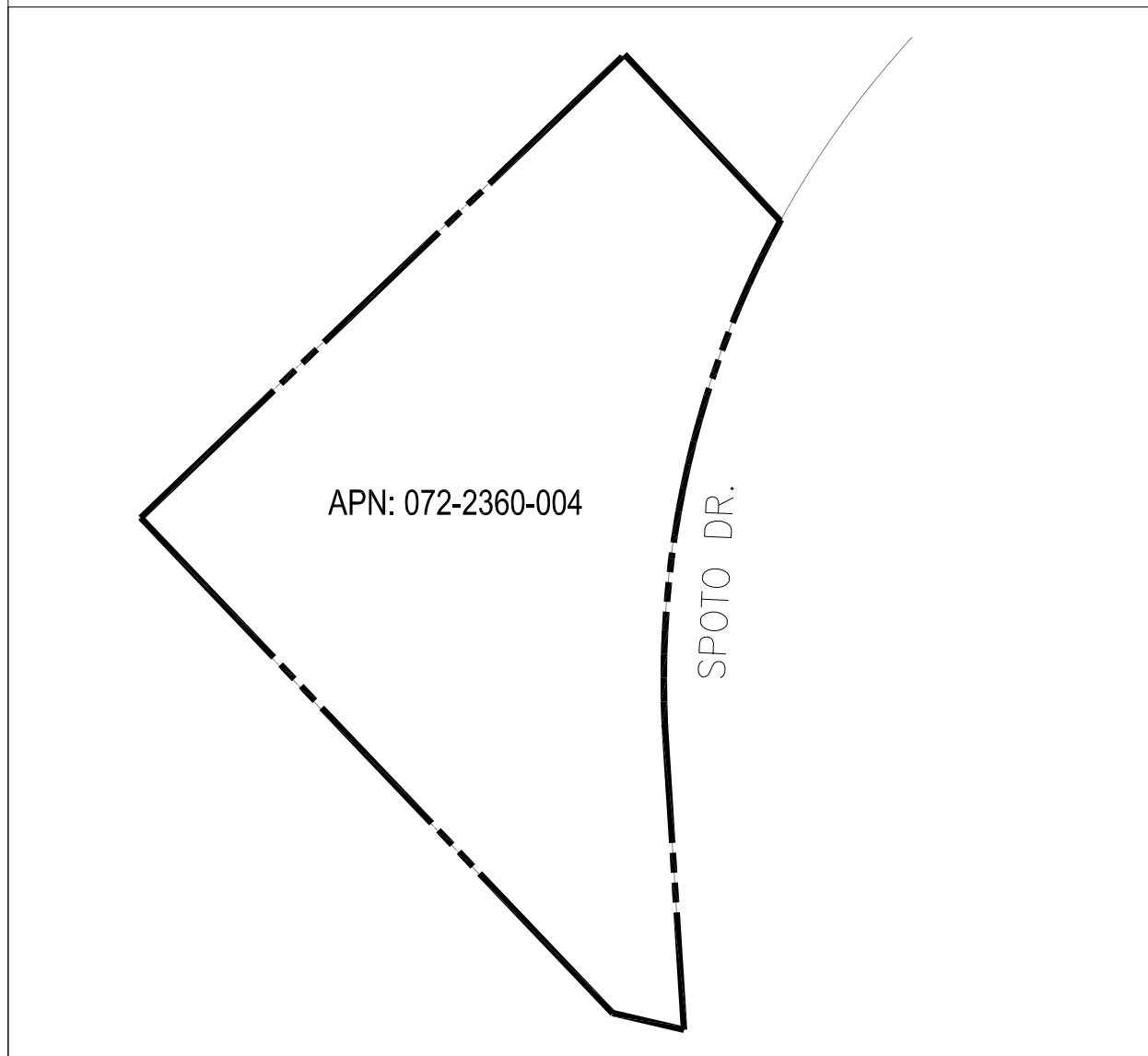
Land Use Description	Total Area (acres)	Sample Fee
Single Family Residential (SFR1)	0.16	\$118.30
Single Family Residential (SFR2)	0.22	\$130.12
Single Family Residential (SFR3)	0.30	\$139.00
Single Family Residential (SFR4)	0.40	\$147.86
Single Family Residential (SFR5)	1.00	\$147.86
Multi-Family Residential (MFR1)	5.00	\$5,545.10
Commercial	1.00	\$1,109.02
Industrial	1.00	\$1,182.95
Schools	5.00	\$3,696.75
Private Recreation	1.00	\$369.67
Parks/Greenbelts	2.00	\$295.72
Public Property (with structures)	2.00	\$887.22

ATTACHMENTS

1. Boundary Map.
2. Resolution No. 14-2017.
3. Rate Analysis Report.

Attachment 1

CITY OF RANCHO CORDOVA
STORMWATER UTILITY FEE AREA
ANNEXATION 6
(VERANDA AT STONE CREEK)

**LEGEND**

--- Annexation Boundary

— Parcel Boundary

ATTACHMENT 2**CITY OF RANCHO CORDOVA****RESOLUTION NO. 14-2017**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
DECLARING THE RESULTS OF THE PROPERTY OWNER PROTEST AND AUTHORIZING
THE MAILING OF A PROPERTY OWNER BALLOT RELATING TO THE IMPOSITION OF AN
ANNUAL STORMWATER UTILITY FEE**

WHEREAS, this Council has received petitions and waivers from the owners of not less than 100% of the area of land proposed to be annexed into the Stormwater Utility Fee; and

WHEREAS, this Council adopted Resolution 103-2014 approving a written report entitled, "Rate Analysis Report", dated September 4, 2014 (the "Written Report") prepared by Harris & Associates and filed with the City Clerk containing a description of each parcel of real property within the City to which the Stormwater Utility Fee is applicable (collectively, the "Identified Parcels") and the amount of the Stormwater Utility Fee for each such Identified Parcel for Fiscal Year 2014-15. The Written Report is on file in the office of the City Clerk and is available for public inspection; and

WHEREAS, on January 17, 2017 the City Clerk caused a notice of the time and place of the hearing thereon and on the proposed annexation to the Stormwater Utility Fee to be published and such public hearing was opened on February 6, 2017; and

WHEREAS, this Council adopted Resolution No. 1-2017 which established Procedures for the Conduct of a Protest Hearing and Balloting Relating to a Stormwater Utility Fee (the "Procedures") and set the date of public hearing; and

WHEREAS, this Council has conducted the public hearing and all interested persons have been afforded the opportunity to be heard, and the City Council has considered all protests against the annexation to the Stormwater Utility Fee; and

WHEREAS, there was no majority protest of the owner of the Identified Parcel subject to the Proposed Stormwater Utility Fee.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA as follows:

1. The foregoing recitals are true and correct.
2. The City Clerk is hereby authorized and directed to mail a property owner ballot in accordance with law and the Procedures.
3. The date of the ballot tabulation shall be February 17, 2017 at 1:00 pm.
4. The date of the public hearing to report the results of the mailed ballot election shall be February 21, 2017 at 5:30 or as soon thereafter as the matter may be heard.

ATTACHMENT 2

5. The City Council hereby designates Elizabeth Sparkman, Engineering Manager, telephone number, (916) 851-8714 to answer inquiries regarding the ballot proceedings and procedural or technical matters.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk



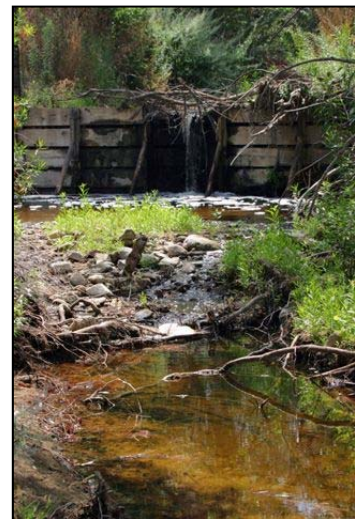
Rate Analysis Report

for the

Stormwater Utility Fee

For the

City of Rancho Cordova



August 7, 2014

Introduction

The City of Rancho Cordova (City) is detaching from the County of Sacramento fee and is creating their own Stormwater Utility Fee, which is being levied per the California Health and Safety Code Section 5471 et seq.

The purpose of this Rate Analysis Report is to:

- Review the Stormwater Utility Fee and improvements to be funded.
- Review the requirements of Article XIID of the State Constitution (Proposition 218) relating to requirements for apportioning the costs associated with the City's stormwater runoff system.
- Analyze and recommend an appropriate rate structure and provide estimated rates based on cost data information provided by the City.

Proposition 218 Requirements

This fee must comply with the provisions of Article XIID of the California Constitution (Proposition 218). Section 6 of Proposition 218 has the following requirements for all "new, extended, imposed or increased" fees and charges:

- 1) "Revenues derived from the fee or charge shall not exceed the funds required to provide the property-related service."
- 2) "Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed."
- 3) "The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel."
- 4) "No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Fees or charges based on potential or future use of service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with [the assessment section of this code]."
- 5) "No fee or charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services where the service is available to the public at large in substantially the same manner as it is to property owners."

Background Information

In accordance with the Federal Clean Water Act of 1972, the United States Environmental Protection Agency (EPA) is required to establish regulations setting forth National Pollution Discharge Elimination System (NPDES) permit standards. The enactment of 1987 amendments to the Federal Clean Water Act (Act) of 1972 imposes permit requirements for discharge of storm waters. The Act allows the EPA to delegate its NPDES permitting authority to states with an approved environmental regulatory program. The State of California is one of the delegated states.

The responsibility for implementing various NPDES permits in the State of California has been delegated to the State Water Resources Control Board (SWRCB). The SWRCB administers NPDES authority through its nine Regional Boards. As an NPDES permittee, the City is required to manage stormwater pollution within its jurisdiction.

In order to provide for the safety of the residents of the City and protect property in the City from the damage associated with flooding and to meet the requirements of the NPDES permit, it is necessary to design, construct, operate, maintain, improve and replace storm drainage facilities which collect storm and surface water runoff and convey and treat such runoff in a safe manner to an acceptable point of discharge. It is also necessary to inspect, monitor, and take enforcement action related to illegal dumping, and illicit discharges. In order to properly fund such facilities and activities, the City has determined that it is necessary to impose on all developing properties in Rancho Cordova a user charge for storm drainage service.

Based on the 2030 General Plan and current specific plan areas, Rancho Cordova is expected to develop as shown in Table 1 below. The proposed boundary for the stormwater utility is shown in Appendix A.

Table 1 – Land Use

	Land Use/ Zoning Description	Total Acres	Total Units
Residential:			
LDR	SF (2.1-6.0 DU/AC)	2,635	13,156
	MD (6.1-12 DU/AC)	322	2,524
MDR	MD (6.1-18.0 DU/AC)	1,852	13,231
	MD (14.0-29.9 DU/AC)	60	885
HDR	HD (18.1-40.0 DU/AC)	192	4,372
	HD (30+ DU/AC)	30	825
	Residential Total	5,090	34,993
Non-Residential:			
VC	Village Commercial	202	
LTC	Local Town Center	134	
RTC	Regional Town Center	172	
BP	Business Park	158	
MP	Industrial Park	283	
Education:			
HS/MS	High School/Middle School	356	
MS	Middle School	20	
ES	Elementary School	102	
Open Space & Public:			
CP	Community Park	313	
P/QP	Public/Quasi Public	37	
NP	Neighborhood Park	194	
SWD	Storm Water Detention	186	
WP	Wetland Preserve	745	
DP	Drainage Parkway	270	
PR	Private Recreation	63	
OS	Open Space	168	
OS/P	Open Space/Preserve	279	
LC	Landscape Corridors	123	
GB	Green Belts	54	
ROW	Right-of-way	596	
BR/WP	Reservoir / Wetland Preserve	528	
S	Sewer Lift Station / Utility Substa	14	
	Vacant (unknown dev plan)	595	
	Total Non-residential	5,590	
	Total Residential & Non-Res	10,680	

A more detailed land use table by development area is shown in Appendix D.

This development is expected to require significant stormwater drainage and flood control facilities. Based on the development area and improvements that were required in four (4) recent developments

within the County of Sacramento, Table 2 summarizes the improvements that are expected once development is complete.

Table 2 – Expected Improvements

Infrastructure Type	Quantity	
Inlets	6,400	LF
Manholes	4,460	LF
66" Pipe	3,950	LF
60" Pipe	10,280	LF
54" Pipe	11,140	LF
48" Pipe	10,210	LF
42" Pipe	28,620	LF
36" Pipe	42,420	LF
30" Pipe	51,050	LF
27" Pipe	540	LF
24" Pipe	91,960	LF
21" Pipe	2,230	LF
18" Pipe	100,300	LF
15" Pipe	101,300	LF
12" Pipe	529,890	0
10" Pipe	4,170	0
Creeks and Channels	80	AC
Basins	320	AC

Services Funded

Expenditures from the revenue generated from the Stormwater Utility Fee are intended to comply with the requirements set forth in the NPDES permit. The activities and services funded by this fee include, but are not limited to:

1. Administration and oversight of the requirements set forth in the NPDES permit to City departments, developments, and local agencies.
2. Respond to and investigate incidents of illicit discharges and illegal connections to the storm drain system.
3. Periodically inspect facilities for proper handling of materials, chemicals, pollutants, garbage, waste, and debris and prevent any discharges to the storm drain system.
4. Regularly clean and maintain catch basins, the flowline, and storm drainage facilities.
5. Installation and maintenance of water quality devices required to keep pollutants out of the storm drain system.
6. Discourage illegal dumping or discharge of pollutants into the storm drain system by stenciling all City-owned catch basins with a "No Dumping" message.
7. Augment public education and outreach programs in regards to the proper use and function of the storm drainage system and the receiving waters.

8. Develop programs to promote, publicize, and facilitate public reporting of illicit discharges to the storm drain system.
9. Encourage the proper disposal of household hazardous waste (HHW) to prevent the improper disposal to the storm drain system or to the sewer system.
10. Discourage the improper disposal of litter, garden clippings, leaves, and pet waste into the street or the storm drain system.
11. Capital replacement of storm drainage and flood control improvements at the end of the expected useful life for such improvements.

Rate Structure Analysis

Section 6.b of Article XIID of the State Constitution (Proposition 218) states that:

“The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.”

and

“No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question.”

By definition, all properties that shed stormwater into the City’s stormwater drainage system use, or are served by, the City’s stormwater drainage system. The amount of use attributed to each parcel is measurable by the amount of storm runoff contributed by the property, which is directly proportional to the amount of impervious area on a parcel (such as buildings and concrete). The more impervious area on a property, the more storm runoff the property generates, the more demand placed on the storm drain system.

The amount each parcel uses the stormwater drainage system is computed by the following formula:

$$(\text{Parcel Area}) \times (\text{Impervious Percentage}) = \text{Drainage Units}$$

The typical percent impervious (% Impervious) for land uses in the City, have been applied for the purposes of estimating the runoff generated by each property. These are shown in Appendix B.

The more Drainage Units a parcel has, the more storm run-off it generates, and the more it uses and impacts the stormwater drainage system.

It is standard practice to relate other land uses to a developed single family residential (SFR) parcel, instead of working exclusively with drainage units. The median size of a SFR parcel will be approximately 0.16 acre. Therefore, it makes sense to relate all parcels to this median residential property. The runoff from a 0.16-acre SFR parcel is set equal to one Drainage Measurement Unit (DMU) and this base DMU is calculated as follows:

$$(0.16 \text{ acres of area}) \times 50\% = 0.0800 \text{ Impervious Area} = 1 \text{ DMU}$$

Single Family Residential Parcels

As a SFR property increases in size over the median parcel size, the typical percentage of impervious area decreases, as shown in Appendix B. Conversely, as a SFR parcel decreases in size below the median parcel size, the typical percentage of impervious area increases, and such increase is typically proportional to the decrease in size. Therefore, SFR properties are separated into five (5) groups. The median parcel area for each group was used and their DMUs are calculated as follows:

<u>SFR Category</u>	<u>DMU/ Formula</u>
SFR1 – SFR parcels 0.16 acres or less	1.00 DMU
SFR2 – SFR parcels 0.17 - 0.25 acres	1.10 DMUs
SFR3 – SFR parcels 0.26 – 0.33 acres	1.175 DMUs
SFR4 – SFR parcels 0.34 – 0.50 acres	1.25 DMUs
SFR5 – SFR parcels greater than 0.50 acres	$1.25 + \frac{[(\text{acres} - 0.50) \times 5\%]}{0.0800} = \text{DMUs}$

Multi-Family Residential Parcels

Multi-Family Residential (MFR) units (including condominiums) are split into categories by the density, or number of dwelling units per acre (DU/Ac) as follows:

<u>MFR Category</u>	<u>Density</u>	<u>% Impervious</u>
MFR1 - High Density	Greater than 18 DU/Ac	75%
MFR 2 - Med Density	10 – 18 DU/Ac	70%

$$\frac{\text{Acreage} \times \% \text{Impervious}}{0.0800} = \text{DMUs}$$

Condominium unit parcel areas are calculated by dividing the total area of the condominium complex (which includes the common area) by the number of condominium units, and the total imperviousness of the entire complex is attributed to each individual condo parcel in the complex. (This divides the runoff of the entire complex to each of the individual units.) Because these condominium common areas are taken into consideration in this manner, they are exempt from the charge.

Non- Residential Parcels

All non-residential parcel DMUs will be based on the impervious area (runoff coefficient) table shown in Exhibit B, using the following formula:

$$\frac{\text{Acreage} \times \% \text{Impervious}}{0.0800} = \text{DMUs}$$

All parcels draining into Rancho Cordova Stormwater Utility Fee-maintained drainage infrastructure are proposed to be charged the same user fee rate per DMU for stormwater runoff treatment. The Rancho Cordova Stormwater Utility Fee is proposed in perpetuity.

For the purposes of this report, City-maintained drainage infrastructure includes streets, pipes, inlets, outlets, and natural drainage courses. Parcels related to these types of property uses are exempt from the runoff charge, as they are part of the infrastructure being funded. Also exempt from the runoff charge is Caltrans right-of-way, because Caltrans handles its own runoff under a separate NPDES permit.

Drainage units may be adjusted based on appeal from the property owner. See the Appeals Process below.

Table 3, below, provides a preliminary summary of DMUs for the various land uses in Rancho Cordova.

Table 3 – Drainage Measurement Unit Summary Table

Landuse Description	Number of Units	Total Area (acres)	Impervious Area (acres)	DMUs
SINGLE FAMILY RESIDENTIAL (SFR1)	15,107	2,028		15,107.00
SINGLE FAMILY RESIDENTIAL (SFR2)	13,790	2,776		15,169.00
SINGLE FAMILY RESIDENTIAL (SFR3)	14	4		16.45
SINGLE FAMILY RESIDENTIAL (SFR4)				-
SINGLE FAMILY RESIDENTIAL (SFR5)				-
MULTI-FAMILY RESIDENTIAL (MFR1)	6,082	282		2,639.06
COMMERCIAL		666	499	6,240.00
INDUSTRIAL		283	226	2,830.00
SCHOOLS		478	239	2,985.00
PRIVATE RECREATION		63	16	195.31
PARKS/GREENBELTS		561	140	1,752.47
PUBLIC		51	15	190.13
TOTAL	34,993	7,190		47,124

Cost Estimate

Table 4 below shows the estimated costs to maintain infrastructure in the developing areas. Unit costs for maintenance were derived using budget information provided by the County, since the County currently maintains the storm drainage system. The budget information is shown in Appendix C.

Table 4 – Estimated Costs

	Estimated Quantity	Unit	Cost (\$/unit)	Frequency	Total Cost/Year
Maintenance Costs:					
Trunk Lines (larger than 24") - TV Lines	158210	LF	\$ 7.50	25 years	\$ 47,463.00
Drainage Lines 10"-24" Cleaning	829850	LF	\$ 3.00	10 years	\$ 248,955.00
Drainage Lines 10"-24" TV	829850	LF	\$ 7.50	25 years	\$ 248,955.00
Creek and Channel Maintenance and Repair	65070	LF	\$ 0.75	1 year	\$ 49,009.83
Pipe Repairs	998920	LF	\$ 0.45	1 year	\$ 451,380.43
Creeks and Channels Mowing	80	AC	\$6,825	1 year	\$ 546,000.00
Creeks and Channels Herbicides	80	AC	\$680	1 year	\$ 54,400.00
HydroMod Basin Maintenance	320	AC	\$4,830	1 year	\$ 1,545,600.00
Basin De-silt	320	AC	\$1,000	25 years	\$ 12,800.00
Basins Herbicides	320	AC	\$761	1 year	\$ 243,360.00
Replacement Costs:					
Inlets	6400	EA	\$2,000	75 years	\$170,667
Manholes	4460	EA	\$3,500	75 years	\$208,133
66" Pipe	3950	LF	\$550	100 years	\$21,725
60" Pipe	10280	LF	\$475	100 years	\$48,830
54" Pipe	11140	LF	\$400	100 years	\$44,560
48" Pipe	10210	LF	\$325	100 years	\$33,183
42" Pipe	28620	LF	\$275	100 years	\$78,705
36" Pipe	42420	LF	\$225	100 years	\$95,445
30" Pipe	51050	LF	\$175	100 years	\$89,338
27" Pipe	540	LF	\$150	100 years	\$810
24" Pipe	91960	LF	\$125	100 years	\$114,950
21" Pipe	2230	LF	\$115	100 years	\$2,565
18" Pipe	100300	LF	\$105	100 years	\$105,315
15" Pipe	101300	LF	\$95	100 years	\$96,235
12" Pipe	529890	LF	\$85	100 years	\$450,407
10" Pipe	4170	LF	\$75	100 years	\$3,128

Total: \$5,011,917

Annual Fee Administration: \$45,000

Operating (Cash Flow) Reserve (10% of Maintenance Costs): \$344,792

Estimated Total: **\$5,401,709**

Fee Calculations

The estimated annual costs for the proposed storm drain improvements are \$5,401,709 as shown in Table 4 above. Dividing that by the total number of proposed DMU's in Rancho Cordova (47,124), the maximum estimated annual Stormwater Utility Fee rate is **\$114.63 per DMU**.

This would be the proposed maximum fee rate for fiscal year 2014-15. The maximum rate will be increased each subsequent Fiscal Year by the annual change in the Consumer Price Index (CPI), during the preceding year, for All Urban Consumers, for the San Francisco-Oakland-San Jose areas, published by the United States Department of Labor, Bureau of Labor Statistics (or a reasonably equivalent index should the stated index be discontinued, as determined by the Director of Public Works).

The actual rate to be levied each year will be as approved by the City at a public hearing, after they consider an Annual Fee Report outlining the estimated annual costs of the program for the ensuing fiscal year.

Table 5 provides sample fee calculations for various land uses and parcel sizes.

Table 5 – Sample Calculations

Land Use Description	Total Area (acres)	Impervious Area (acres)	DMUs	Sample Fee
SINGLE FAMILY RESIDENTIAL (SFR1)	0.16		1.000	\$ 114.63
SINGLE FAMILY RESIDENTIAL (SFR2)	0.22		1.100	\$ 126.09
SINGLE FAMILY RESIDENTIAL (SFR3)	0.30		1.175	\$ 134.69
SINGLE FAMILY RESIDENTIAL (SFR4)	0.40		1.250	\$ 143.28
SINGLE FAMILY RESIDENTIAL (SFR5)	1.00		1.563	\$ 179.10
MULTI-FAMILY RESIDENTIAL (MFR1)	5.00	3.75	46.875	\$ 5,373.12
COMMERCIAL ¹	1.00	0.75	9.375	\$ 1,074.62
INDUSTRIAL	1.00	0.80	10.000	\$ 1,146.27
SCHOOLS	5.00	2.50	31.250	\$ 3,582.08
PRIVATE RECREATION	1.00	0.25	3.125	\$ 358.21
PARKS/GREENBELTS	2.00	0.20	2.500	\$ 286.57
PUBLIC	2.00	0.60	7.500	\$ 859.70

¹ Average of Downtown and Neighborhood Commercial as shown in Appendix B

The Preliminary Charge Roll, which is a listing of each parcel to be charged a fee and its proposed maximum fee for FY 2014-15, is on file in the office of the City Clerk.

Appeals Process

If a property owner disagrees with the calculation of his or her fee, based on the parcel area and estimated impervious percentage assigned to the property, then the property owner may appeal the calculation as follows:

- Property owner must provide written documentation explaining the reason why the charge should be changed. This documentation must include:
 - The name, phone number, mailing address, and email address, if available, of the property owner.
 - The Assessor's Parcel Number (APN) of the property in question.
- If additional documentation is required or insufficient documentation was submitted, a representative of the Department of Public Works (Staff) will notify the property owner in writing.
- Once Staff has determined that sufficient documentation has been submitted, Staff will perform the initial review. Staff will notify the property owner in writing within four (4) weeks from the time sufficient documentation was submitted as to whether or not the fee amount will be changed.
 - If the determination is to change the fee amount, then the new fee amount will be documented within the City's fee database.

- b. If the determination is that the fee should not be changed, the property owner can appeal Staff's decision to the Director of Public Works. The appeal must be made in writing and returned no later than four (4) weeks from the date of mailing of Staff's initial review decision. The Director of Public Works will notify the property owner in writing within four (4) weeks from the date of receipt of the appeal as to whether or not the fee amount will be changed.

If the owner of any parcel shall have reason to feel that the computation of the DMU for his/her parcel is not correct, that person may file an appeal with the Director of Public Works in the manner prescribed by the Director of Public Works. The Director of Public Works will consider all data provided by the appellant and shall render a decision in writing. The decision of the Director of Public Works will be final with respect to City action on the appeal.

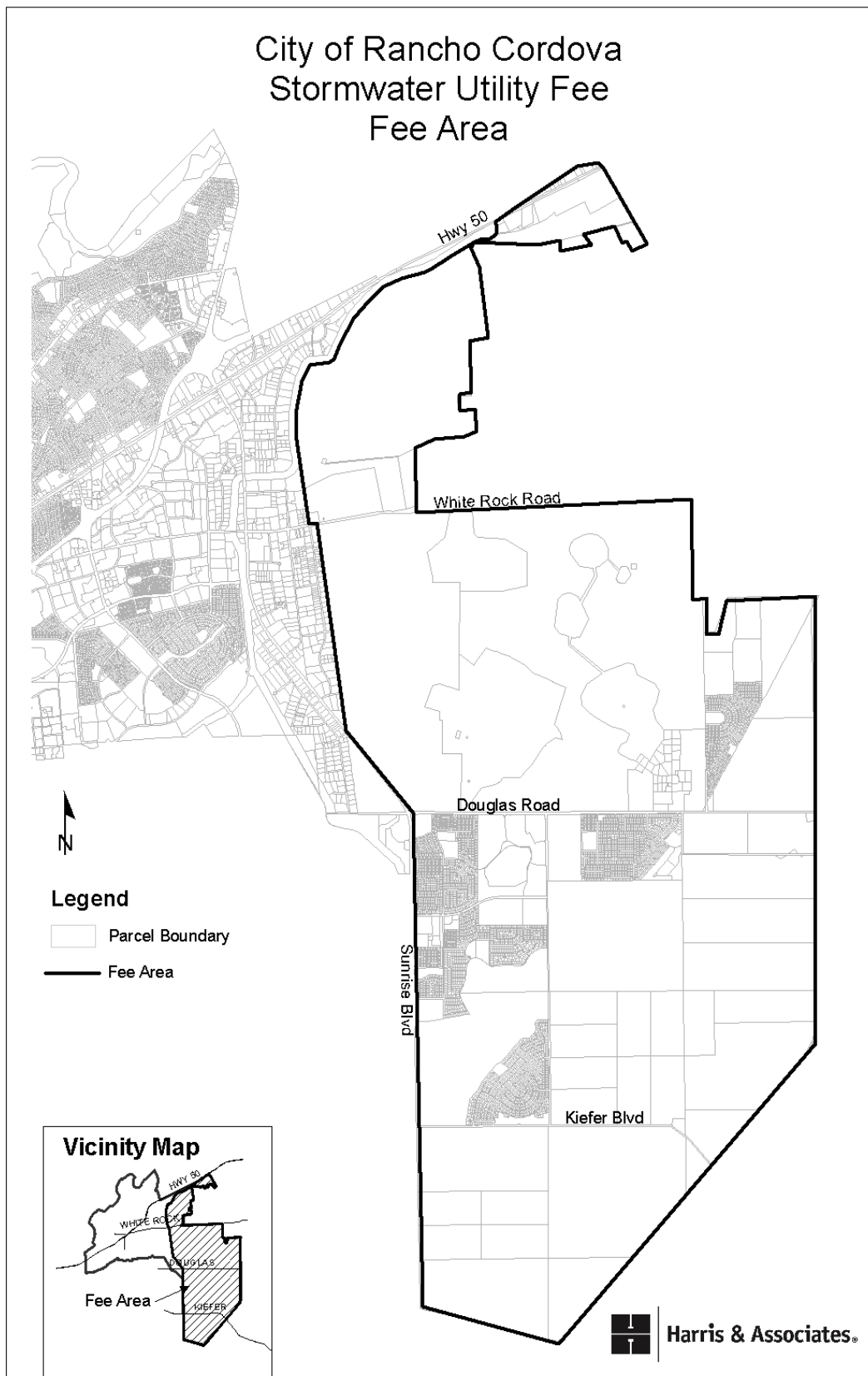
Appeals will be accepted annually up until June 30 for inclusion on the following fiscal year's property tax roll submittal. However, if an appeal is granted by Staff or the Director of Public Works that does not permit inclusion for the following fiscal year's property tax roll submittal, a reimbursement will be provided to the property owner by the City.

Respectfully submitted:

Harris & Associates

Dennis A. Anderson
Senior Project Manager

APPENDIX A



APPENDIX B

Runoff Coefficient

Land Use	Impervious
Single Family Residential less than 0.166 acres	50%
Single Family Residential 0.166 acres to 0.250 acres	40%
Single Family Residential 0.251 acres to 0.330 acres	30%
Single Family Residential 0.331 acres to 0.500 acres	25%
Single Family Residential Over 0.500 acres (excluding the first 0.500 acres)	5%
High-Density Residential (including Apartments and Mobile Home Parks)	75%
Condominiums	70%
Commercial Downtown Areas ¹	80%
Commercial Neighborhood Areas	70%
Industrial	80%
Schools	50%
Parks	25%
Greenbelts	10%

Footnotes:

¹ City of Rancho Cordova Municipal Code Chapter 15.

Sources:

1. Yolo County City/County Drainage Manual, February 2010.
2. Stormwater Quality Design Manual for the Sacramento and South Placer Regions, May 2007.

Appendix C

Cost Information

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Pipe Repair Costs

Budget Classification		Repair Type	Actual Expenditures for FY 11/12	FY 13/14 Budget
County North				
	OCUO	Drain Line Upgrade or Repair	\$ 630,912.90	\$ 630,912.90
	OFFO	Fence Repair	\$ 19,343.41	\$ 19,343.41
	OHKO	Inlet Outfall Repair	\$ 455,724.02	\$ 455,724.02
	OMSO	Erosion Control	\$ 26,189.60	\$ 26,189.60
	OY8O	Manhole Repair	\$ 63,362.44	\$ 63,362.44
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	36.39%	\$ 435,026.56	\$ 435,026.56
		Total Budget=	\$ 1,630,558.93	\$ 1,630,558.93
County South				
	OCUO	Drain Line Upgrade or Repair	\$ 105,317.24	\$ 105,317.24
	OFFO	Fence Repair	\$ 35,802.01	\$ 35,802.01
	OHKO	Inlet Outfall Repair	\$ 214,660.90	\$ 214,660.90
	OMSO	Erosion Control	\$ -	\$ -
	OY8O	Manhole Repair	\$ 8,585.40	\$ 8,585.40
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	23.51%	\$ 85,667.45	\$ 85,667.45
		Total Budget=	\$ 450,033.00	\$ 450,033.00
Rancho Cordova				
	OCUO	Drain Line Upgrade or Repair	\$ 222,809.74	\$ 229,850.53
	OFFO	Fence Repair	\$ 26,326.14	\$ 27,158.05
	OHKO	Inlet Outfall Repair	\$ 224,877.26	\$ 231,983.38
	OMSO	Erosion Control	\$ -	\$ -
	OY8O	Manhole Repair	\$ 4,498.84	\$ 4,641.00
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	23.51%	\$ 112,504.88	\$ 116,060.03
		Total Budget=	\$ 591,016.86	\$ 609,692.99
Total LF of Pipes				
		County	7,865,755	7,865,755
		Rancho Cordova	1,349,271	1,349,271
Cost/LF of pipe for Repairs				
		County	\$ 0.26	\$ 0.26
		Rancho	\$ 0.44	\$ 0.45

* Costs were increased for 12/13 based on comparing actual expenditures in 11/12 with actual expenditures in 12/13.

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Creek and Channel Cleaning

Budget Classification		Repair Type	Actual Expenditures FY 11/12	FY 13/14 Budget
County	OCCO	Inspect Channels	\$ 149,684.06	\$ 149,684.06
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ 203,337.83	\$ 203,337.83
	OF8O	Sandbag Distribution	\$ 5,184.60	\$ 5,184.60
	OFCO	Drainage Response	\$ 82,451.66	\$ 82,451.66
	OFDO	Concrete Channel Cleaning Bobcat	\$ 552,150.54	\$ 552,150.54
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ 191,840.84	\$ 191,840.84
	OLCO	Access Road Maintenance	\$ -	\$ -
	OLDO	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ 2,720.90	\$ 2,720.90
	OMRO	Channel Cleaning Mechanical	\$ 49,087.50	\$ 49,087.50
	OORC	Rodent Control	\$ 32,695.06	\$ 32,695.06
	OTVD	Tree Removal	\$ 79,463.44	\$ 79,463.44
	OVDO	Dry Spoil Dumping	\$ 8,137.34	\$ 8,137.34
	OWCO	Weed Control Chemical		
	Overhead	36.39%	\$ 493,691.29	\$ 493,691.29
	Total Budget=		\$ 1,850,445	\$ 1,850,445
County	OCCO	Inspect Channels	\$ 1,797.15	\$ 1,797.15
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ -	\$ -
	OF8O	Sandbag Distribution	\$ 2,464.80	\$ 2,464.80
	OFCO	Drainage Response	\$ 1,293.11	\$ 1,293.11
	OFDO	Concrete Channel Cleaning Bobcat	\$ 144,294.58	\$ 144,294.58
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ -	\$ -
	OLCO	Access Road Maintenance	\$ 57,345.54	\$ 57,345.54
	OLDO	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ -	\$ -
	OMRO	Channel Cleaning Mechanical	\$ 32,935.75	\$ 32,935.75
	OORC	Rodent Control	\$ -	\$ -
	OTVD	Tree Removal	\$ 214,736.46	\$ 214,736.46
	OVDO	Dry Spoil Dumping	\$ -	\$ -

Budget Classification		Repair Type	Actual Expenditures FY 11/12	FY 13/14 Budget
	OWCO	Weed Control Chemical		
	Overhead	23.51%	\$ 106,945.71	\$ 106,945.71
	Total Budget=		\$ 561,813	\$ 561,813
Rancho Cordova	OCCO	Inspect Channels	\$ -	\$ -
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ 413.30	\$ 413.30
	OF8O	Sandbag Distribution	\$ -	\$ -
	OFCO	Drainage Response	\$ -	\$ -
	OFDO	Concrete Channel Cleaning Bobcat	\$ 65,905.39	\$ 65,905.39
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ -	\$ -
	OLCO	Access Road Maintenance	\$ -	\$ -
	OLD0	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ -	\$ -
	OMRO	Channel Cleaning Mechanical	\$ -	\$ -
	OORC	Rodent Control	\$ -	\$ -
	OTVD	Tree Removal	\$ -	\$ -
	OVDO	Dry Spoil Dumping	\$ -	\$ -
	OWCO	Weed Control Chemical		
	Overhead	23.51%	\$ 15,592.45	\$ 15,592.45
	Total Budget=		\$ 81,911	\$ 81,911
Total LF of Channels				
		Rancho Cordova (unlined)	74,628	74,628
		Rancho Cordova (lined)	37,562	37,562
		Total Rancho Cordova	112,189	112,189
		County (unlined)	1,677,768	1,677,768
		County (lined)	216,153	216,153
		Total County	1,893,920	1,893,920
Cost/LF of Channel for Cleaning:				
		County	\$ 1.27	\$ 1.27
		Rancho	\$ 0.73	\$ 0.75

* Costs were increased for 12/13 based on comparing actual expenditures in 11/12 with actual expenditures in 12/13.

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Activity	Size/Location	Cost/LF	Frequency	Notes
Pipes/Channels				
Hydro Cleaning	6"-24"	\$ 3.00	10 years	
TV Lines	all	\$ 7.50	25 years	
Creek and Channel Cleaning	Rancho	\$ 0.75	each year	Within SWU Budget
	Sac County	\$ 1.27		
Pump Maintenance	Covered within budget			Per County Staff Assume no pumps in new areas.
Repairs	2 crews year round	SWU funds support this		
Hydromod Basin		cost/ac		
Maintenance		\$ 4,830.00	annul	see detailed estimate
Herbicides		\$ 325.00	2 x's/year	
Additional costs				
Pesticide Control Advisor		\$ 20,000.00	annually	
Engineering admin support with regulatory agencies		10%	of maint costs/year	
Supervisors and managers		5%	of maint costs/year	

Hydromod Basin Maintenance

Basin Maintenance Costs	Cost per Acre
Trash Clean-up and Disposal (4 x's/year)	\$ 1,200
Mowing (2 x's/year)	\$ 200
Inspection 4 x's/year	\$ 1,600
Erosion Repair	\$ 800
Vegetation and Landscape Maintenance	\$ 800
Sub-total	\$ 4,600
Over-head Mark-up (5%)	\$ 230
Total Cost	\$ 4,830

Inspection Includes: Examine gates, fences and access ramp for damage and overgrown vegetation, check basin slopes for erosion, excess vegetation, debris and animal burros, check flow line for excess vegetation and sediment, check for erosion at water line, large/floating debris, and excess vegetation. Check for debris, creacks and instructure, and erosion at inlets and outlets. Also check access control racks for debris and to snrue they are locked and secured. Check riprap at inlet weir

Appendix D

Detailed Land Use Data

December 20, 2013																													AC, Landuse & units derived from GIS/Aerials									
		Arista Del Sol		Arboretum		Douglas 98		Douglas 103		Grantline 208		Montelena		Rio Del Oro		Suncreek		The Ranch (Sunridge)			Sunridge Lot J		Westborough		North Douglas II		Heritage Falls		Anatolia IV		Anatolia				Sunridge			
	Land Use/ Zoning Description	AC	Units	AC	Units		AC	Units	AC	Units	AC	Units	AC 2012	Units 2012	AC	Units	AC 2013	Units 2012		AC 2013	Units 2012		Est.	Units 2013	AC	Units	AC	Units	AC	Units	AC	Units	GIS AC	GIS Units	GIS AC	GIS Units	Total Acres	Total Units
Residential:																																						
LDR	SF (2.1-6.0 DU/AC)	35.3	176	144.8	698				3.7	14	44.7	276	71.4	388	1,518.5	7,593	179.4	899		142.3	694		35.8	179	347.2	1,580	17.70	153.00	72.20	303.00	21.60	203.00					2,635	13,156
	MD (6.1-12 DU/AC)																321.5	2,524																	322	2,524		
MDR	MD (6.1-18.0 DU/AC)	83.8	556	290.0	2,334 ^a		94.2	528	28.2	287	42.8	227	54.4	402	256.0	2,048	43.7	286 ^c		105.4	685		17.5	192	146.8	1,389			92.10	525.00			450.8	2,831	146.4	941	1,852	13,231
	MD (14.0-29.9 DU/AC)			60.4	885																															60	885	
HDR	HD (18.1-40.0 DU/AC)														98.0	1,960	44.2	980		12.2	378 [*]				30.4	922			6.80	132.00					192	4,372		
	HD (30+ DU/AC)			29.5	825																	* These may be Attached														30	825	
	Residential Total	119.1	732	524.7	4,742		94.2	528	31.9	301	87.5	503	125.8	790	1,872.5	11,601	588.8	4,689		259.9	1,757		53.3	371	524.4	3,891	17.7	153	171	960	22	203	450.8	2,831	146.4	941	5,090	34,993
Non-Residential:																																						
VC	Village Commercial			16.9											20.0		22.0								93.3											202		
LTC	Local Town Center			30.4											20.0																					134		
RTC	Regional Town Center			0.9											113.0		58.4								83.5											172		
BP	Business Park	6.6		65.0											86.0																					158		
MP	Industrial Park														283.0																					283		
Education:																																						
HS/MS	High School/Middle School			72.6											78.0		110.9 ^b								94.0 ^b											356		
MS	Middle School														20.0																					20		
ES	Elementary School			21.2							10.6				54.0														5.50			10.8					102	
Open Space & Public:																																						
CP	Community Park	11.4		60.7							7.8				107.0		44.9		29.3						52.3											313		
P/QP	Public/Quasi Public			2.0									3.2		7.5		12.3								10.6								1.1			37		
NP	Neighborhood Park	3.1		3.8		8.2		5.2		3.4		20.8			67.5		17.0		8.6		6.4						0.71		17.20		3.70		21.2		7.0		194	
SWD	Storm Water Detention	4.0								15.0		9.6			39.0		53.5		24.3								4.00		17.40				9.5		9.6		186	
WP	Wetland Preserve	55.8						43.8		81.0		54.5			510.0																					745		
DP	Drainage Parkway														138.0		5.0								104.6				15.30					7.2		270		
PR	Private Recreation														54.0														4.20			4.3				63		
OS	Open Space			144.5											22.0													0.60		0.80						168		
OS/P	Open Space/Preserve														12.0		45.6		174.0						47.7										279			
LC	Landscape Corridors	1.1				2.8									82.0		19.2												2.70		1.30		13.4		0.7		123	
GB	Green Belts									2.6					51.0																					54		
ROW	Right-of-way	9.5		104.3				8.5		5.3		22.4			192.0		82.6		20.5			14.5			127.1				6.90		2.20					596		
BR/WP	Reservoir / Wetland Preserve			302.8													205.1										19.80									528		
S	Sewer Lift Station / Utility Substation			1.0																													6.6		6.4		14	
	Vacant (unknown dev plan)																															567.4		27.3			595	
	Total Non-residential	91.5		826.1		11.0		79.6		123.1		127.1			1,956.0		676.5		270.2			20.9			613.1		25.1	0.0	70.0	0.0	7.2	0.0	634.3		58.2		5,590	
	Total Residential & Non-Res	210.6	732.0	1,350.8	4,742.0	105.2	528.0	111.5	301.0	210.6	503.0	252.9	790.0		3,828.5	11,601.0	1,265.3	4,689.0		530.1	1,757.0		74.1	371.0	1,137.5	3,891.0	42.8	153.0	241.1	960.0	28.8	203.0	1,085.1	2,831.0	204.6	941.0	10,680	

Notes: All data is from recent plans received in Nov 2013 unless specified otherwise.
^a Arboretum has 2 MD residential classifications. The first line is for 6.1-13.9 DU/AC (instead of 6.1-18)
^b Acreage for all schools
^c Suncreek has 2 MD residential classifications. The second line is for 12.1-18 DU/AC (instead of 6.1-18)

Includes April 2012 Amendment

AC estimated

MEMORANDUM

DATE: February 6, 2017
TO: Honorable Mayor and Council Members
FROM: June Cowles, Senior Planner



SUBJECT: GRANTLINE WEST MINING CONDITIONAL USE PERMIT; RENEWAL OF SURFACE MINING AND RECLAMATION PLAN AMENDMENT PERMIT; PROJECT NO. DD9619 – LOCATED SOUTH OF WHITE ROCK ROAD, EAST OF SUNRISE BOULEVARD AND NORTH OF DOUGLAS ROAD.

PROPERTY OWNER: Elliott Homes, Inc. 340 Palladio Parkway, Suite 521 Folsom, CA 95630	APPLICANT: Grantline Road Properties, LLC P.O. Box 15002 Sacramento, CA 95851
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PROJECT:	Grantline West Mining Conditional Use Permit for the renewal of Surface Mining and Reclamation Plan Amendment Permit.
FILE:	DD 9619
LOCATION:	South of White Rock Road, east of Sunrise Boulevard and north of Douglas Road
APN:	072-0370-071
PLANNER:	June Cowles, Senior Planner

RECOMMENDATION:

- Adopt Resolution No. 17-2017 Approving the Conditional Use Permit and the Renewal of the Surface Mining and Reclamation Plan Amendment Permit for the Grantline West Mining Operation, Project No. DD9619.
- Adopt Resolution No. 18-2017 Authorizing the City Manager to Execute a Roadway Impact and Truck Management Program Agreement and a Payment Agreement with Grantline Road Properties, LLC for the Grantline West Mining Operation.

RESULT OF RECOMMENDED ACTION:

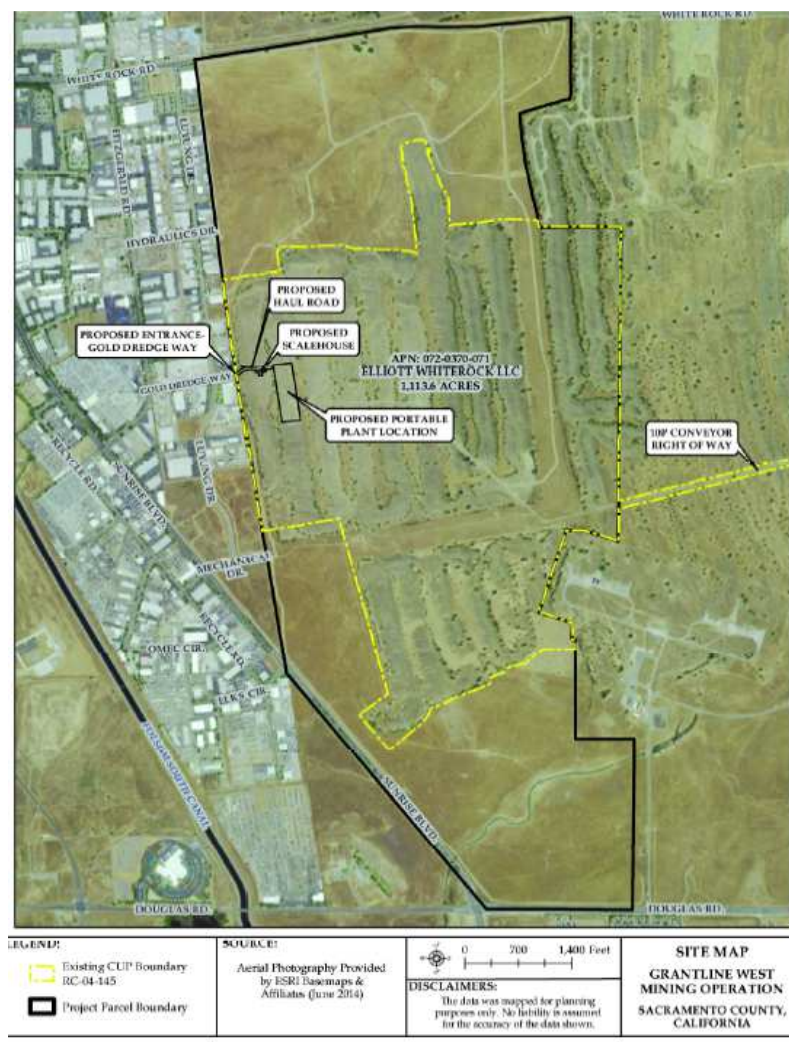
Adoption of the above-referenced resolutions would approve the renewal of surface mining for an extension of ten years until July 18, 2027, extend the reclamation plan until July 18, 2029 and amend the reclamation plan.

BACKGROUND:

In 2005, the City of Rancho Cordova approved a Conditional Use Permit (CUP) to allow surface mining on the 583-acre site located south of White Rock Road, east of Sunrise Blvd, and north of Douglas Road (commonly known as the Rio Del Oro site) through July 18, 2017 and a

- c. Loaders (feed loader and loadout loader)
- d. Dozer
- e. Auxiliary equipment, e.g., skip loader, manlift, forklift mechanics truck and foreman pickup truck.

Figure 2- Proposed On-site Processing Operation

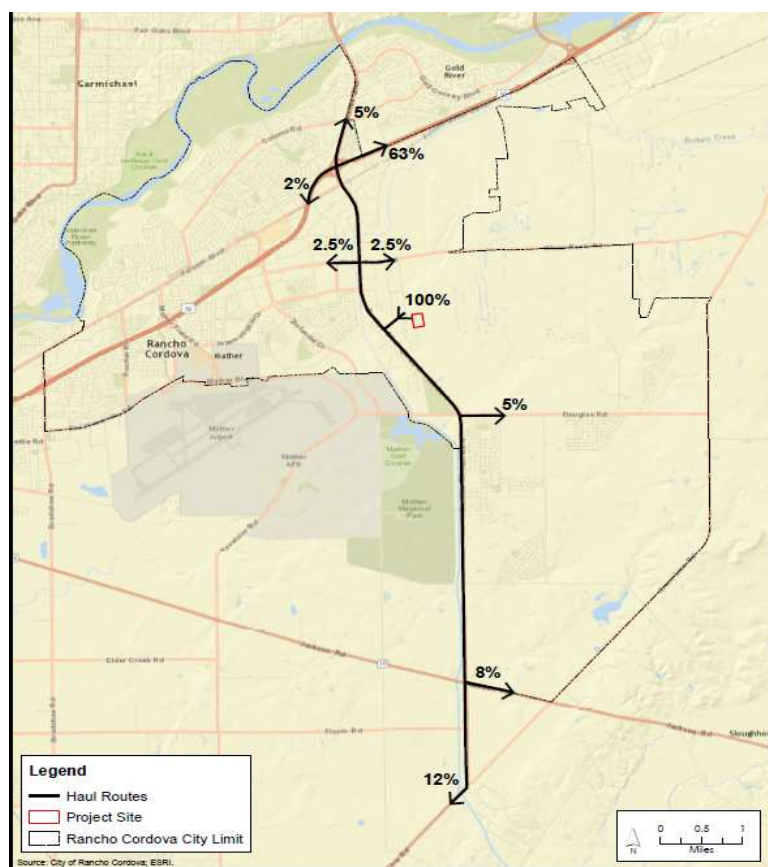


Applicant's Request (continued)

3. A new Air Pollution Control Plan and air permits.
4. Allow for stockpiling of materials at the site.
5. Continue to use existing line power for electricity at the site.
6. Provide for the participation in the Sacramento County Quarry Truck Management Plan (TMP).
7. Maintain the current hours of operation (up to 24 hours a day, 7 days a week, as needed to meet market demand).
8. Update the Financial Assurance Cost Estimate.

9. Allow for the point of sale to be from the Project site for aggregate processed and sold onsite.
10. Allow for trucking of materials from the site to market, up to approximately 500,000 tons per year as an option to the approved conveyor transport of mined materials to the existing Teichert Grantline Plant.
 - a. The removal of material from the site by trucks will be from an access point on Gold Dredge Way via Fitzgerald Road and Sunrise Boulevard to the market. The anticipated truck distribution **Figure 3**, is as follows:
 - i. 75% North on Sunrise Boulevard from Fitzgerald Road:
 - 5% east or west on White Rock Road to serve local projects.
 - 63% east on Highway 50
 - 2% west on Highway 50
 - 5% north of Highway 50 on Sunrise Boulevard
 - ii. 25% South on Sunrise Boulevard from Fitzgerald Road:
 - 5% to local projects
 - 8% east on Jackson Highway
 - 12% south to Grantline Road

Figure 3- Proposed Truck Distribution



After the mining is complete, the project site will be undeveloped open space. The site is planned and approved for future urban uses under the Rio Del Oro Specific Plan. The removal of the tailings will prepare the land for future development. Due to the recent economic downturn, mining has not occurred at the level anticipated in 2005 when the CUP was

approved. There are still approximately 3 million tons of tailings left to be removed to bring the property back to elevations similar to the natural elevation prior to gold dredging operations. The history of the Grantline West mining operation is as follows;

July 2005 to Present Activity:

Grantline Road Properties, LLC began site improvements and the installation of the extension of a conveyor to serve the new mine site. Gravel from tailings piles were initially mined in 2006 by heavy mobile equipment including scrapers and excavators and loaded on to the conveyor and transported to Teichert's Grantline Plant on Grantline Road to the east.

Active mining continued until 2009 which was the first year that no tonnage was recorded on the SMARA Annual Report Form. In 2010, Grantline Road Properties, LLC submitted a request to the City of Rancho Cordova for approval of an Interim Management Plan (IMP). In July, 2011, the City of Rancho Cordova approved the IMP with an expiration date of July, 2015. Grantline Road Properties, LLC requested an additional five year extension of the IMP in July, 2015. Grantline Road Properties, LLC subsequently determined that the market had changed enough that it was viable to once again open the Grantline Plant and process material from the Grantline West Mine site.

In March 2016, Grantline Road Properties, LLC submitted a Mining and Reclamation Plan Amendment to the City of Rancho Cordova to request an additional 10 years of mining in conjunction with the existing permit. Mining resumed at the Grantline West Mine site in July, 2016 with material being conveyed to the Grantline Plant. On July 12th, 2016 Grantline Road Properties, LLC sent a letter to the City of Rancho Cordova advising staff that the Grantline West Mine was once again active and the requested five year extension of the IMP would no longer be necessary.

Since its inception and during its active years of 2006-2009, approximately 2.3 million tons of sand and gravel have been mined and produced from the Grantline West Mine, with the mine peaking in 2007 with over one million tons of product sold. As mentioned above, production once again started in 2016 with final sales still to be determined. Approximately 3 million tons of additional reserves still remain on the site which justifies the need for the current permit extension to accomplish the original objectives of the approved mining and reclamation plan permit.

ANALYSIS:

Renewal of Surface Mining and Reclamation Plan Amendment Permit:

As explained in the preceding History section, Grantline Road Properties, LLC has only extracted a small fraction of the overall developable sand and gravel reserves from the Rio Del Oro site. The original mining permit will expire on July 18, 2017, and Grantline Road Properties, LLC seeks to renew this permit for ten (10) years.

The only revision to the approved project and mining plan is the addition of the option to use a portable plant on-site for rock crushing and off-site hauling to local markets. The existing conveyor was non-operational for a period of time. The applicant is requesting options, the portable plant and trucking, in order to maintain operational flexibility. No revisions in the permitted boundary of the site or the area to be disturbed by mining are proposed. The only materials to be removed would be the remaining tailings; no other types of resources would be removed, and identical to the approved project, there would be no below-grade mining. No revisions to the elements of the reclamation plan that identify subsequent uses, revegetation,

erosion and sediment control, and post-mining topography are proposed. The current CUP allows for operations 24 hours per day, 7 days per week, and no revisions are proposed. No increase in the number of employees is proposed, and on-site heavy equipment use would be similar to the approved plan. The revised Mining Operation Reclamation Plan that incorporates the portable plant option is provided in **Exhibit 1A** and as follows;

1. The amended mining operation would allow for on-site processing using a portable, electric rock crushing and screening plant, the location of which is shown in **Figure 2**. The maximum height would be approximately 50 feet at the tallest point. The plant would have lighting for nighttime operations (when they occur). There is an existing power line on the site, which supplies the conveyor, and no additional power is needed. A permit will be required from the Sacramento Metropolitan Air Quality Management District to operate the portable plant. The portable plant would crush and screen tailings only; it would not involve aggregate washing requiring water use or that would generate fines or require sediment basins, and there would be no further processing (e.g., batch plant). Water sprays would be used at the crushing and screening plant and truck loading points to control fugitive dust emissions. The portable plant would not be on-site for the entire 10 years, but would be moved onto the site when the demand for crushed rock is in close proximity to the plant. The plant would not operate if the conveyor is used. The portable plant would be removed as part of final reclamation. A condition has been added to the project that states that the conveyor shall not be used to transport material to the Grantline plant if the on-site portable plant with off-site hauling option is in operation.
2. Allow for trucking of materials from the site to the market up to approximately 500,000 tons per year as an option to the approved conveyor transport of mined materials to the existing Teichert Grantline plant. The removal of material from the site by trucks would be from an access point on Gold Dredge Way via Fitzgerald Road and Sunrise Boulevard to the market. The anticipated distribution of haul truck trips is shown in **Figure 3**. The existing dirt road linking the site to Gold Dredge Way would be enlarged to accommodate aggregate trucks. Teichert has agreed that access to US Highway 50 will be via Sunrise Boulevard, not via White Rock Road to Zinfandel Drive or to Prairie City Road. Approximately 75 percent of the trucks would travel north on Sunrise Boulevard, and 25 percent would travel south. If the conveyor to the Grantline plant is used instead, there would be no haul truck traffic to or from the site. A paved apron with a rock approach would be installed on-site and a sweeper for the roadway would be used to control dust track-out from the loading area. The apron would be sloped towards the project site interior so that stormwater runoff generated on the project site would remain on the site.
3. Provide an on-site scalehouse (see **Figure 2**) for the point of sale to be from the project site for aggregate processing and sold on-site. Some stockpiles of crushed material would be present until the material is hauled off-site. The stockpiles would be no taller than 40 feet, similar to less than the height of some of the existing tailings.
4. Teichert will participate in the Quarry Truck Management Program (TMP) Funding Mechanism Program, established in 2011 between Sacramento County and the City of Rancho Cordova. The TMP is a voluntary non-CEQA-based funding mechanism whereby aggregate quarry operations in eastern Sacramento County can commit to providing partial funding for the implementation of various roadway-related improvements to help address perceived quality of life concerns stemming from quarry

truck traffic. The *East Sacramento Region Aggregate Mining Truck Management Plan Final Technical Report* (DKS 2011) describes these improvements.

Reclamation Plan Re-vegetation:

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 replant removed trees to mitigate the 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 and Mitigation Monitoring and Reporting Program (MMRP).

Financial Assurance:

As part of the mining permit package, a Financial Assurance is required by the City's ordinance (Municipal Code section 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 15% Lead Agency Administrative cost of the total direct and indirect costs for processing the call for funds.

Financial Agreements:

In December 2011, Sacramento County adopted the Sacramento County Quarry Truck Management Plan (the "TMP") to address quality of life impacts resulting from truck trips used to transport materials mined within a designated jurisdictional area. In January 2012, the City entered into a Quarry Truck Management Plan Operational Agreement (the "TMP Operational Agreement"). Both the TMP and the TMP Operational Agreement require the imposition of a TMP per ton fee equal to twelve cents (\$0.12) per gross ton of mined and removed materials from the site, effective upon the date on which the permit renews.

As required by condition of approval #21 of the original permit, the Applicant was required to negotiate an agreement for the payment of 1% of the gross sales generated by the sales of mined materials removed from the City and sold offsite. City and applicant subsequently entered into a Payment Agreement dated July 18, 2005.

To satisfy the terms of the original permit and to meet the requirements of the TMP and the TMP Operational Agreement, City and Applicant will execute new agreements. The first agreement is a Roadway Impact and Truck Management Program Agreement (**Exhibit 2A** to Resolution No. 18-2017) that incorporates certain provisions to satisfy the impacts associated with truck transport from the site and meets the requirements of the TMP and TMP Operational Agreement. This agreement requires the payment to the City of thirteen cents (\$0.13) per ton for roadway impacts from the project and requires compliance with the TMP and TMP Operational

Agreement through the payment of twelve cents (\$0.12) per ton fee to the City and the monitoring and enforcement of truck trips.

The second agreement is a Payment Agreement (**Exhibit 2B** to Resolution No. 18-2017) that replaces the 2005 Payment Agreement. This new agreement requires payment to the City of one percent (1%) of gross sales of mined materials which are recovered from the project site and removed and sold from a point of sale outside of the City.

Rio Del Oro Project:

The owner of the project site, Elliott Homes, Inc, plans to eventually develop the project site for industrial, commercial, and residential land uses that have been approved under the Rio del Oro Specific Plan. This development will be undertaken by Elliott Homes, Inc. Such development was assumed in the General Plan and the General Plan EIR (GP-EIR). Prior to this development, mine tailings found on much of the land are available for removal, processing, and used in various roadway and development projects in the region. Mine tailings consist largely of large cobbles and other aggregate material suitable for processing and use in paving and manufacture of construction materials.

Elliott Homes, Inc. will continue to allow Grantline Road Properties, LLC to remove the aggregate material and process it for use in local and regional construction projects. In addition to removing the aggregate material in preparation for development, Grantline Road Properties, LLC plans to restore the topography of the site to roughly the same condition which existed prior to the dredge mining activity. The mining of aggregate resources and reclamation are independent actions from the future development of the land by Elliott Homes, Inc. The Rio Del Oro Specific Plan EIR acknowledges the surface mining operation, however the major environmental impacts to the environment will occur with the development of residential, commercial and other land uses. Mitigated measures of prohibiting mining activity within a distance of future development are included to address concerns of incompatible uses and activity.

Conditions of Approval and Mitigation Measures:

The project includes the original Conditions of Approval and Mitigation Measures, **Exhibit 1B**. Additional conditions #32 through #48 have been added to the conditions of approval for the project renewal to address the proposed on-site portable plant and allow for trucking of materials from the site to market.

Consistent with the approved original Grantline West Conditional Use Permit for the surface mining, a Conditional Use Permit is included as the request for the extension of ten years. The Surface Mining Overlay Findings are addressed below:

Surface Mining Permit Findings:

1. Approve the Conditional Use Permit and Renewal of the Surface Mining and Reclamation Plan Amendment Permit with accompanying diagrams (**Exhibit 1A**) with Conditions of Approval/MMRP (**Exhibit 1B**) for the Grantline Road Properties, LLC DD9619 as attached, and based on the following findings:

- A. California Environmental Quality Act

Finding: No new environmental analysis is required for the Permit Renewal pursuant to California Environmental Quality Act (CEQA), Public Resources Code section 21166 and CEQA Guidelines Section 15162.

Evidence: An initial study checklist has been prepared consistent with CEQA Guidelines Section 15164 to determine whether the proposed project would require further review to the approved MND prepared for the Grantline West Mining Operation Reclamation Plan and CUP in the form of a subsequent or supplemental mitigated negative declaration under standards of Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. The initial study checklist is provided in **Exhibit 1C** Section 3.0. Based on the analysis in this modified initial study checklist, the proposed project does not meet the criteria for preparing a subsequent or supplemental mitigated negative declaration, and an Addendum to the approved Grantline West MND is appropriate for the environmental review for the proposed project.

The proposed project would not result in new environmental impacts or substantially increase the severity of impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review is required. The mitigation measures incorporated into the previously approved project and Conditions of Approval (COAs) and Mitigation Measures would continue to be applicable to the proposed project.

B. Surface Mining and Reclamation Plan

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

- 1) The Reclamation Plan Amendment Permit complies with Surface Mining and Reclamation Act ("SMARA"), Public Resources Code sections §2772 and §2773, and any other applicable provisions.

Evidence: The existing plan was approved in 2005 and therefore is consistent with the City's Mining Ordinance, as certified by the State Mines and Geology Board. The amended plan was reviewed and deemed complete by the Office of Mine Reclamation.

- 2) The Reclamation Plan complies with applicable requirements of State regulations (14 CCR§§3500-3505, and §§3700-3713).

Evidence: 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 have been developed to ensure compliance with the Surface Mining Ordinance.

- 3) 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.

Evidence: The Reclamation Plan would restore the mined land in accordance with the standards in Ordinance 22-2004 and be implemented by the Re-vegetation Management Plan adopted as part of the Mining Permit. The Management Plan provides for reseeding and re-vegetation of annual grasses and tree replanting 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 General Plan of the City of Rancho Cordova anticipates the mining operation would produce lands capable of development 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) The approved Reclamation Plan was adopted pursuant SMARA based upon environmental review under CEQA and the City environmental review guidelines, and which concluded that any significant adverse impacts from reclamation of the surface mining operations would be mitigated to the extent feasible.

Evidence: A Final Mitigated Negative Declaration for the Existing Permit, including the Reclamation Plan, was approved according to the Guidelines of the California Environmental Quality Act.

- 5) The Reclamation Plan requires that land and/or resources 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.

Evidence: The Reclamation Plan requires that 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 allow subsequent site grading to accommodate future development.

ENVIRONMENTAL ANALYSIS:

A Final Mitigated Negative Declaration (FMND) was prepared and adopted for the 2005 Surface Mining and Reclamation Plan Permit. An addendum was prepared to the existing permit Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15162. The addendum includes an initial study reviewing as follows;

- The CUP to extend the permit term,
- Add a portable on-site rock crushing and screening plant as an option to the use of the conveyor system, and
- Off-site haul truck trips that would occur when the portable plant operates (project).

Addendum:

An initial study checklist has been prepared consistent with CEQA Guidelines Section 15164 to determine whether the proposed project would require further review to the approved MND prepared for the Grantline West Mining Operation Reclamation Plan and CUP in the form of a subsequent or supplemental mitigated negative declaration under standards of Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. Based on the analysis in this modified initial study checklist, the proposed project does not meet the criteria for preparing a subsequent or supplemental mitigated negative declaration, and an Addendum to the approved Grantline West MND is appropriate for the environmental review for the proposed project, **Exhibit 1C**.

Addendum Conclusion:

The proposed project would not result in new environmental impacts or substantially increase the severity of impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review is required. The mitigation measures incorporated into the previously approved project and Conditions of Approval (COAs) would continue to be applicable to the proposed project. The Renew of the Surface Mining and Reclamation Plan Amendment Permit will control the mining operation activities to ensure the protection of the environment. In addition, mitigation measures have been formulated that include proper buffering for compatibility purposes which will allow the continuation of the mining operation even though future developments of a more sensitive nature will be in close proximity.

FINANCIAL IMPLICATIONS TO CITY:

If the renewal of the Conditional Use Permit and the Surface Mining and Reclamation Plan Amendment Permit is approved, the City will continue to receive 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.

GENERAL PLAN CONSISTENCY:

The General Plan anticipates the mining operation would produce lands capable of development and develop according to the Rio Del Oro Specific Plan. Low density residential and support commercial are anticipated for the area, along with parks, schools and wetland preserves. Therefore, the surface mining activity is consistent with the General Plan Goals and Policies for future development for the site.

RECOMMENDED MOTION:

Staff recommends that the City Council adopt Resolution 17-2017 approving the Renewal of the Surface Mining and Reclamation Plan Amendment Permit and Resolution 18-2017 Authorizing the City Manager to Execute a Roadway Impact and Truck Management Program Agreement and a Payment Agreement with Grantline Road Properties, LLC, subject to the Conditions of Approval and Mitigation Monitoring Report Plan.

ATTACHMENTS:

1. Resolution No. 17-2017, Renewal of the Surface Mining and Reclamation Plan Amendment Permit and accompanying diagrams (**Exhibit 1A**), Conditions of Approval and Mitigation Monitoring Measures (**Exhibit 1B**), and Addendum to the approved Mitigated Negative Declaration (**Exhibit 1C**).

2. Resolution 18-2017 Authorizing the City Manager to Execute a Roadway Impact and Truck Management Program Agreement (**Exhibit 2A**) and a Payment Agreement with Grantline Road Properties, LLC for the Grantline West Mining Operation (**Exhibit 2B**).
3. Applicant's Project Description and Justifications
4. 500 foot radius map and property owner list

ATTACHMENT 1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 17-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING A CONDITIONAL USE PERMIT FOR THE GRANTLINE WEST MINING
RENEWAL OF SURFACE MINING AND RECLAMATION PLAN AMENDMENT PERMIT;
PROJECT NO. DD9619.**

WHEREAS, on March 16, 2016 an application was submitted for a Conditional Use Permit for the renewal of a Surface Mining and a Reclamation Plan Amendment Permit for the Grantline West mine located within the Rio Del Oro Specific Plan, south of White Rock Road, east of Sunrise Boulevard, and north of Douglas Road. (Assessor's Parcel Number: 072-0370-071); and

WHEREAS, Grantline Road Properties, LLC (hereinafter referred to as Applicant) operates a surface mining and reclamation operation in the City under an existing Surface Mining and Reclamation Plan Permit ("Existing Permit"); and

WHEREAS, The Existing Permit was for a term of 10 years; and

WHEREAS, the Applicant filed an application with the City of Rancho Cordova (hereinafter referred to as City) to approve a renewal of an Surface Mining and a Reclamation Plan Amendment Permit (hereinafter, the "Permit Renewal" or the "Project") for a period of 10 years according to the attached exhibits, and

WHEREAS, under the Amended Permit Renewal, (a) the only revision to the approved project and mining plan is the addition of the option to use a portable plant on-site for rock crushing and off-site hauling to local markets; (b) no revisions in the permitted boundary of the site or the area to be disturbed by mining are proposed; (c) the only materials to be removed would be the remaining tailings; no other types of resources would be removed, and identical to the approved existing permit project, there would be no below-grade mining; (d) no revisions to the elements of the reclamation plan that identify subsequent uses, revegetation, erosion and sediment control, and post-mining topography are proposed; (e) the existing approved permit allows for operations 24 hours per day, 7 days per week, and no revisions are proposed; (f) no increase in the number of employees is proposed, and on-site heavy equipment use would be similar to the approved plan.

WHEREAS, the Grantline West Mining Conditional Use Permit; renewal of Surface Mining Reclamation Plan Amendment Permit that incorporates the portable plant option is provided in **Exhibit 1A**;

WHEREAS, the City Council is the appropriate authority to hear and take action on the Amended Permit Renewal; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on February 6, 2017 and received a staff report and public testimony at the public hearing.

ATTACHMENT 1

WHEREAS, the City Council has considered the requirements of California Public Resources Code Section 2777, Title 14 of the California Code of Regulations Section 2502(d), and Rancho Cordova Municipal Code, Title 20, Chapter 20.04; and

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

1. Approve the Conditional Use Permit and Renewal of the Surface Mining and Reclamation Plan Amendment Permit with accompanying diagrams (**Exhibit 1A**) with Conditions of Approval/MMRP (**Exhibit 1B**) for the Grantline Road Properties, LLC DD 9619 as attached, and based on the following findings:

A. California Environmental Quality Act

Finding: No new environmental analysis is required for the Permit Renewal pursuant to California Environmental Quality Act (CEQA), Public Resources Code section 21166 and CEQA Guidelines Section 15162.

Evidence: An initial study checklist has been prepared consistent with CEQA Guidelines Section 15164 to determine whether the proposed project would require further review to the approved MND prepared for the Grantline West Mining Operation Reclamation Plan and CUP in the form of a subsequent or supplemental mitigated negative declaration under standards of Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. The initial study checklist is provided in **Exhibit 1C** Section 3.0. Based on the analysis in this modified initial study checklist, the proposed project does not meet the criteria for preparing a subsequent or supplemental mitigated negative declaration, and an Addendum to the approved Grantline West MND is appropriate for the environmental review for the proposed project.

The proposed project would not result in a new impact or substantially increase the severity of impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review is required. The mitigation measures incorporated into the previously approved project and Conditions of Approval (COAs) and Mitigation Measures would continue to be applicable to the proposed project.

B. Surface Mining and Reclamation Act

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

- 1) The Reclamation Plan Amendment Permit complies with Surface Mining and Reclamation Act ("SMARA"), Public Resources Code sections §2772 and §2773, and any other applicable provisions.

Evidence: The existing plan was approved in 2005 and therefore is consistent with the City's Mining Ordinance, as certified by the State Mines and Geology Board. The amended plan was reviewed and deemed complete by the Office of Mine Reclamation.

ATTACHMENT 1

- 2) The Reclamation Plan complies with applicable requirements of State regulations (Title 14 CCR §§3500-3505, and §§3700-3713).

Evidence: 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 have been developed to ensure compliance with the Surface Mining Ordinance.

- 3) 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.

Evidence: The Reclamation Plan 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 Mining Permit. The Management Plan provides for reseeding and re-vegetation of annual grasses and tree replanting 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 General Plan of the City of Rancho Cordova anticipates the mining operation would produce lands capable of development and develop according to the approved Rio Del Oro Specific Plan. Low density residential and support commercial are anticipated for the area, along with parks, schools and wetland preserves.

- 4) The approved Reclamation Plan was adopted pursuant SMARA based upon environmental review under CEQA and the City environmental review guidelines, and which concluded that any significant adverse impacts from reclamation of the surface mining operations would be mitigated to the extent feasible.

Evidence: A Final Mitigated Negative Declaration for the Existing Permit, including the Reclamation Plan, was approved according to the Guidelines of the California Environmental Quality Act.

- 5) The Reclamation Plan requires that land and/or resources 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.

Evidence: The Reclamation Plan requires that 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 allow subsequent site grading to accommodate future development.

ATTACHMENT 1

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____ 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

**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. The site is located within the Rio Del Oro Specific Plan. 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 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's California Mine ID number is 91-34-0047. The site is subject to a use permit and reclamation plan (RC-04-145) approved by the City of Rancho Cordova on July 18, 2005.

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

The site would be accessed via Gold Dredge Way. The existing dirt road linking the site to Gold Dredge Way would be enlarged to accommodate aggregate trucks accessing the proposed onsite processing area.

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 either be processed onsite and transported offsite by trucks or transported by conveyor to the existing Grantline processing plant where it will be washed and processed into various products. All fines recovered in the processing at the Grantline Plant 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 Grantline Plant Site. The Grantline 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). No aggregate washing is being proposed as part of the aggregate processing operations on the project site.

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 feet 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 project would generate air emissions from onsite mobile equipment use, earthmoving, and processing activities, as well as the offsite truck transport of aggregate. The optional use of a conveyor belt system to transport the mined materials to Teichert's Grantline 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

When originally approved in 2005, it was anticipated that mining would commence immediately following approval of the project and will continue for up to 12 years from the approval date or until July 18, 2017, with reclamation taking an additional 2 years until July 18, 2019. The current mining and reclamation plan amendment application seeks a 10-year extension from the original mining and reclamation terms to July 18, 2027 for mining and July 18, 2029 for reclamation.

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 332 acres and phase 2 consisting of 251 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

Processing of mined material will occur either at the nearby Teichert Grantline Plant or at an onsite portable rock crushing 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

Aggregate trucks and employees will access the site via Gold Dredge Way. A maximum of 500,000 tons per year would be processed onsite and trucked offsite.

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. However, it should be noted that the site is located within the Rio Del Oro Specific Plan, which is designated for future urban uses, including residential, business park, industrial, and commercial uses. The removal of cobbles from the site make it more viable for ultimate urban development contemplated in the Rio Del Oro Specific Plan.

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 Disposition of Old Equipment

All equipment will be removed from the site and conveyor alignment 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. 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 PLAN

SECURITY PARK
INDUSTRIAL AREA

AEROJET/
RIO DEL ORO
VACANT

MINING
AREA

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

GRANTLINE WEST MINING SITE

SITE LOCATION MAP

EXHIBIT 'A'

DECEMBER 10, 2004



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SUNRIDGE SPECIFIC PLAN AREA

DOUGLAS ROAD

SUNRISE BLVD.

WHITE ROCK ROAD



GRANTLINE WEST MINING SITE USGS SITE LOCATION MAP EXHIBIT 'B'

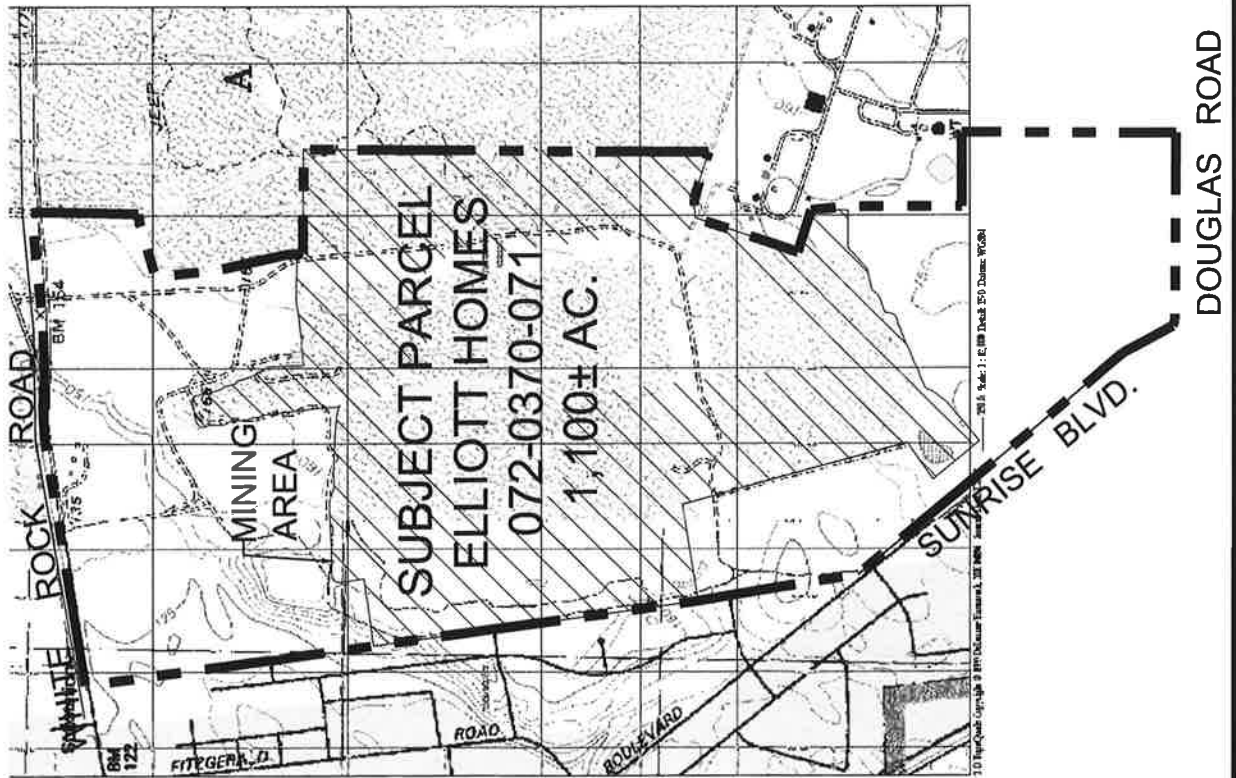


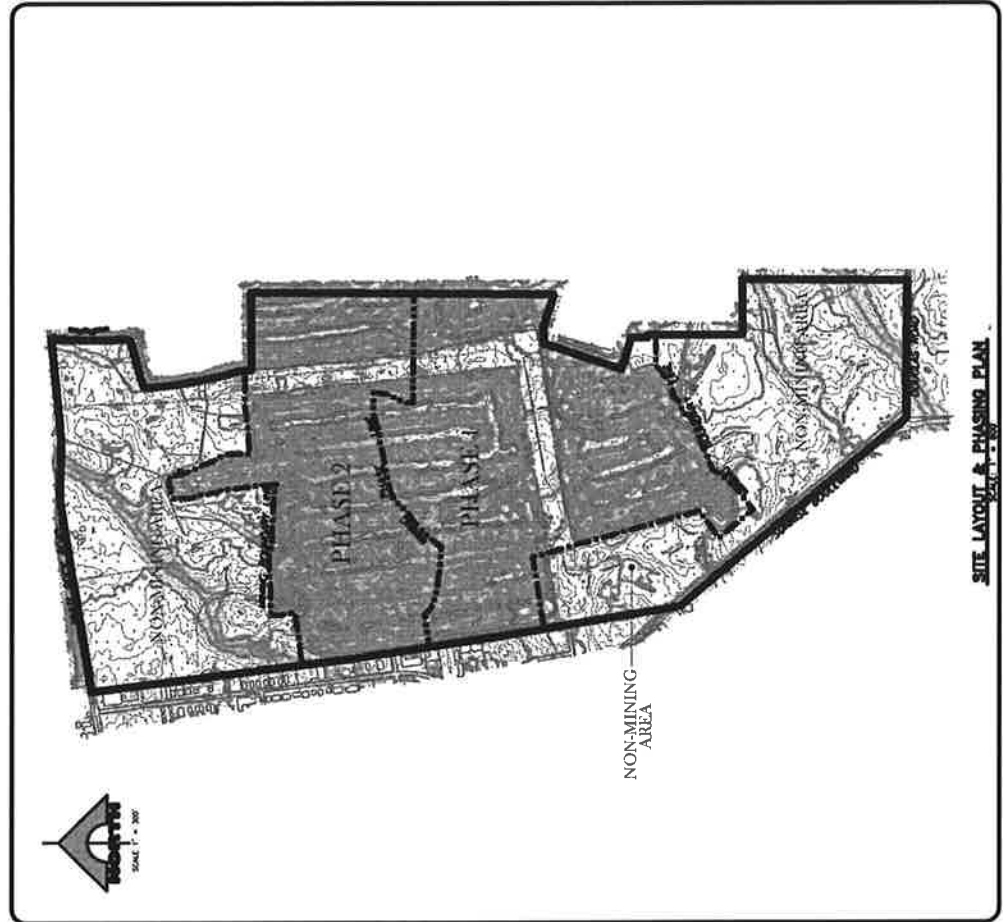
EXHIBIT 1A

DECEMBER 10, 2004

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TEICHERT AGGREGATES
EXHIBIT C
 MINING AND RECLAMATION PLANS FOR
GRANTLINE WEST
 CITY OF RANCHO CORDOVA, CA.



SITE LAYOUT & PHASING PLAN
 SCALE 1" = 200'

INDEX OF DRAWINGS		
PAGE	SHEET	TITLE
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 CONVEYOR ALIGNMENT
13	C13	OFF SITE CONVEYOR ALIGNMENT

EXHIBIT 1A

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TEICHERT AGGREGATES



POLYMERIZATION OF BUTADIENE WITH SODIUM PHTHALIMIDE

10

240' FINEST SURFACE FINEST AROUND 10' HANDED 240A

Study location

DATA TO BE USED

Management Summary

1. **Formal Summary**

AND ADJUNCT TAG WARDEN

COMMITTEE ASSIGNMENT



DECEMBER 10, 2004

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SHEET 2 OF 13

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

SHEET 2



SHEET 4



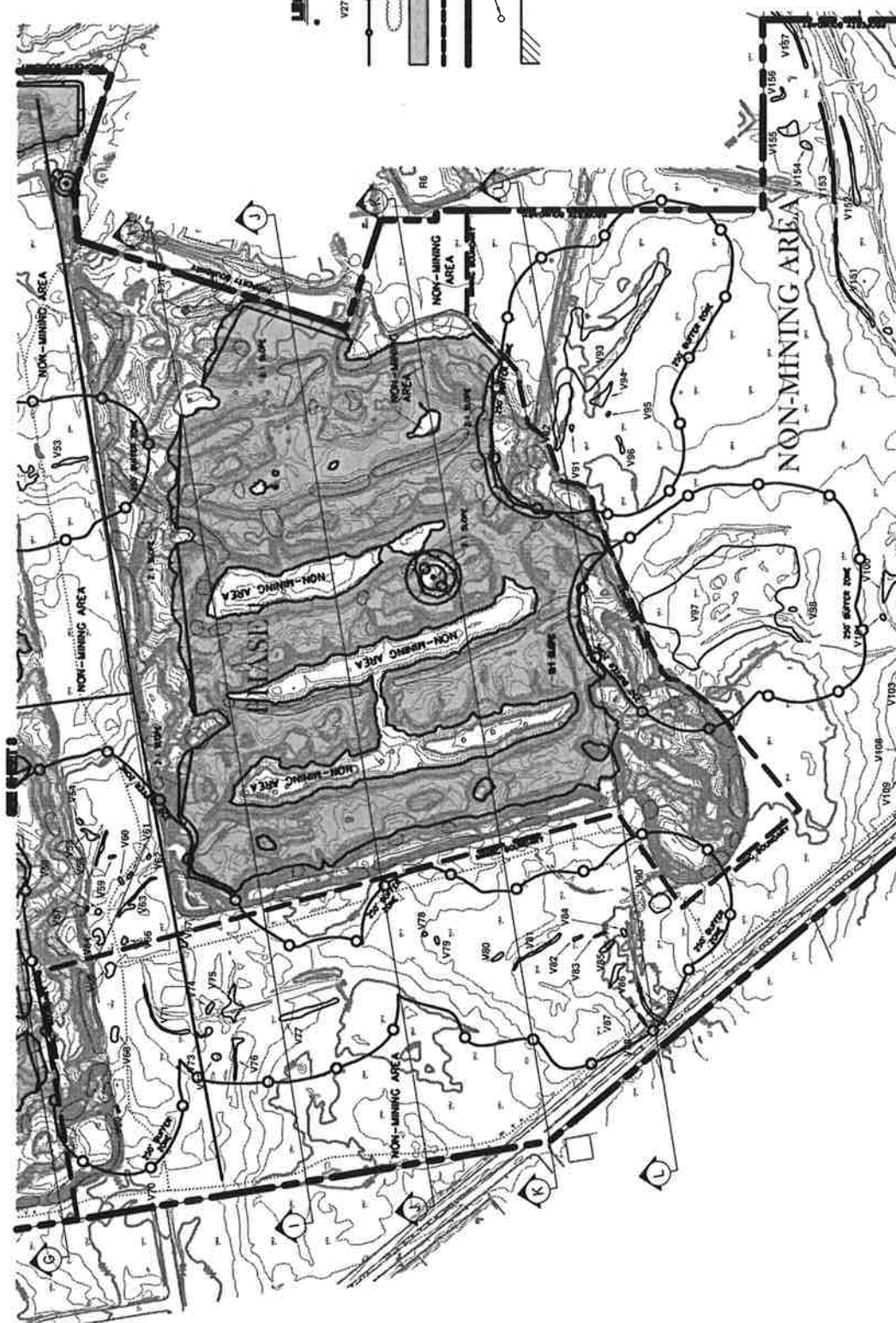
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DECEMBER 10, 2004

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SHEET 3 OF 13

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



- LEGEND**
- CLOSEST BUFFER TO 50' FENCED BUFFER
 - ROAD POOL
 - 50' FENCED BUFFER ZONE AROUND WETLANDS AREA
 - WET LOCATION
 - AREA TO BE MINED
 - MINING BOUNDARY
 - MINING PASSAGE LINE
 - ONE MIN LOCATION
 - MIN ADJACENT TAD NUMBER

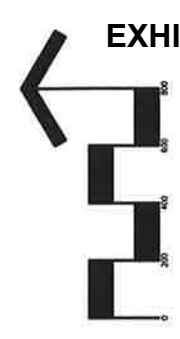


EXHIBIT 1A

DECEMBER 10, 2004

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SHEET 4 OF 13

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

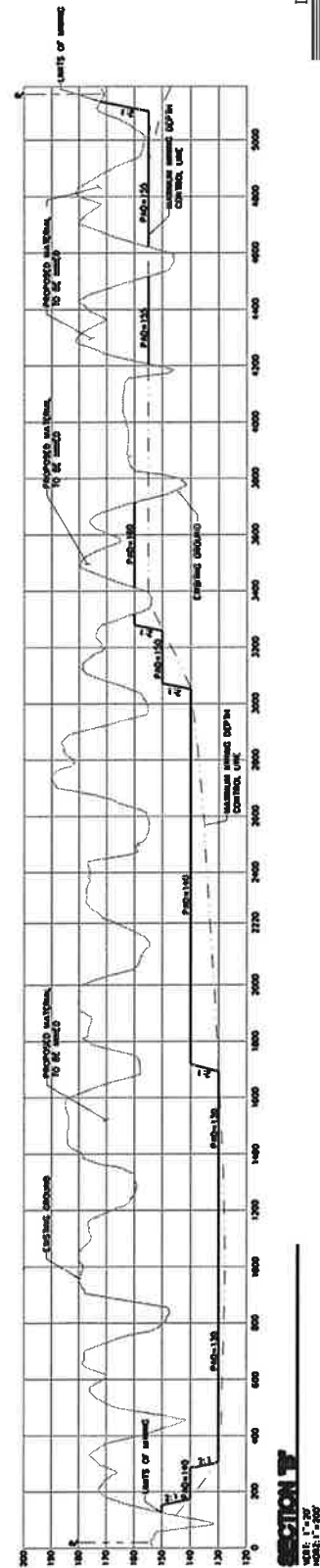
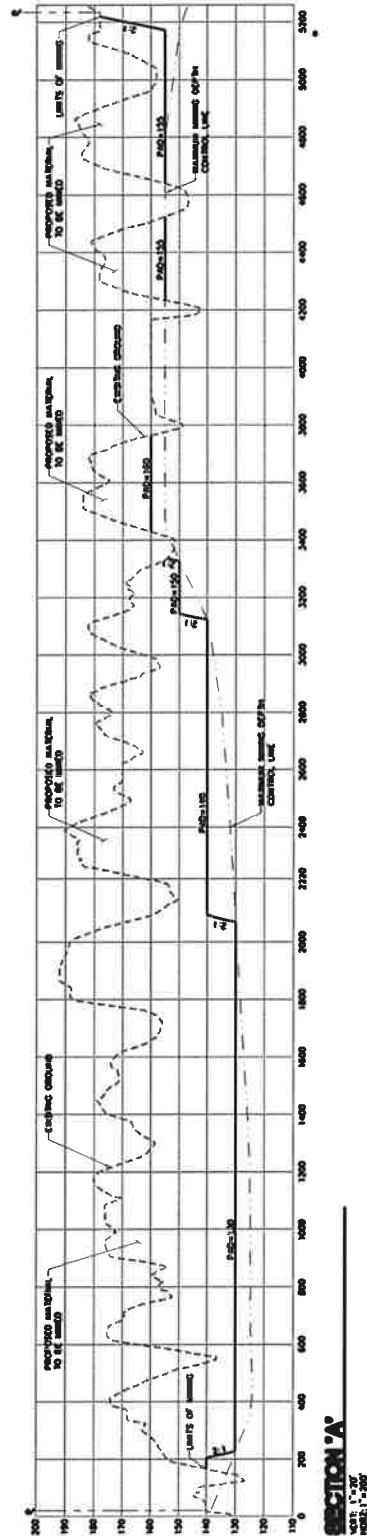


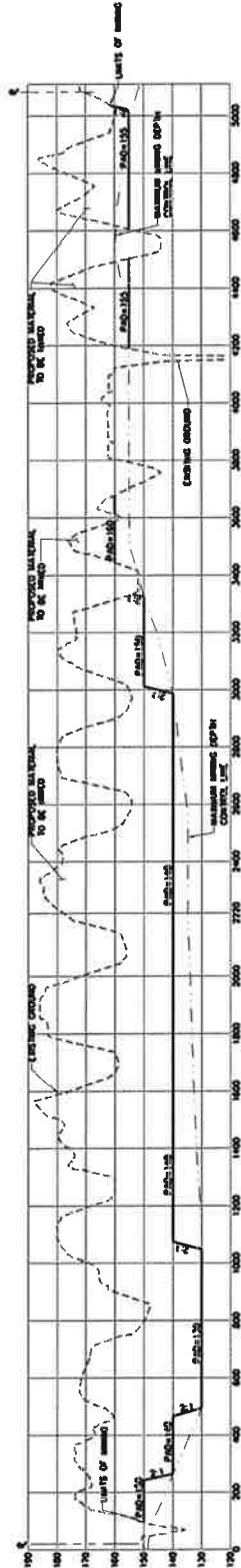
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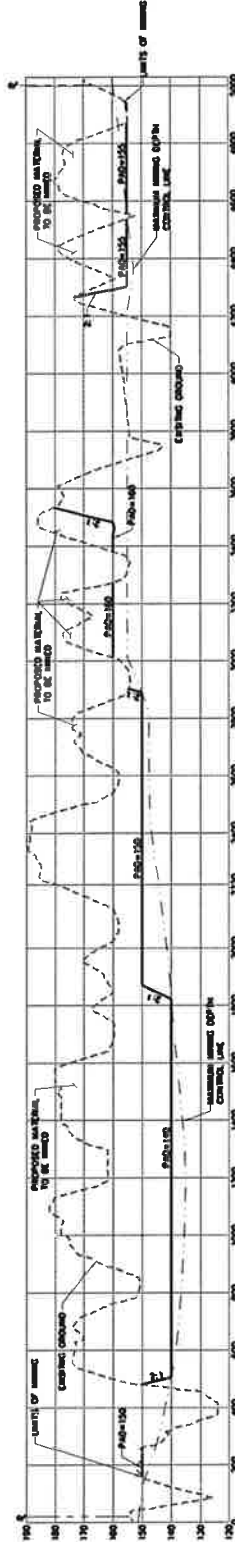
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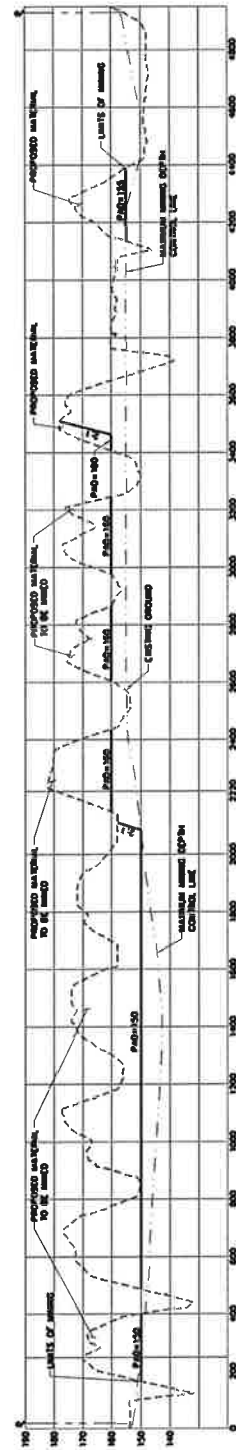
TEICHERT AGGREGATES
GRANTLINE WEST
MINING PLAN
 CITY OF RANCHO CORDOVA, CA



SECTION C
 VERT. 1"=20'
 HORIZ. 1"=200'



SECTION D
 VERT. 1"=20'
 HORIZ. 1"=200'



SECTION E
 VERT. 1"=20'
 HORIZ. 1"=200'

LEGEND

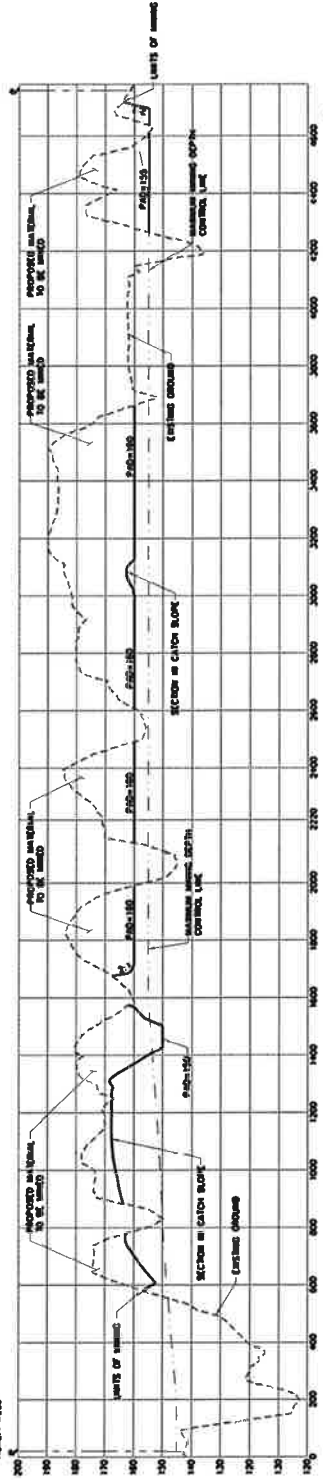
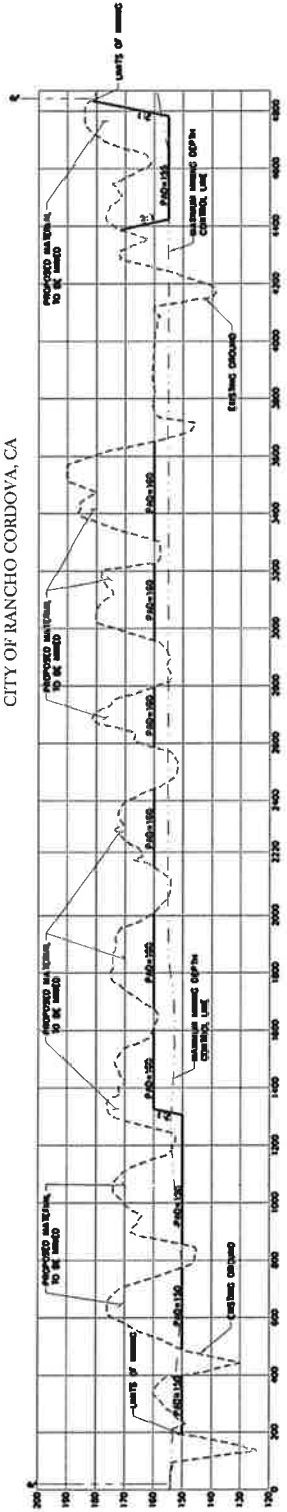
- EXISTING GROUND
- - - PROPOSED MATERIAL TO BE MINED
- - - MAXIMUM MINING DEPTH CONTROL LINE
- - - UNITS OF MINING

DECEMBER 10, 2004

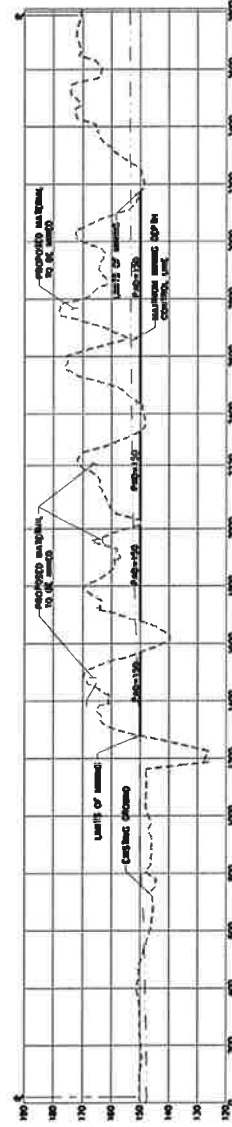
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SHEET 6 OF 13

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



SECTION T
 VERT. 1"=20'
 HORIZ. 1"=200'



LEGEND
 - PROPOSED P.P.
 - MAXIMUM MINING DEPTH
 - EXISTING GROUND

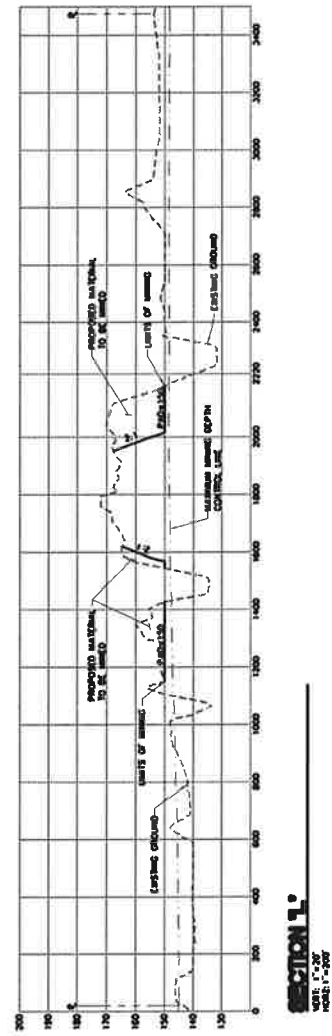
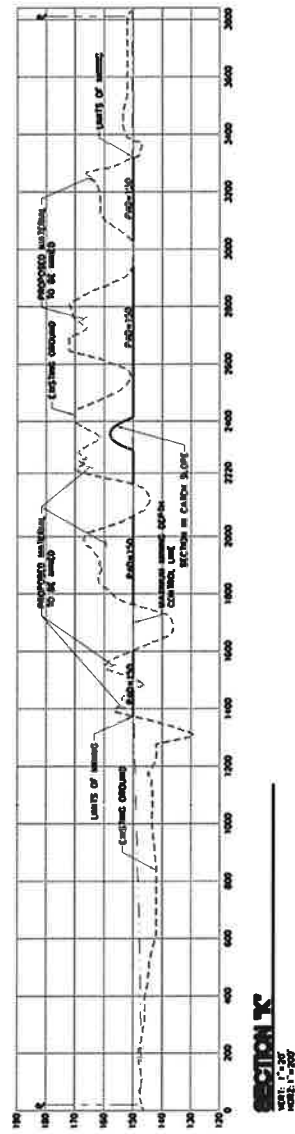
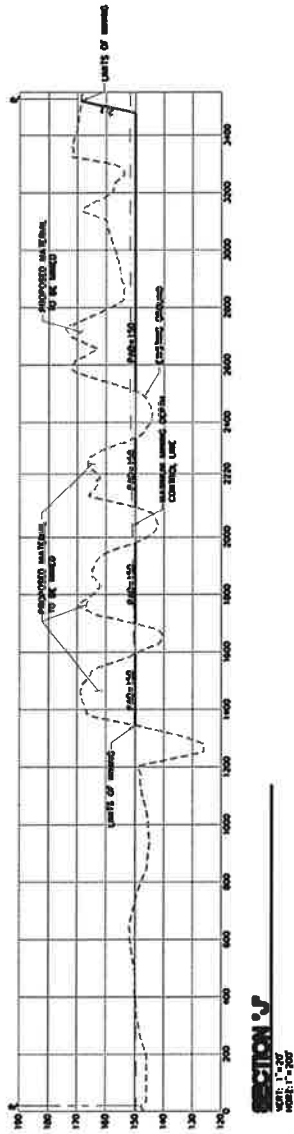
EXHIBIT A

DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
 ENGINEERS/PLANNERS/SURVEYORS
 10000 BAYVIEW BLVD., SUITE 100, BAYVIEW, CA 94026
 TEL: (415) 286-1000 FAX: (415) 286-1001

SHEET 7 OF 13

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



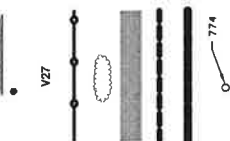
LEGEND

- SOLID LINE: EXISTING GROUND
- DASHED LINE: PROPOSED MATERIAL TO BE MINED
- DOTTED LINE: MAXIMUM MINED DEPTH
- THICK DASHED LINE: CONTROL LINE

DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
 Engineers/Planners/Surveyors
 2700 WEST 14TH AVE., SUITE 100, RANCHO CORDOVA, CALIFORNIA 95633
 (916) 436-7600 FAX (916) 436-7601

SHEET 8 OF 13

TEICHERT AGGREGATES

NOTES:

DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
2150 RIVER PLAZA DR., SUITE 100/SACRAMENTO, CALIFORNIA 95833

SHEET 9 OF 13



GRANTLINE WEST RECLAMATION PLAN

CITY OF RANCHO CORDOVA, CA



LEGEND

- EXISTING BURN BY 30' FENCED BUFFER
- VERMILION POOL
- 250' FENCED BUFFER ZONE AROUND WEIR
- WEIR LOCATION
- TOPSOIL AREA
- MINING BOUNDARY
- MINING PHASE LINE
- ONE TREE LOCATION AND ADJACENT TAG NUMBER

- NOTES:
- PROPOSED AND FOR TREE AND STREAM ALL
 - SLOPE 2:1 ON GRADE
 - ALL NEW AND EXISTING SLOPES
 - HAS BEEN RECLAIMED AND SOIL HAS BEEN
 - USED TO THE SATISFACTION OF THE
 - STATE COMMISSION



EXHIBIT 1A

DECEMBER 10, 2004

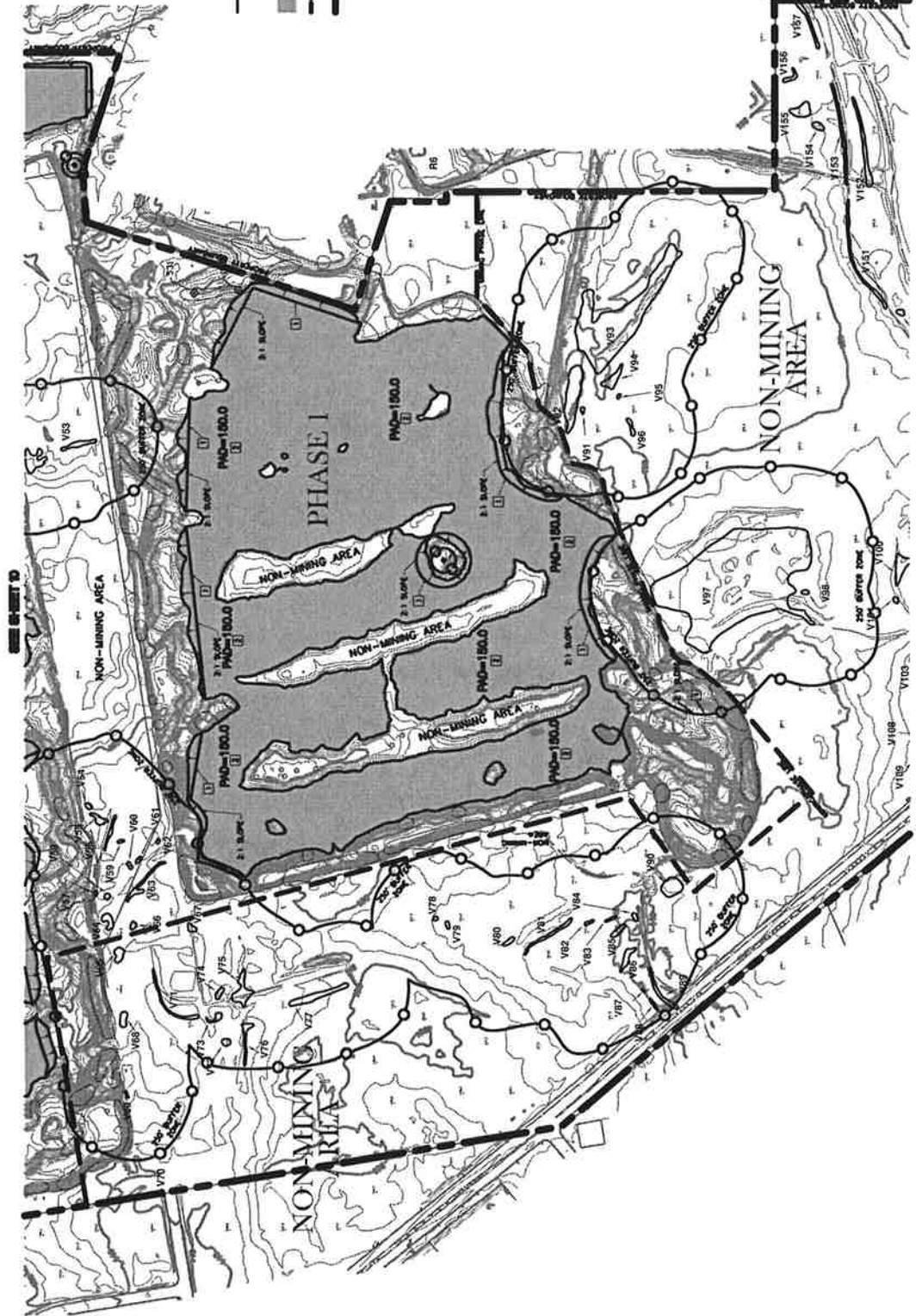
G.C. WALLACE OF CALIFORNIA, INC.
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TEL: (916) 486-1000 FAX: (916) 486-7801

SHEET 10 OF 13



GRANTLINE WEST RECLAMATION PLAN

CITY OF RANCHO CORDOVA, CA



- NOTES:
- 1. RECONSTRUCTED AND/OR EXISTING SLOPE 2:1 OR FLATTER
 - 2. RECONSTRUCTED PAD AREA WITH 2% SLOPE TO THE NEARBY DRAINAGE
 - 3. RECONSTRUCTED PAD AREA WITH 2% SLOPE TO THE NEARBY DRAINAGE

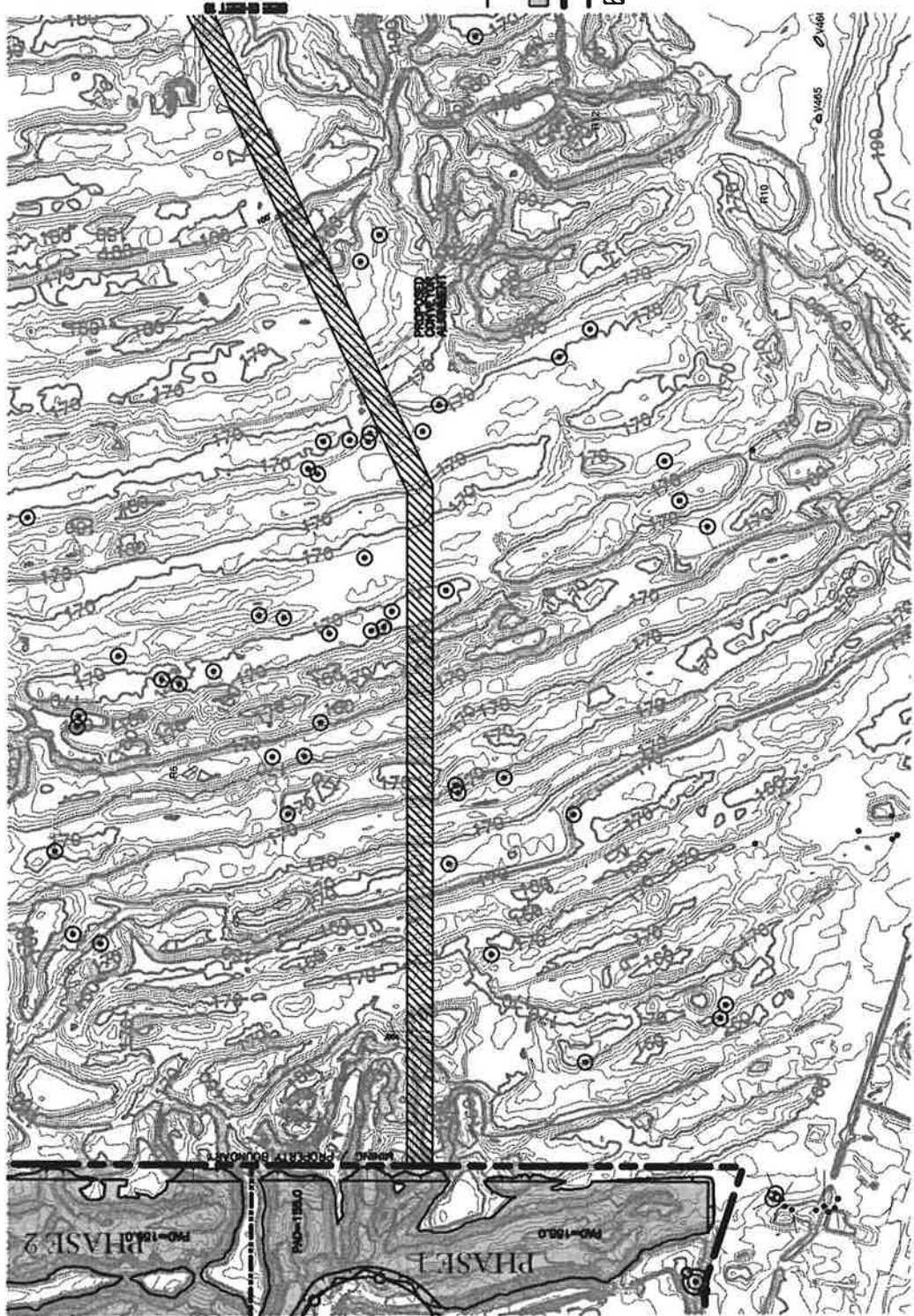
EXHIBIT 1A

DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
255 WEST 14TH ST., SUITE 100, SACRAMENTO, CALIF. 95811
TELEPHONE (916) 266-7141 FAX (916) 266-7601

SHEET 11 OF 13

TEICHERT AGGREGATES
GRANTLINE WEST
CONVEYOR ALIGNMENT PLAN
 CITY OF RANCHO CORDOVA, CA



- 100' FENCED BUFFER
- V27
- 250' FENCED BUFFER LINE AROUND SETBACK AREA
- SETBACK LOCATION
- AREA TO BE MINED
- MINING / PROPERTY BOUNDARY
- MINING PHASE LINE
- PROPOSED CONVEYOR ALIGNMENT
- SETBACK AREA

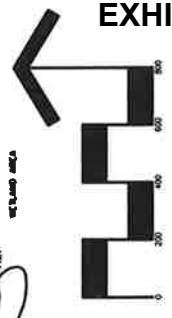


EXHIBIT 1A

DECEMBER 10, 2004

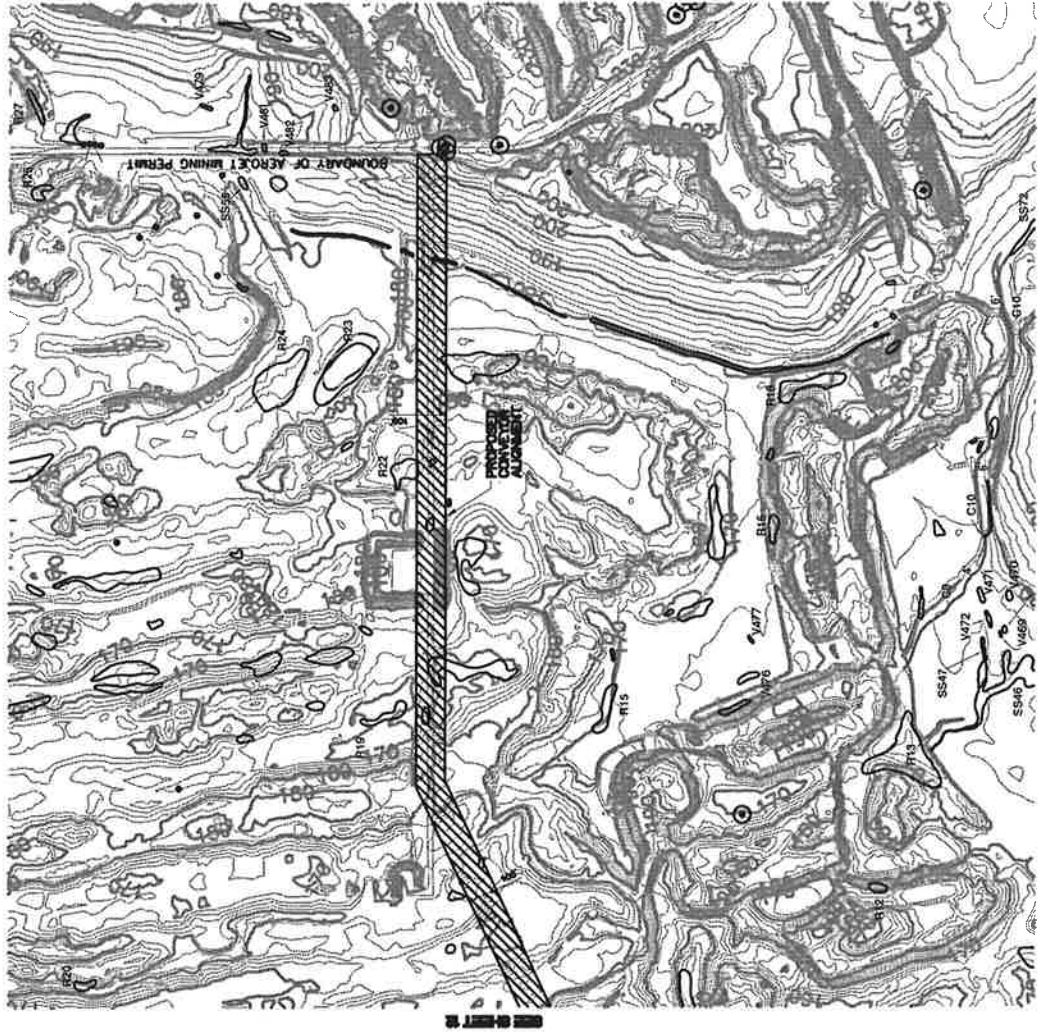
G.C. WALLACE OF CALIFORNIA, INC.
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 TELEPHONE: (415) 266-7600 / FAX: (415) 266-7601

SHEET 12 OF 13



GRANTLINE WEST OFF SITE CONVEYOR ALIGNMENT PLAN

CITY OF RANCHO CORDOVA, CA



LEGEND

- CLOSURE SIGN 1/2" 50' FORCED BUFFER
- VZ7
- VEHICLE POOL
- 250' FORCED BUFFER LINE AROUND WETLAND AREA
- WET LOCATION
- AREA TO BE REMOVED
- MINING / PROPERTY BOUNDARY
- MINING PULVER LINE
- PROPOSED CONVEYOR ALIGNMENT
- WETLAND AREA
- R27

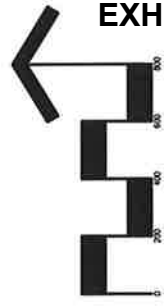


EXHIBIT 1A

DECEMBER 10, 2004

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
2100 10TH ST. SUITE 100, SACRAMENTO, CALIFORNIA 95833
(916) 441-1111 FAX: (916) 441-1112

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
1.	The Grant Line West Mining and Reclamation Amendment Plan is approved by the City Council on February 6, 2017 subject to the Conditions of Approval/MMRP, Re-vegetation and Grazing Plan and the Financial Assurance Cost Estimate. This Mining Permit is valid for 10 years and 12 years for the Reclamation Plan from the date of the original expiration date of July 18, 2017.	For the term of the permit.	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, 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 Community Development 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	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	10:00 p.m., Monday through Friday, and 6:00 a.m. until 3:00 p.m. on Saturdays.			
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	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include 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.	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	<i>Mitigation Measure</i>			
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. <i>Mitigation Measure</i>	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	During all phases of the project	Public Works	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	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.			
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 un-	During all phases of the project	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	mined 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.			
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	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
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 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.	Prior to the issuance of the work authorization permit	Planning	
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 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
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.	Prior to the issuance of the work authorization permit	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 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	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	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 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	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 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	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). Mitigation Measure			
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. Mitigation Measure	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. Mitigation Measure	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
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	Prior to the issuance of the work authorization permit	Planning	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	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 West CUP Renewal DD 9619 dated 2/6/2017				
32.	The portable plant shall be located as shown on Figure 2 of the Addendum to the Mitigated Negative Declaration.	During all phases of the project	Planning/ Public Works	
33.	The portable plant and truck hauling from the plant shall not operate when the conveyor is operating and sending aggregate to the Grantline	During all phases of the	Planning/ Public Works	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	Plant.	project		
34.	The applicant shall enter into an agreement with the City to address damages and impacts to City roadways directly attributable to the project. Impacts include, but are not limited to; public improvements necessitated by the project and accelerated wear on public infrastructure. The form of the agreement may include a fee per unit of material hauled away from the site and/or a capital fee to the satisfaction of the Public Works Department.	Prior to operations under the permit renewal	Public Works	
35.	Prior to operations under the permit renewal, the applicant shall execute a Roadway Impact and Truck Management Program Agreement that will satisfy the terms of a Truck Management Plan Operational Agreement executed between the City and the County of Sacramento.	Prior to operations under the permit renewal	Public Works	
36.	Prior to operations under the permit renewal, the applicant shall execute a Payment Agreement that will replace and satisfy Condition No. 21 of the original permit.	Prior to operations under the permit renewal	Public Works	
37.	Aggregate washing at the portable plant shall not be allowed.	During all phases of the project	Planning/ Public Works	
38.	Provide a drainage plan demonstrating compliance with the City of Rancho Cordova Improvement Standards and show Best Management Practices (BMPs) to prevent erosion and sedimentation.	Prior to operations under the permit renewal	Public Works	
39.	Idling time for haul truck loading on-site shall be a maximum time of 5 minutes.	During all phases of the project	Planning/ Public Works	
40.	Truck access from the Grantline Plant to Highway 50 for materials from	Ongoing	Public Works	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
	the project shall be from Prairie City Road, and not from Zinfandel Drive. With the exception of local deliveries, no through trips shall be allowed on White Rock Road.			
41.	Truck access to Highway 50 shall be from Sunrise Boulevard and not from Zinfandel Drive. With the exception of local deliveries, no through trips shall be allowed on White Rock Road west of Sunrise Boulevard.	Ongoing	Public Works	
42.	The applicant shall mitigate the potential for track-out on-site. If track-out still occurs, the project applicant shall require at a minimum paved streets adjacent to construction sites to be washed or swept daily to remove accumulated dust or as necessary to mitigate tracking. This requirement shall be included as a note in the reclamation plan.	During all phases of the project	Public Works	
43.	Should the City Engineer determine that an unexpected and significant, project related traffic problem has occurred during the course of the mining operation and transfer of materials off-site, he/she shall work with the applicant to implement appropriate mitigation measures. On-site mitigation shall be initially encouraged by the City such as truck metering or queuing. The operator shall agree to cooperate and pay its fair share as determined by the Public Works Director for the construction of off-site improvements, if needed.	During all phases of the project	Public Works	
44.	The applicant shall be required to install signs, to the satisfaction of the Public Works Department, alerting the traveling public to trucks entering/exiting the property	Prior to operations under the permit renewal	Public Works	
45.	All haul route exit drives shall be paved minimum 100-feet prior to the point of exit to public right-of-way and swept on a regular basis to the satisfaction of the Public Works Department.	On-Going	Public Works	
46.	Obtain an encroachment permit from Public Works Department as necessary to construct the connection to Gold Dredge Way.	Prior to approval of	Public Works	

Conditions of Approval/MMRP

EXHIBIT 1B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date and Signature)
		operations under the permit renewal		
47.	There shall be no spillover lighting from the portable plant and scalehouse to the adjacent properties.	Prior to approval of operations under the permit renewal	Planning	
48.	The applicant, Grantline Road Properties, LLC, shall meet with City staff prior to the issuance of the Project DD9619 work authorization permit, July 18, 2017 to review the Conditions of Approvals and Mitigation Monitoring Plan.	Prior to July 18, 2017	Planning/ Public Works	

CITY OF RANCHO CORDOVA

GRANTLINE WEST MINING OPERATION RECLAMATION PLAN

ADDENDUM TO THE GRANTLINE WEST
MITIGATED NEGATIVE DECLARATION

Prepared by:

CITY OF RANCHO CORDOVA
PLANNING DEPARTMENT
2729 PROSPECT PARK DRIVE
RANCHO CORDOVA, CA 95670



OCTOBER 2016

CITY OF RANCHO CORDOVA
GRANTLINE WEST MINING OPERATION
RECLAMATION PLAN
ADDENDUM TO THE GRANTLINE WEST
MITIGATED NEGATIVE DECLARATION

Prepared by:

CITY OF RANCHO CORDOVA
DEVELOPMENT SERVICES-PLANNING
2729 PROSPECT PARK DRIVE
RANCHO CORDOVA, CA 95670

OCTOBER 2016

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ATTACHMENTS

Attachment A:	Grantline West Mitigated Negative Declaration (2005)
Attachment B:	Mining Operation Reclamation Plan (Revised 2016)
Attachment E:	Air Quality Impact Analysis Report
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1.0 INTRODUCTION

This Addendum to the Grantline West mitigated negative declaration (MND) was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines, Sections 15162 through 15164. This document serves as an Addendum to the previously adopted Grantline West MND (SCH #2005052042).¹ The City of Rancho Cordova is the lead agency for the environmental review of a revision to the Grantline West Mining Operation Reclamation Plan and conditional use permit (CUP) to extend the permit term, add a portable on-site rock crushing and screening plant as an option to the use of the conveyor system, and off-site haul truck trips that would occur when the portable plant operates (project). The proposed revisions to the approved project are described in Section 2.0, Project Description, below.

1.1 BACKGROUND AND PURPOSE OF THE MND ADDENDUM

The City approved a CUP and a reclamation plan (RC-04-145) for the mining and reclamation of the site. The approved mining operations consist of the removal of tailings, which were created by gold dredge mining operations approximately 60–100 years ago. These tailings consist of cobbles intermixed with sand and gravel, varying from 10 to 50 feet in height with the typical base widths in the range of 100 to 300 feet. All material is above-grade, and there is no below-grade extraction. The permit allows for disturbance of approximately 355 acres of the 583-acre project site and processing at an off-site location. These activities comprised the project description in the MND.

The approved 2005 CUP and reclamation plan provided that the mined aggregate would be transported by electric conveyor to Teichert's Grantline plant, located east of the project site in unincorporated Sacramento County, for processing and sale. Production rates were assumed to vary in response to market demand, and it was estimated that mining could take up to 12 years from the date of approval (i.e., through 2017). Finished product was delivered to markets using haul trucks from the Grantline plant. As provided in the approved reclamation plan, following mining and reclamation, the property would be returned to elevations similar to the natural elevation prior to gold dredging operations, making the site suitable for anticipated development under the specific plan. There is no approved point-of-sale or off-site hauling under the current permit. The approved permit allows for six employees to operate various heavy equipment (e.g., loaders, dozer, grader, water truck).

Due to the recent extended economic downturn, mining has not occurred at the level anticipated in 2005 when CUP RC-05-145 was approved. There are still approximately 3 million tons of tailings left to be removed. Teichert seeks to extend the term of mining and reclamation to allow for the completion of the originally proposed mining and reclamation of the site. Teichert also seeks to allow for the on-site crushing and screening of mined materials as an option to the previously approved use of the conveyor, and trucking of materials from the site to local markets.

¹ The Grantline West Mitigated Negative Declaration is included as Attachment A to this Addendum. The Grantline West Mitigated Negative Declaration is also available for review during normal business hours at the City of Rancho Cordova Development Services-Planning Department, 2729 Prospect Park Drive, Rancho Cordova, CA, and online at: <http://www.cityofranhocordova.org/government/planning/environmental-review/environmental-documents>

1.0 INTRODUCTION

The only change to the approved project and mining plan is the addition of the option to use a portable plant on-site for rock crushing and off-site hauling to local markets. No changes in the permitted boundary of the site or the area to be disturbed by mining are proposed. The only materials to be removed would be the remaining tailings; no other types of resources would be removed, and identical to the approved project, there would be no below-grade mining. No changes to the elements of the reclamation plan that identify subsequent uses, revegetation, erosion and sediment control, and post-mining topography are proposed. The current CUP allows for operations 24 hours per day, 7 days per week, and no changes are proposed. No increase in the number of employees is proposed, and on-site heavy equipment use would be similar to the approved plan. The revised Mining Operation Reclamation Plan that incorporates the portable plant option is provided in Attachment B to this Addendum.

County staff have determined the proposed revision to the Grantline West Mining Operation Reclamation Plan is a project, as defined under CEQA Guidelines 15378, and therefore is subject to environmental review. However, the proposed project evaluated in this Addendum is not a “new” project under CEQA. It is the continuation of a project that was initiated but subsequently ceased operation, and less than 1 year remains on the approved permit term. The proposed time extension is to ensure project completion. No changes to the project footprint are proposed.

In determining whether an Addendum is the appropriate document, CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) states:

- (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

1.2 BASIS FOR DECISION TO PREPARE ADDENDUM

Public Resources Code Section 21166 and CEQA Guidelines Section 15162 [Subsequent EIRs and Negative Declarations] and Section 15163 [Supplement to an EIR] set forth the criteria for determining whether a subsequent or supplemental EIR or negative declaration should be prepared in support of further agency action on the project. Under these guidelines, a

subsequent or supplemental EIR or negative declaration shall be prepared if any of the following criteria are met.

(a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.

Initial Study Checklist

An initial study checklist has been prepared consistent with CEQA Guidelines Section 15164 to determine whether the proposed project would require further review to the approved MND prepared for the Grantline West Mining Operation Reclamation Plan and CUP in the form of a subsequent or supplemental mitigated negative declaration under standards of Public

1.0 INTRODUCTION

Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. The initial study checklist is provided in Section 3.0.

Based on the analysis in this modified initial study checklist, the proposed project does not meet the criteria for preparing a subsequent or supplemental negative declaration, and an Addendum to the approved Grantline West MND is appropriate for the environmental review for the proposed project.

Evaluation of Environmental Impacts

- 1) “No New Impact” means that the proposed project will not result in any new or substantially more severe significant impact than disclosed and analyzed in the Grantline West MND and no other standards for subsequent or supplemental environmental review under CEQA are met. Therefore, the conclusion on the significance of project impacts is the same as in the Grantline West MND. All mitigation measures in the Grantline West MND will apply to the proposed project as applicable.
- 2) 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.
- 3) “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.
- 4) “Potentially Significant Unless Mitigation Incorporated” applies where mitigation from the adopted MND is not adequate to reduce an impact to less than significant and the incorporation of new mitigation measures is required to reduce 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.

2.0 PROJECT DESCRIPTION

This section provides a description of the project setting and the proposed revisions to the Grantline West Mining Operation Reclamation Plan. The Mining Operation Reclamation Plan is included in Attachment B.

2.1 PROJECT SETTING

The project site is in 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 (**Figure 1**). The approximately 583-acre project site is within the approximately 1,100-acre Rio Del Oro Specific Plan, which the City approved in 2010. The existing mining operation is an allowed use under the Specific Plan. Land north, east, and south of the project site in the specific plan area is undeveloped. To the west of the site are non-residential uses.

2.2 PROPOSED REVISIONS

Teichert is proposing the following changes to the current reclamation plan and CUP:

- Extend the term of mining for 10 years until July 18, 2027, and extend the term of reclamation until July 18, 2029.
- Modify the mining operation to allow for on-site processing using a portable, electric rock crushing and screening plant, the location of which is shown in **Figure 2**. The maximum height would be approximately 50 feet at the tallest point. The plant would have lighting for nighttime operations (when they occur). There is an existing power line on the site, which supplies the conveyor, and no additional power is needed. A permit will be required from the Sacramento Metropolitan Air Quality Management District to operate the portable plant. The portable plant would crush and screen tailings only; it would not involve aggregate washing requiring water use or that would generate fines or require sediment basins, and there would be no further processing (e.g., batch plant). Water sprays would be used at the crushing and screening plant and truck loading points to control fugitive dust emissions. The portable plant would not be on-site for the entire 10 years, but would be moved onto the site when the demand for crushed rock is in close proximity to the plant. The plant would not operate if the conveyor is used. The portable plant would be removed as part of final reclamation. The City will condition the project so that the conveyor shall not be used to transport material to the Grantline plant if the on-site portable plant with off-site hauling option is in operation.
- Allow for trucking of materials from the site to the market up to approximately 500,000 tons per year as an option to the approved conveyor transport of mined materials to the existing Teichert Grantline plant. The removal of material from the site by trucks would be from an access point on Gold Dredge Way via Fitzgerald Road and Sunrise Boulevard to the market. The anticipated distribution of haul truck trips is shown in **Figure 3**. The existing dirt road linking the site to Gold Dredge Way would be enlarged to accommodate aggregate trucks. Teichert has agreed that access to US Highway 50 will be via Sunrise Boulevard, not via White Rock Road to Zinfandel Drive or to Prairie City Road. Approximately 75 percent of the trucks would travel north on Sunrise Boulevard, and 25 percent would travel south. If the conveyor to the Grantline plant is used instead,

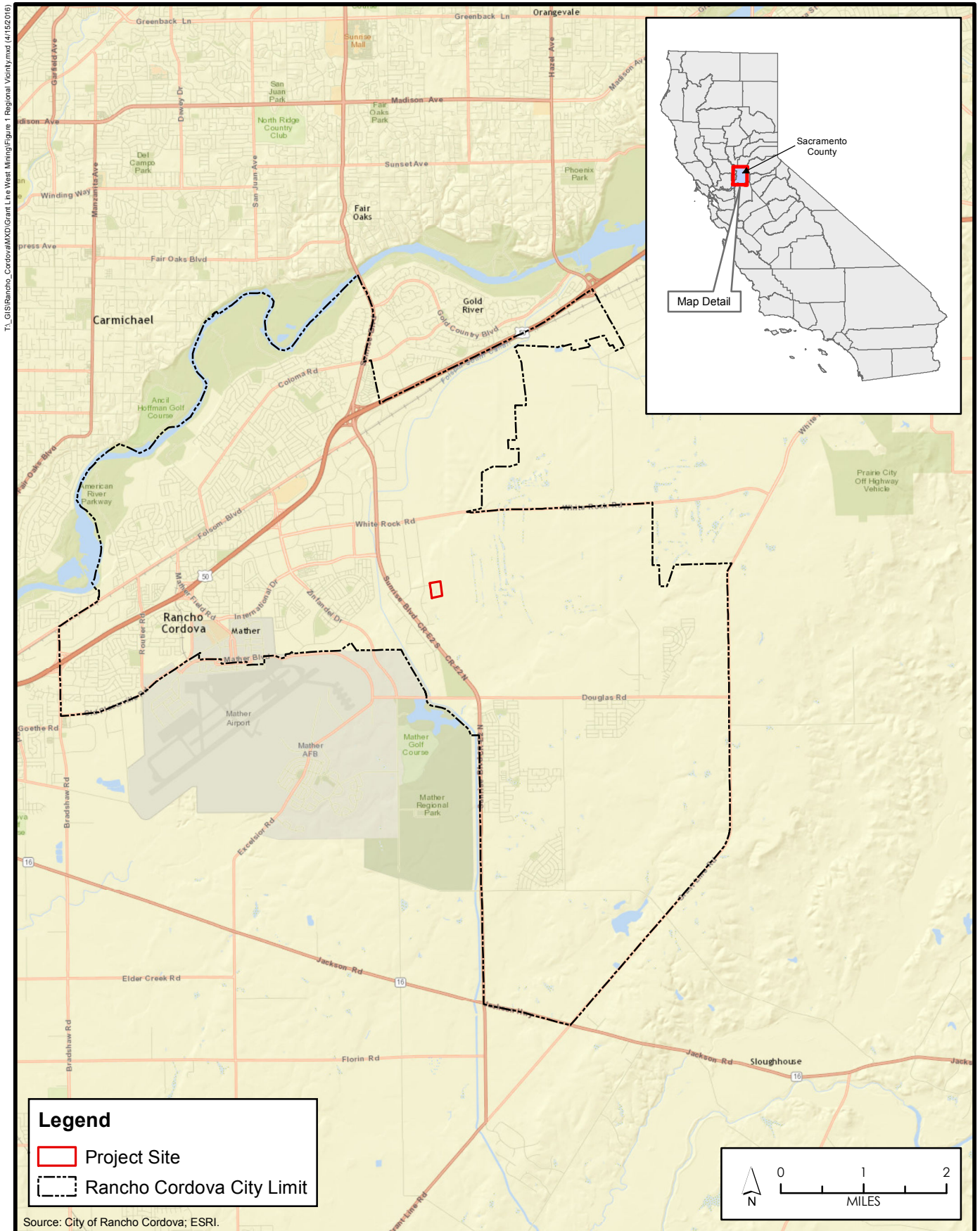
2.0 PROJECT DESCRIPTION

there would be no haul truck traffic to or from the site. A paved apron with a rock approach would be installed on-site and a sweeper for the roadway would be used to control dust track-out from the loading area. The apron would be sloped towards the project site interior so that stormwater runoff generated on the project site would remain on the site.

- Provide an on-site scalehouse (see **Figure 2**) for the point of sale to be from the project site for aggregate processing and sold on-site. Some stockpiles of crushed material would be present until the material is hauled off-site. The stockpiles would be no taller than 40 feet, similar to less than the height of some of the existing tailings.

2.3 OTHER ACTIONS

Teichert will participate in the Quarry Truck Management Program (TMP) Funding Mechanism Program, established in 2011 between Sacramento County and the City of Rancho Cordova. The TMP is a voluntary non-CEQA-based funding mechanism whereby aggregate quarry operations in eastern Sacramento County can commit to providing partial funding for the implementation of various roadway-related improvements to help address perceived quality of life concerns stemming from quarry truck traffic. The *East Sacramento Region Aggregate Mining Truck Management Plan Final Technical Report* (DKS 2011) describes these improvements.

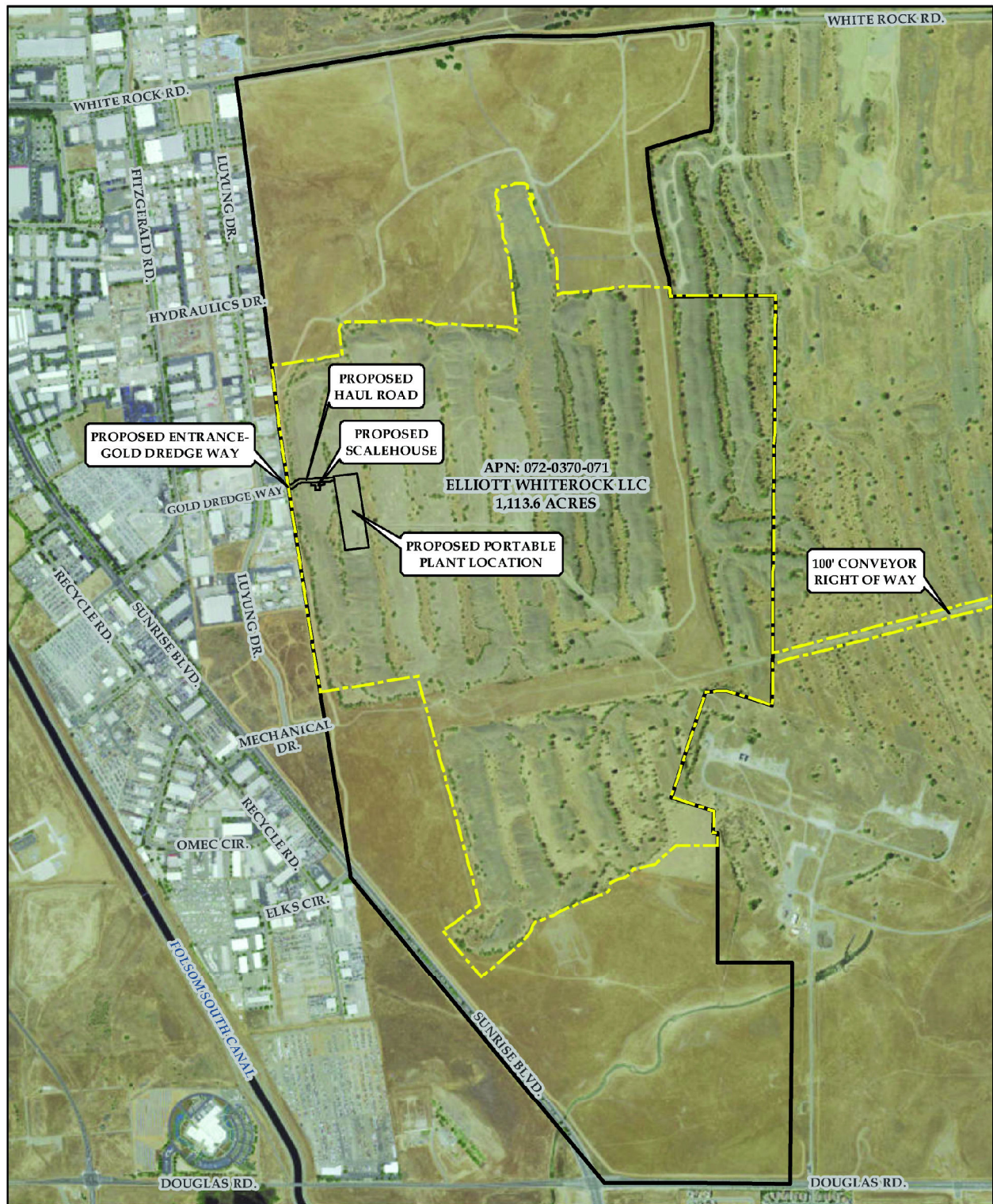


City of Rancho Cordova
Planning Department

Figure 1
Regional Location

T:\GIS\Sancho_Cordova\AK\GrantLine West Mining\Figure 2 Site Plan.mxd (4/15/2016)

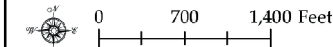
C:\Comerio\02_29\2016 GLW_App_SiteMap_201602_8x11.mxd

**LEGEND:**

- Existing CUP Boundary RC-04-145
- Project Parcel Boundary

SOURCE:

Aerial Photography Provided
by ESRI Basemaps &
Affiliates (June 2014)

**DISCLAIMERS:**

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

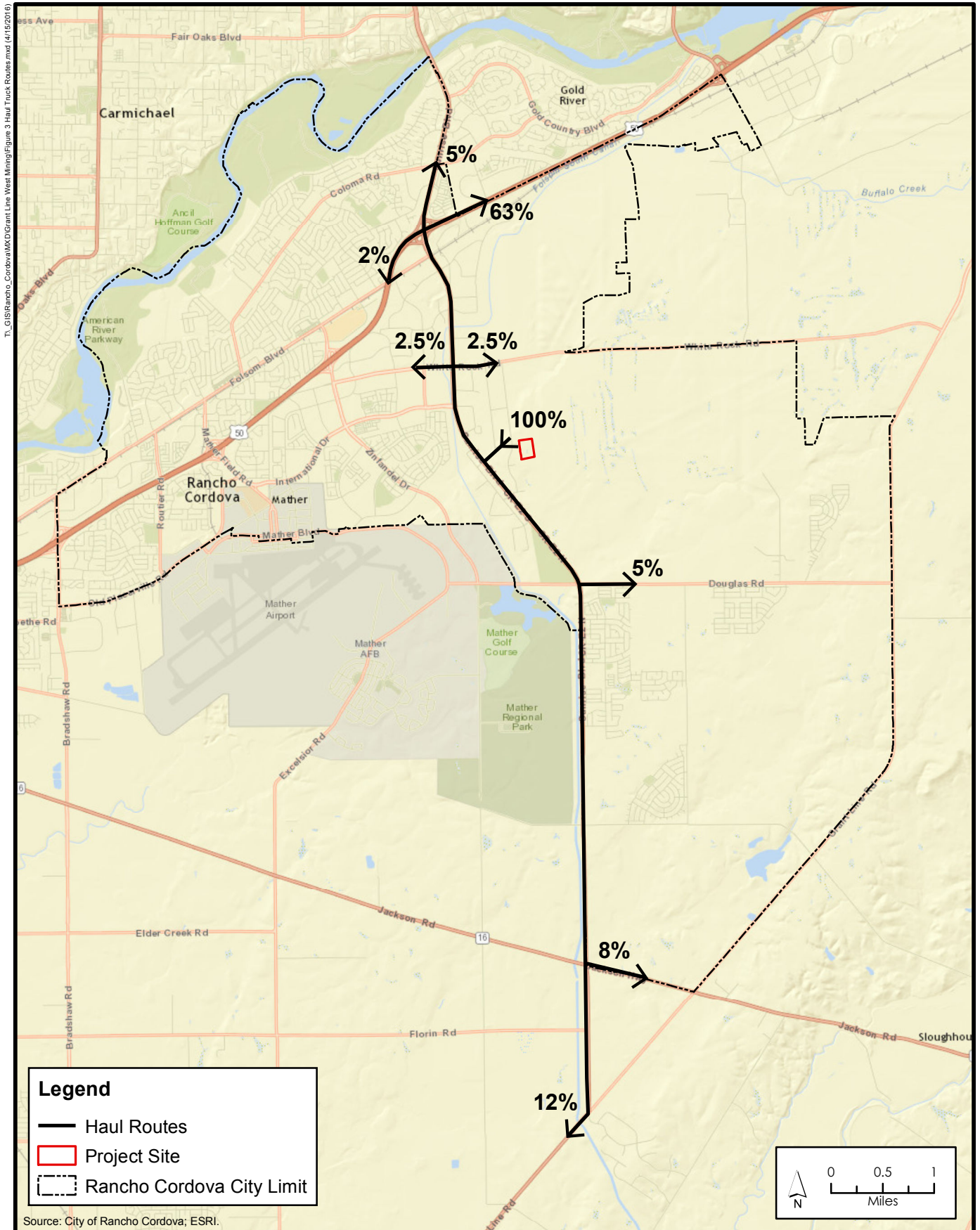
SITE MAP

**GRANTLINE WEST
MINING OPERATION**
SACRAMENTO COUNTY,
CALIFORNIA



City of Rancho Cordova
Planning Department

Figure 2
Site Plan



City of Rancho Cordova
Planning Department

Figure 3
Haul Truck Trip Routes

3.0 INITIAL STUDY CHECKLIST

3.1 PROJECT INFORMATION

- 1. Project Title:** Grantline West Mining Operation Reclamation Plan
- 2. Lead Agency Name and Address:** City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
- 3. Contact Person and Phone Number:** June Cowles (916) 851-8756
- 4. Project Location:** Approximately 1,500 feet south of White Rock Road, 330 feet east of Sunrise Boulevard, and 2,600 feet north of Douglas Road.
- 5. Project Sponsor's Name and Address:** Teichert Materials
3500 American River Drive
Sacramento, CA 95864
- 6. General Plan Designation(s):** Rio Del Oro Planning Area
- 7. Zoning:** Rio Del Oro Specific Plan (surface mining overlay)
- 8. Specific Plan:** Rio Del Oro Specific Plan
- 9. APN Number:** 072-0370-071
- 10. Description of the Project:** (1) Revisions to approved Mining Operation Reclamation Plan and Conditional Use Permit RC-04-145 to allow for on-site crushing and screening of aggregate and off-site hauling to market as an option to using the conveyor that transports material to an off-site processing plant; (2) extend the term of mining for 10 years until July 18, 2027, and extend the term of reclamation until July 18, 2029.
- 11. Surrounding Land Uses and Setting:** White Rock Road to the north, vacant land to the south, nonresidential land uses 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).**
 - Quarry Truck Management Program (TMP) -- participation funding
 - Sacramento Metropolitan Air Quality Management District (SMAQMD) – permit to operate portable plant
 - Department of Conservation Office of Mine Reclamation – review of Financial Assurance Cost Estimate (FACE)

3.0 INITIAL STUDY CHECKLIST

3.2 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 revisions in the project have been made by or agreed to by the project proponent. 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 “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☒ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

October 17, 2016

Signature

Date

Patrick Hindmarsh,
Environmental Coordinator

City of Rancho Cordova Development Services-Planning

Printed Name

For

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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

Prior Environmental Analysis

Aesthetics impacts were evaluated in the Grantline West MND on p.3.0-5, which concluded impacts would be less than significant or no impact, and no mitigation was required. No scenic resources or vista views would be affected by the approved mining and reclamation activities. The closest highways (US 50 and SR 16), approximately 4 miles from the site, are not designated scenic highways in the vicinity of the project site. The visual quality of the site would not be substantially degraded by mining and reclamation because it would change the site back to original grades prior to historic mining. The approved mining and reclamation activities would not be a source of light or glare.

Proposed Project Analysis

- a) *No New Impact.* The addition of the rock crushing and screening plant and temporary stockpiles to the already disturbed site would have no effect on scenic resources or vista views because none exist on the site. The final site landscape at the site would not differ from that assumed and evaluated in the Grantline West MND. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on scenic vistas when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* The portable rock crushing and screening plant and soil stockpiles would be within the existing approved mining and reclamation site boundary, which would not be visible from any scenic highway. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on scenic

3.0 INITIAL STUDY CHECKLIST

highways when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- c) *No New Impact.* Mining has occurred intermittently on the project site since the 2005 approval. No changes in the mining plan are proposed that would alter the topography of the site in a manner that would be inconsistent with the approved mining and reclamation plan or the intent to improve the overall visual quality of site. The portable rock crushing and screening plant and stockpiles could be visible from existing nonresidential development to the west, from Sunrise Boulevard in the northbound direction, and from White Rock Road. The stockpiles would be no taller than approximately 40 feet, similar to or less than the approximately 50-foot-high tailings that currently exist at some locations on-site. The portable plant would be approximately 50 feet at its tallest point, also similar to stockpile heights. The plant and stockpiles would be temporary elements in the viewshed, and the industrial appearance would be consistent with the approved mining operation. The portable rock crushing and screening plant and stockpiles would be removed as part of final reclamation. The final site landscape at the site would not differ from that assumed and evaluated in the Grantline West MND. As such, there would be no adverse, permanent changes in the overall visual character of the site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on visual character and quality when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New Impact.* The portable rock crushing and screening plant and scalehouse would include lighting. The closest existing land uses are nonresidential commercial, light industrial, and retail uses to the west. There are no sensitive land uses, such as residences, that would be exposed to nighttime lighting in that area. The residential Villages of Zinfandel, to the west of Sunrise Boulevard, does not have a direct line of sight to the proposed project. The closest residential uses with a direct line of sight to the plant area are south of Douglas Road, over 1.5 miles away. The maximum elevation of the lighting would be at 50 feet, at the tallest point of the plant. Lighting from the plant and scalehouse would be limited to a small area of the entire mine site, and at such a distance nighttime lighting would not appear intrusive. There is a substantial amount of skyglow from existing urban development along the Sunrise Boulevard/Douglas Road, and the addition of the proposed project's lighting would represent a minimal contribution. Further, the plant and scalehouse would not be a permanent source of nighttime lighting because they would be removed at the conclusion of mining. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on light and glare when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of aesthetics impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurements methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☒
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526 and by Government Code Section 51104(f)), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒	☒
d) Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☐	☒	☒
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use?	☐	☐	☐	☒	☒

3.0 INITIAL STUDY CHECKLIST

DISCUSSION OF IMPACTS

Prior Environmental Analysis

Agricultural resources impacts were evaluated in the Grantline West MND on p.3.0-6. The project site does contain important farmland, and there are no Williamson Act contracts.

Proposed Project Analysis

- a) *No New Impact.* The portable rock crushing and screening plant and stockpiles would be located in the active mining area of the project site, which does not contain important farmland. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on important farmlands when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* The portable rock crushing and screening plant and stockpiles would be located in the active mining area of the project site, which is not under Williamson Act Contract, nor is it currently being farmed. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on Williamson Act contracts when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* There are no forestlands or timberlands on the project site.
- d) *No New Impact.* See c) above.
- e) *No New Impact.* See a) and b) above.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of agricultural resources impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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?	☐	☐	☐	☒	☒

DISCUSSION OF IMPACTS

Previous Environmental Analysis

Air quality impacts were evaluated in the Grantline West MND on pages 3.0-7 through 3.0-11. The analysis considered construction of the conveyor, and the mining activities involving loading the dredge tailings and placing them on the conveyor. These activities included the use of heavy equipment (end loader, dozer, grader, and water truck), end loader travel on on-site haul roads, and six employees on-site. The Grantline West MND quantified ozone precursor (ROG and NOx) emissions from mining activities and compared them to SMAQMD emissions thresholds. No thresholds were exceeded for ozone precursors. The MND stated that the end loaders using haul roads on the site would be a source of dust emissions, which could exceed the SMAQMD threshold (emissions were not quantified), and mitigation measures were adopted to reduce impacts to less than significant.

The following mitigation measures incorporated into the previously approved project and conditions of approval (COAs) would continue to be applicable to the proposed project.

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MM 3.1a (COA 3) 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 (COA 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.

Timing/Implementation: *During all phases of the project.*

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

MM 3.1c (COA 6) 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 (COA 7) 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.*

COA 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 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.

COA 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.

Proposed Project Analysis

- a) *No New Impact.* Sacramento County is classified as a nonattainment region for both federal and state ozone, PM10, and PM2.5 standards. Because the county is classified a nonattainment area, the SMAQMD is required to submit air quality plans and rate-of-progress milestone evaluations in accordance with the federal Clean Air Act. The applicable SMAQMD air quality attainment plans are the Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan and the PM10 Implementation/Maintenance Plan and Re-Designation Request for Sacramento County. These plans present comprehensive strategies to reduce the ozone precursor pollutants, reactive organic gases (ROG) and nitrous oxides (NOx), as well as PM emissions from stationary, area, mobile, and indirect sources. The Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan includes the information and analyses to fulfill Clean Air Act requirements for demonstrating reasonable further progress toward attaining the 8-hour ozone national ambient air quality standards (NAAQS) for the Sacramento region.

According to SMAQMD guidance, if a project results in a change in a designated land use and corresponding substantial increases in vehicle miles traveled (VMT), the resultant increase in VMT may be unaccounted for in regional emissions inventories contained in the regional air quality control plans described above, which are based on local planning documents and general plans. Substantial increases in VMT that are not accounted for in the emissions inventories of these air quality plans may conflict with these air quality plans and therefore result in a contribution to the region's existing air quality nonattainment status.

No changes in land use are proposed, and the proposed project would not increase VMT. Therefore, the proposed project would not conflict with the Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan or the PM10 Implementation/Maintenance Plan and Re-Designation Request for Sacramento County. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to potential conflicts with the applicable air quality

3.0 INITIAL STUDY CHECKLIST

plans when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- b) *No New Impact.* Criteria air pollutant emissions from operation of the on-site rock crushing and screening plant (transporting aggregate along on-site haul roads and loading material into the plant) and off-site haul truck transport were estimated and compared to applicable SMAQMD thresholds (Haley & Aldrich 2016 [included as Attachment C]). Table 1 summarizes the results of the analysis, which includes emissions from these activities. These results are considered conservative because the analysis assumed all of the on-site activities would be “new” sources. However, a portion of the NO_x emissions related to end loaders and water truck use for dust control on-site are emissions that would occur under the approved project and were previously estimated in the Grantline West MND. Further, the applicant expects that the conveyor system and transport to the Grantline plant would continue to be the primary method for processing, and the on-site plant would only be used as an option to the conveyor system when the demand for the product is within a short distance of the on-site crushing and screening plant. As such, it is unlikely the on-site plant and off-site hauling would consistently operate at the levels requested under the amendment and revised CUP (500,000 tons per year), or approximately 100 days per year at 5,000 tons per day over the entire 10-year extended permit term. However, the emissions analysis conservatively assumed the full operation potential because there may be occasions when market demand warrants the full operational and hauling capacity when the on-site plant option is used.

As indicated in Table 1, emissions would not exceed the thresholds, and therefore impacts would be less than significant, and mitigation measures would not be required.

TABLE 1
CRITERIA AIR POLLUTANT EMISSIONS

Source	Pollutant					
	ROG (pounds per day)	NO _x (pounds per day)	PM ₁₀ (pounds per day)	PM 2.5 (pounds per day)	PM ₁₀ (tons per year)	PM _{2.5} (tons per year)
Crushing and screening plant	–	–	9.8	1.4	0.49	0.07
Unpaved haul roads	–	–	48.5	4.9	2.43	0.243
Haul trucks exhaust	1.5	32.8	0.29	0.27	0.015	0.014
Haul trucks idling	0.2	2.2	0.007	0.007	0.000	0.000
Worker vehicle exhaust	0.016	0.014	0.0003	0.002	0.000	0.000
End loaders	1.4	26	1.0	1.0	0.082	0.082
Water truck	0.003	0.06	0	0	0.000	0.000
Total project emissions	3.1	61.1	59.6	7.6	3.0	0.4
SMAQMD Threshold	65	65	80	82	14.6	15.0
Exceeds?	No	No	No	No	No	No

Source: Haley & Aldrich 2016: Tables 6-1 and 6-2.

Continued implementation of mitigation measures MM 3.1a through MM 3.1d, which are required under approved project COAs 3, 5, 6, and 7, and COAs 8 and 9 would help further reduce PM and NOx emissions, respectively, and would ensure thresholds would not be exceeded. The California Air Resources Board requires that all off-road diesel equipment over 25 horsepower meet best available control technology (BACT) requirements for NOx and particulate matter. The project applicant has registered its off-road mobile vehicle fleet with the diesel off-road online reporting system, and its fleet is in compliance with the off-road regulation (Haley & Aldrich 2016). In addition, water sprays would be used at the crushing and screening plant and truck loading points to control fugitive dust emissions. Further, a paved apron with a rock approach would be installed on-site and a sweeper for the roadway would be used to control dust track-out from the loading area.

With implementation of mitigation measures MM 3.1a through MM 3.1d and COAs 3, 5, 6, 7, 8, and 9, there would be no new significant impacts on air quality other than those identified in the Grantline West MND. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on air quality when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- c) *No New Impact.* Due to the region's nonattainment status for ozone and PM₁₀, the SMAQMD considers projects that are consistent with all applicable air quality plans intended to bring the basin into attainment for all criteria pollutants, and below SMAQMD significance thresholds of the ozone precursor pollutants (i.e., ROG and NOX), to have less than significant cumulative impacts. As discussed in Item a), the proposed project would not conflict with either the Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan or the PM₁₀ Implementation/Maintenance Plan and Re-Designation Request for Sacramento County. As discussed in Item b), predicted long-term operational emissions attributable to the proposed project would not exceed SMAQMD significance thresholds. Therefore, the proposed project's contribution would not be cumulatively considerable. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on air quality when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New Impact.* Carbon monoxide (CO) and toxic air contaminants (TACs), including diesel particulate matter (DPM), would be present in heavy equipment and haul truck exhaust. The plant would not be a source because it would be electric.

CO emissions from on-site mobile equipment were estimated for the proposed project. The 1-hour CO concentration would be 450.8 micrograms/cubic meter ($\mu\text{g}/\text{m}^3$) and the 8-hour concentration would be 186.0 $\mu\text{g}/\text{m}^3$, which are both well below the SMAQMD thresholds of 23,000 $\mu\text{g}/\text{m}^3$ and 10,000 $\mu\text{g}/\text{m}^3$, respectively (Haley & Aldrich 2016).

TACs are airborne pollutants that may pose a human health hazard. The primary TAC generated by the proposed project is DPM. The proposed project is estimated to emit up to 1.28 pounds per day and 194 pounds per year of DPM. This is considered a conservative estimate because the air quality analysis for the proposed project assumed all sources of exhaust would be new sources, as described in Item b), but there are some sources (end loaders and water truck) that were previously accounted for in the Grantline West MND. A health risk assessment was prepared to determine whether the levels of on-site project-generated DPM would pose an increased human health risk. The

3.0 INITIAL STUDY CHECKLIST

analysis assumed the operation of the loaders, haul trucks, and water truck. Consistent with current Office of Environmental Health Hazard Assessment guidance, the health risk assessment assumed a 30-year residential exposure (closest off-site location in the Villages of Zinfandel) and 25-year worker exposure (commercial and industrial uses west of the site). This analysis is conservative because the permit extension would be for 10 years only. The calculated maximum incremental increase in cancer risk is 3.2 in one million for the residential receptor and 1.21 in one million for the worker, which are both below the SMAQMD threshold of 10 in one million. The incremental non-cancer (chronic) risk was estimated to be 0.0036, also well below the SMAQMD threshold of 1.0 (Haley & Aldrich 2016). The addition of haul truck trips along Sunrise Boulevard and to markets after leaving the site would also not pose a DPM health risk to sensitive receptors along those roadways. Because the SMAQMD threshold would not be exceeded at the maximally exposed receptor location, it would also not exceed the threshold elsewhere.

For the reasons stated, the proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to air toxics when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- e) *No New Impact.* The proposed project would not be a source of odors that would affect a substantial number of people. The rock crushing and screening plant would be electric and would not be a source of odors. Heavy equipment such as loaders and haul trucks could be a source of odors from diesel exhaust. The use of end loaders at the site is associated with the existing project approval, and there would be no change in that use with the proposed project that would increase odor potential. Haul trucks could also be a source of odors; however, odors would be intermittent, temporary, and would diminish with distance. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on odors when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of air quality impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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?	☐	☐	☐	☒	☒

3.0 INITIAL STUDY CHECKLIST

DISCUSSION OF IMPACTS

Prior Environmental Analysis

Biological resources impacts were evaluated in the Grantline West MND on pp. 3.0-12 through 3.0-15. The MND concluded mining and reclamation activities have the potential to adversely affect habitat for the valley elderberry longhorn beetle, nesting raptors, and Swainson's hawk. Mitigation measures were adopted to reduce potentially significant impacts to a less than significant level. An oak tree inventory was conducted for the proposed project site by Sierra Nevada Arborists in September 2004. The approved mining and reclamation plan was designed to avoid impacts to oak trees. All wetland features identified on the project site were previously mapped as nonjurisdictional because they are considered "isolated" wetlands. The MND concluded impacts on special-status species associated with wetland habitat would not occur because the applicant has designed its mining and reclamation plans to avoid all wetland features.

The following mitigation measures incorporated into the previously approved project would be applicable to 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 CDFW, 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

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

- 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.

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

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

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 Wildlife).
- 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 CDFW.*

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 Wildlife shall occur in order to determine the

3.0 INITIAL STUDY CHECKLIST

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.*

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

- a) *No New Impact.* Prior to setting up the rock crusher and screening plant, scalehouse, installing the paved apron with a rock approach, and improving the dirt access road at Gold Dredge Way, the applicant will be required to implement mitigation measures MM 4.1a, MM 4.1b, and MM 4.1c, as required under existing COAs 25, 26, and 27, to determine if any elderberry shrubs, active raptor nests, or Swainson's hawk habitat are present at the locations that would be disturbed by these activities, and to mitigate effects in accordance with the actions identified in the adopted mitigation measures. With the implementation of mitigation measures MM 4.1a, MM 4.1b, and MM 4.1c, there would be no new significant impacts on candidate, sensitive, or special-status species other than those identified in the Grantline West MND. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on candidate, sensitive, or special-status species when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above.
- c) *No New Impact.* The rock crushing and screening plant and stockpiled material for off-site hauling would not be situated at any location where wetland features may be present, and no changes to the removal of tailings materials or their locations or reclamation plan activities are proposed that would affect wetlands previously identified for avoidance. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on federally protected wetlands when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New 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 because none were previously identified on the site, and the proposed project would not change the mining disturbance area boundary or reclamation plan boundary. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on wildlife migratory corridors and nursery sites when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- e) *No New Impact.* The rock crushing and screening plant would not be sited where it would result in oak tree removal, and no changes to the removal of tailings materials or their locations and reclamation plan are proposed that would affect oak trees not previously identified for avoidance. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to local tree protection policies when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- f) *No New Impact*. There is no adopted habitat conservation or natural community conservation plan, or other regional plan pertaining to biological resources protection that applies to the project site.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of biological resources impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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

Prior Environmental Analysis

Cultural resources impacts were evaluated in the Grantline West MND on pp. 3.0-16 and 3.0-17. An Archaeological and Historic Investigation Report prepared for the MND determined there are no known historic, archaeological, or paleontological resources or cemeteries on the site, and the potential for resources to be discovered is low.² At the time the cultural resources evaluation was prepared, the site had already been substantially disturbed by past mining activities during the 1920s and 1950s, which created the rows of dredger tailings. Under the then-proposed project, there would be no below-grade excavation; only the dredger tailings on the surface would be removed. Although there is a low potential for resources, mitigation measure MM 5.1 was adopted to address the potential for discovery of previously unknown resources.

The following mitigation measure incorporated into the previously approved project would be applicable to 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

² The report (*Archaeological and Historic Investigations for the Grantline West Project*, prepared by PMC, 2003) may be reviewed during normal business hours at the City of Rancho Cordova Planning Department, 2729 Prospect Park Drive, Rancho Cordova.

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.*

Proposed Project Analysis

- a) *No New Impact.* The proposed project would include the option to crush and screen dredger tailings on-site instead of using the conveyor to the off-site Grantline plant. No change to the types of materials to be removed or to the approved mining and reclamation plan boundary or mining disturbance footprint are proposed, nor is any below-grade excavation proposed. Because there would be no change in where or how the dredger tailings would be removed compared to the approved project, there would be no increased potential for inadvertent discovery of cultural resources, including human remains. The applicant will continue to be required to implement MM 5.1 during mining and reclamation activities, as required under existing COA 10. Setup and operation of the portable rock crushing and screening plant and scalehouse would occur with the existing permitted mine area and would not require ground disturbance at any location that has not already been previously surveyed and for which mitigation has been identified to address the potential for discovery of previously unknown resources. With implementation of mitigation measure MM 5.1, there would be no new significant impacts on cultural resources other than those identified in the Grantline West MND. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on historical resources when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above. In addition to the cultural resources study prepared for the then-approved project (PMC 2003), a cultural resources evaluation was also prepared for the Rio Del Oro Specific Plan. The records search indicated there were no Native American sacred lands on the project site. Representatives of the Miwok Indian Community of the Wilton Rancheria stated they were not aware of any sites or properties of concern anywhere within several miles of the project area, and that dredging and other historic period uses of the land would have destroyed any evidence of Indian use of the land, and such use would have been for hunting or gathering only, not settlement (Peak 2005). The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on archaeological resources when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* See a) above.
- d) *No New Impact.* See a) and b) above.

3.0 INITIAL STUDY CHECKLIST

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of cultural resources impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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 Section 1803.5.3 of the 2013 California Building Code, 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?	☐	☐	☐	☒	☒

3.0 INITIAL STUDY CHECKLIST

DISCUSSION OF IMPACTS

Prior Environmental Analysis

Geology and soils impacts were evaluated in the Grantline West MND on pages 3.0-18 and 3.0-19, which concluded impacts would be less than significant, and no mitigation was required. There are no active faults on the project site, and the project site is not susceptible to strong seismic ground shaking or other conditions that would result in landslides, subsurface instability, or pose other geotechnical hazards. Erosion would be controlled through implementation of standard requirements.

Proposed Project Analysis

- a) *No New Impact.* The portable plant and scalehouse could be affected by seismic activity, if it were to occur in the Sacramento Valley. However, they would not be permanently occupied structures that would expose people to risk of injury or death. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to seismic hazards when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* No changes in mining are proposed that would change the amount of topsoil removed or the potential for erosion from that assumed and evaluated in the MND. Construction and operation of the portable rock crushing and screening plant would not involve soil disturbance that could be a source of erosion. Temporary soil stockpiles may be created during the processing activities. Stockpiles may be subject to erosion by wind or precipitation. Wind erosion would be controlled through implementation of fugitive dust control measures as required by SMAQMD Regulations 401, 403, and 405. Erosion as a result of stormwater runoff would be controlled through implementation of a stormwater pollution prevention plan and best management practices (see Item IX a). The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on erosion when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* Under the approved project, the tailings would be removed and the site rough-graded to accommodate future development under the approved Rio Del Oro Specific Plan. No below-grade extraction has occurred, nor would any occur under the proposed project. As such, the proposed project would not increase the potential for unstable slopes. The rock crushing and screening plant and scalehouse would be temporary, unoccupied features that would not expose people to hazards, if any, associated with underlying soil types. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to unstable geologic units or soils when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New Impact.* No permanent structures, foundations, roadways, or other features that could be subject to hazards associated with expansive soils would be developed on-site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to expansive soils when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- e) *No New Impact.* Operation of the rock crushing and screening plant and scalehouse would not generate wastewater and would not require the use of septic systems. A portable toilet would be provided on-site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to septic systems when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of geology and soils impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
VII. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☒	☐

BACKGROUND

Since the MND was approved in 2005, the determination of whether greenhouse gases and climate change needs to be analyzed for this proposed project is governed by the law on supplemental or subsequent MNDs or EIRs (Public Resources Code section 21166 and CEQA Guidelines, Sections 15162 and 15163). Greenhouse gas and climate change is not required to be analyzed under those standards unless it constitutes “new information of substantial importance, which was not known and could not have been known at the time” the prior MND was approved (CEQA Guidelines Sec. 15162 (a) (3).)

Greenhouse gas and climate change impacts is not new information that was not known or could not have been known at the time of the approval of the MND in 2005. The issue of climate change and greenhouse gases was widely known prior to the MND approval. The United Nations Framework Convention on Climate Change was established in 1992. The regulation of greenhouse gas emissions to reduce climate change impacts was extensively debated and analyzed throughout the early 1990s. The studies and analyses of this issue resulted in the adoption of the Kyoto Protocol in 1997. In the early and mid-2000s, GHGs and climate change were extensively discussed and analyzed in California. In 2000, SB 1771 established the California Climate Action Registry for the recordation of greenhouse gas emissions to provide information about potential environmental impacts. In 2005, the Governor issued Executive Order # S-03-05 establishing greenhouse gas emission reduction targets in California. Therefore, the impact of greenhouse gases on climate change was known at the time of the adoption of the MND in 2005. Under CEQA standards, it is not new information that requires analysis in a supplemental EIR or negative declaration. (See *Citizens for Responsible Equitable Environmental Development v. City of San Diego* (2011) 196 Cal.App.4th 515, 532; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal. App. 4th 1301).

Even though the City is not legally required to analyze GHG for this project, it has decided to do so and provides the following for informational purposes only.

DISCUSSION OF IMPACTS

- a) *Less than Significant Impact.* The primary greenhouse gas (GHG) emissions from the proposed project would be from combustion of fuels in off-road mining equipment, haul trucks, and worker vehicles. GHGs would also be generated by third-party generation of electricity that would be used to operate the portable rock crushing and screening plant. Table 2 summarizes the GHG emissions from each source and the applicable SMAQMD threshold. Annual emissions would not exceed the threshold, and therefore the impact would be less than significant.

TABLE 2
GREENHOUSE GAS EMISSIONS

Source	MTCO ₂ e/Year
Haul trucks exhaust	321.7
Haul trucks idling	11.7
Worker vehicle exhaust	0.26
End loaders exhaust	494.5
Water truck exhaust	2.0
<i>Subtotal</i>	<i>830.16</i>
Third-party electricity generation	500.8
Total	1,331
SMAQMD threshold ^a	10,000
Exceeds?	No

Source: Haley & Aldrich 2016: Table 4-2

MTCO₂e – metric tons carbon dioxide equivalents

a The SMAQMD CEQA Guide (December 2009, revised November 2014) establishes thresholds for land development and construction projects and for stationary source only projects (construction and operational phases). The current mining reclamation plan and proposed revisions is not a land development project and would not involve construction. The applicable threshold for operation of a stationary source adopted by the SMAQMD is 10,000 MTCO₂e.

- b) *Less than Significant Impact.* In 2006, the California Global Warming Solutions Act (Assembly Bill [AB] 32) was enacted, requiring a reduction in GHG emissions to 1990 levels by 2020. The 2008 Climate Change Scoping Plan for AB 32 (2008 Scoping Plan) identifies specific measures to reduce GHG emissions to 1990 levels by 2020 and requires the California Air Resources Board and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. The first update to the 2008 Scoping Plan was released in February 2014 and includes revised GHG reduction estimates based on updated statewide GHG inventories. The update also discusses the need for continued GHG reduction progress post-2020.

The proposed project's emissions would be below the SMAQMD's current threshold of 10,000 MTCO₂e per year, which the SMAQMD established in response to the 2008 Scoping Plan requirements. Therefore, the proposed project would be consistent with the Scoping Plan.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
VIII. 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

Prior Environmental Analysis

Hazards and hazardous materials impacts were evaluated in the Grantline West MND on pages 3.0-20 and 3.0-21, which concluded all impacts would be less than significant or no impact, and no mitigation measures were required. No contamination has been identified at the project site, although it is approximately 250 feet northwest of a known contaminated area. There are no schools within one-quarter mile of the site. Mining and reclamation would not conflict with Mather Airfield operations. There is no wildland fire hazard. Mining operations would involve heavy equipment use, which would contain hazardous materials such as fuel. These materials are not stored on-site, and their use would not pose a risk to the public or the environment.

Proposed Project Analysis

- a) *No New Impact.* No changes in removal of the tailings are proposed that would increase the number or frequency of heavy equipment use such as end loaders and water trucks on the site. The equipment that would load material and place it on the conveyor would be the same equipment that would feed material into the rock crushing and screening plant, which would be electric and would not use fuel or hazardous materials products. As such, there would be no change in the use of fuel for on-site loading compared to the approved project. As under the approved project, there would be no hazardous materials storage on-site or transport to or from the site related to mining and processing. The haul trucks that would transport material would be fueled off-site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to hazardous materials use, storage, transport, or disposal when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above.
- c) *No New Impact.* There are no schools within one-quarter mile of the project site.
- d) *No New Impact.* No changes in the boundary of the permitted mining site are proposed that would have the potential to encounter contaminated soil or groundwater known to occur at off-site sources. The rock crushing and screening plant setup and operation would not involve ground disturbance. Identical to the approved project, only dredger tailings on the surface would be removed, and there would be no below-grade extraction of any materials that would have the potential to encounter contamination, if any were to exist. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to hazardous materials contamination when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- e) *No New Impact.* The project site is not located within the Comprehensive Land Use Planning (CLUP) area of the Sacramento Mather Airport, but is within 2 miles of the facility. The maximum height of the rock crushing and screening plant would be approximately 50 feet. This would not pose an obstruction to air space. Therefore, implementation of the proposed 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. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on airport safety.

3.0 INITIAL STUDY CHECKLIST

hazards when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- f) *No New Impact.* The project area is not located within the vicinity of a private airstrip.
- g) *No New Impact.* Haul trucks would use Gold Dredge Way, Fitzgerald Road, and Sunrise Boulevard to access US Highway 50, which is the primary distribution of truck traffic. No improvements to these roadways, or others such as White Rock Road, are necessary to accommodate the haul truck trips, so there is no potential for lane narrowing/closure or detours that could physically affect emergency access or evacuation routes. The traffic study for the proposed project (see Item XVI) has determined the additional truck volumes would not degrade intersection or freeway operations level of service (i.e., would not increase traffic congestion) and therefore would not affect emergency routes. Further, the proposed project would not add a substantial amount of truck traffic to roadways identified in the 2011 Traffic Management Plan Final Technical Report as experiencing traffic congestion and operational issues caused by quarry truck traffic (roadways such as White Rock Road, Grant Line Road, Prairie City, and Scott Road in eastern Sacramento County). Therefore, the proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on emergency response plans or emergency evacuation plans when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- h) *No New Impact.* The project site is not adjacent to wildlands and is in an area designated for urbanized land uses. No flammable materials would be stored on the site, and operation of the electric rock crushing and screening plant would not increase wildland fire risk. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on wildland fire hazard when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of hazards and hazardous materials impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
IX. 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?	☐	☐	☐	☒	☒

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
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

Previous Environmental Analysis

Hydrology and water quality impacts were evaluated in the Grantline West MND on pages 3.0-22 and 3.0-23, which concluded impacts would be less than significant or no impact would occur, and no mitigation measures were required. Potential water quality and erosion impacts would be the result of stormwater runoff during mining operations and would be managed in accordance with state regulations that require implementation of a stormwater pollution prevention plan (SWPPP) and best management practices (BMPs). The project site is not in an area subject to 100-year flood hazard or other flood risk. Groundwater from an off-site well (East Well No.1 on the Clark site) is transported to the site and used for dust control. Groundwater levels are periodically monitored, and no significant impacts on groundwater supply or recharge were identified.

Proposed Project Analysis

- a) *No New Impact.* The on-site rock crushing and screening plant, scalehouse, and stockpiles would not increase the amount of impervious surfaces that would generate additional stormwater runoff containing pollutants compared to existing conditions, and no hazardous materials would be stored on-site that could pose accidental release or spill problems that could affect water quality. Dust control at the plant would consist of water sprays from a water truck; no chemicals would be used. Heavy equipment containing fuel would continue to be used, as under the approved permit. The equipment would be the same equipment used to load aggregate and place it on the conveyor, so the potential for spills and leaks would not change. With the plant option, the haul trucks that would deliver materials to market and return to the site would be a potential additional source of oil and grease leaks compared to the approved project. However, implementation of an SWPPP and BMP requirements would ensure compliance with water quality standards while trucks are on-site while they are being loaded. The entrance/exit at Gold Dredge Way would be a paved apron with rock approach within the project site and would be sloped towards the project site interior so that stormwater runoff generated on the project site would remain on-site.

The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to water quality of discharges when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- b) *No New Impact.* The on-site plant would not involve aggregate washing, but water from the off-site well would be used to control dust on the stockpiled material before it is hauled off-site to market. On-site haul roads to the on-site plant would also require water for dust control. Water for dust suppression would be required with or without the portable plant. There would be no net increase in groundwater use. Infiltration is high because of the coarse dredge tailings; however, the proposed project would not increase impervious surfaces or result in physical changes that would reduce recharge potential. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on groundwater when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* Surface runoff is minimal under existing conditions. No changes in the removal of tailings or their locations or reclamation are proposed that would change drainage patterns from those assumed in the approved mining and reclamation plan and approved permit. The on-site plant, scale, and stockpiles would not affect drainage patterns or generate additional runoff. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on drainage patterns when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New Impact.* See c) above.
- e) *No New Impact.* See c) and d) above.
- f) *No New Impact.* See a) above.
- g) *No New Impact.* There are no flood hazards at the project site, and the proposed project would not involve changes in the environment that would cause a flood hazard. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to flood hazard when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- h) *No New Impact.* See g) above.
- i) *No New Impact.* See g) above.
- j) *No New Impact.* The project site is not located near a large water body that would be capable of creating seiches or tsunamis, and there are no natural slopes that would be prone to mudflows. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to seiche, tsunami, or mudflow when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of hydrology and water quality impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
X. 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

Prior Environmental Analysis

Land use and planning impacts were evaluated in the Grantline West MND on page 3.0-24, which concluded impacts would be less than significant because there is no established community, the project is within a special planning area, and there is no applicable conservation plan.

Proposed Project Analysis

- a) *No New Impact.* Mining has already occurred on the site under the approved permit, and it remains undeveloped. There is no established community on the project site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to dividing an existing community when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* The project site is within the Rio Del Oro Specific Plan, which was approved by the City of Rancho Cordova City Council in 2010. No changes in the mining disturbance area are proposed. The addition of the rock crushing and screening plant would support on-site processing of the material and would not result in a different end land use or topography that would preclude or impair future development of the site under the approved specific plan. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to conflicts with land use plans when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- c) *No New Impact.* There is no adopted habitat conservation or natural community conservation plan, or other regional plan pertaining to biological resources protection that applies to the project site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to habitat conservation plans or natural community conservation plans when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of land use and planning impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XI 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

Previous Environmental Analysis

Mineral resources impacts were evaluated in the Grantline West MND on page 3.0-25, which concluded impacts would be less than significant, and no mitigation measures were required.

Proposed Project Analysis

- a) *No New Impact.* The on-site plant would be used to crush and screen aggregate that the applicant is already permitted to mine on the site. Some mining has already occurred, which has reduced the amount of aggregate remaining to be mined. However, no additional aggregate removal is proposed that would increase the amount potentially available for mining beyond the applicant's estimates in the approved Mining and Reclamation Plan. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on mineral resources when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of mineral resources impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XII. 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

Previous Environmental Analysis

Noise impacts were evaluated in the Grantline West MND on pages 3.0-26 and 3.0-27. A noise assessment was prepared for the mining and reclamation activities. The study evaluated noise levels from mining activities, which included removing aggregate and use of the conveyor system. Noise levels were predicted to be approximately 36 dB L50 and 40 dB Lmax at the nearest residence, approximately 5,000 feet away. The study concluded the City's noise levels would not be exceeded during both daytime and nighttime periods, and impacts would be less than significant. No mitigation measures were required.

3.0 INITIAL STUDY CHECKLIST

Proposed Project Analysis

Additional Background Information

Under the approved project, haul truck trips were associated with operations at the existing Grantline plant in Sacramento County. Most truck traffic was on Grant Line Road, White Rock Road, and Jackson Highway (SR 16). Under the proposed amendment to the mining and reclamation plant, the haul trucks transporting material from the on-site rock crushing and screening plant to market would use different roadways than those associated with the Grantline plant. Material would leave the site at Gold Dredge Way, which connects to Fitzgerald Road. At Fitzgerald Road, trucks would either turn north or south on Sunrise Boulevard, depending on the final destination. The applicant has agreed that access to US Highway 50 from the site will be via Sunrise Boulevard, not via White Rock Road to Zinfandel Drive or Prairie City Road. In the traffic impact analysis prepared for the proposed project (see Item XVI), 75 percent of the trips would be northbound Sunrise Boulevard and 25 percent southbound. No changes in mining operations (i.e., removal of tailings) are proposed that require reanalysis of the noise impacts of mining and reclamation activities themselves. However, the addition of an on-site rock crushing and screening plant and haul truck traffic on different roadways would be new sources of noise that require evaluation.

- a) *No New Impact.* An Environmental Noise Assessment was prepared for the proposed project site that evaluated noise levels from the rock crushing and screening plant and off-site haul trucks (Bollard Acoustical Consultants 2016 [included as Attachment D]). No changes in on-site heavy equipment (end loaders and water truck) use is proposed; such use would be the same as under the approved project, and no significant impacts were identified in the Grantline West MND or in the current noise study.

A portable plant similar to the one proposed generates an average noise level of approximately 75 dB Leq at a reference distance of 100 feet. Noise levels decrease by approximately 6 dB per doubling of distance and 1.5 dB decrease per 1,000 feet for correction of atmospheric absorption and ground attenuation. After consideration of shielding by intervening topography, the predicted noise levels would be approximately 40 dB Leq at the closest existing residential receptors (approximately 3,000 feet away). It would also be approximately 40 dB Leq at anticipated future residential receptors in the Rio Del Oro Specific Plan area (approximately 1,500 feet away). This would not exceed the City's noise level performance standards for nontransportation noise sources for both daytime and nighttime conditions, and the closest noise-sensitive receptors (residences) would not be affected by the proposed project noise levels from the portable plant.

To assess noise impacts due to proposed project-related increases on the local roadway network, traffic noise levels were predicted at a representative distance for existing and proposed project conditions. The number of truck trips was based on the traffic impact study for the proposed project, which provided an estimate of the number of average day and 30th highest volume day conditions (see Item XVI). Table 3 identifies existing noise levels without the proposed project and noise levels with the proposed project under both the average day and 30th highest volume day scenarios. Off-site haul truck traffic could increase noise levels along Fitzgerald Road by up to 10.1 dB under the 30th highest volume day scenario (8.5 dB under the average day scenario). Although this

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

would exceed the Federal Interagency Committee on Noise (FICON) standard³ for a location with an ambient noise level of less than 60 dB (+5.0 or more increase), it would not be a significant impact because the land uses along the segment are industrial with no noise-sensitive land uses. Other project-related increases along all of the other roadway segments would be less than 1.0 dB, none of which would exceed the lowest FICON standard of 1.5 dB Ldn. Further, the predicted changes in noise levels is conservative because it assumes the full operational potential sought under the revised reclamation plan and permit term extension. Truck traffic volumes and the frequency of operation are likely to be low because the already approved conveyor system and off-site processing would continue to be the primary method used by the applicant. As such, the noise level increases associated with hauling would also be lower than predicted.

TABLE 3
PROJECT-RELATED INCREASES IN TRAFFIC NOISE LEVELS ASSOCIATED WITH OFF-SITE HAUL TRUCK TRAVEL

Roadway Segments			Noise Levels (Ldn) at 100 Feet from Roadway Centerlines				
Roadway	From	To	Existing	Existing + Average Day	Increase	Existing + 30 th Highest	Increase
Fitzgerald Rd	Gold Dredge Way	Sunrise Blvd	54	63	8.5	64	10.1
Sunrise Blvd	Fitzgerald Rd	Douglas Rd	71	71	0.2	71	0.3
Douglas Rd	Sunrise Blvd	East	65	65	0.2	65	0.2
Sunrise Blvd	Douglas Rd	Jackson Rd	71	71	0.1	71	0.2
Jackson Rd	Sunrise Blvd	East	68	68	0.1	68	0.2
Sunrise Blvd	Jackson Rd	Grant Line Rd	68	68	0.2	68	0.3
Grant Line Rd	Sunrise Blvd	South	69	69	0.2	69	0.3
Sunrise Blvd	Fitzgerald Rd	White Rock Rd	71	71	0.6	72	0.9
White Rock Rd	Sunrise Blvd	West	67	67	0.0	67	0.0
White Rock Rd	Sunrise Blvd	East	66	66	0.1	66	0.1
Sunrise Blvd	White Rock Rd	Highway 50	72	72	0.2	72	0.2
Highway 50	Sunrise Blvd	West	80	80	0.0	80	0.0
Highway 50	Sunrise Blvd	East	79	79	0.0	79	0.0
Sunrise Blvd	Highway 50	North	73	73	0.0	73	0.0

Source: Bollard Acoustical Consultants 2016; Table 5

³ The FICON has developed a graduated scale for use in assessing noise level increases from projects. The FICON standards are conservative relative to thresholds used by other agencies, such as Caltrans. The lowest increase that would result in a significant impact is 1.5 dB or more where existing noise levels are more than 65 dB Ldn.

3.0 INITIAL STUDY CHECKLIST

This report concluded that mining and reclamation activities associated with the proposed project would not exceed daytime noise ordinance criteria. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on noise levels when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- b) *No New Impact.* There would be no permanent source of groundborne vibration at the project site because the crushing and screening plant would operate intermittently, and there are no sensitive land uses near the site that would be affected by vibration. Off-site haul trucks would generate vibration; however, the added volume of trucks, when added to other heavy truck traffic, would be intermittent and temporary and would not be a permanent source of vibration. Groundborne noise levels would not expose noise-sensitive receptors to excessive noise levels, as described in Item a), above. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to vibration when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* See a) above.
- d) *No New Impact.* See a) above.
- e) *No New Impact.* The project site is within the 60 to 70 dB CNEL noise contours for Mather Airfield. However, there would be no noise-sensitive occupied uses associated with operation of the on-site portable processing plant and scalehouse that would be exposed to these noise levels. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to noise from Mather Airfield operations when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- f) *No New Impact.* There are no private airstrips within the vicinity of the proposed project site. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to aircraft noise when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of noise impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XIII. 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

Previous Environmental Analysis

Population and housing impacts were evaluated in the Grantline West MND on page 3.0-28, which concluded there would be no impacts.

Proposed Project Analysis

- a) *No New Impact.* The proposed project does not include the development of homes, businesses, and/or infrastructure. There would be no increase in the number of employees (six) at the project site compared to the existing operation. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to population growth when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* The proposed project will not displace any existing housing. The proposed project would not result in a new or substantial increase in the severity of a significant adverse related to the displacement of housing or people when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* See b) above.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of population and housing impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XIV. 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

Prior Environmental Analysis

Public services were evaluated in the Grantline West MND on p. 3.0-29, which concluded there would be no impacts on services because no housing, businesses, or infrastructure were proposed.

Proposed Project Analysis

- a) *No New Impact.* Mining operations would continue as approved. There would be no new permanent structures on-site that would require fire protection services. There would be no increase in the number of personnel. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on public services when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above.
- c) *No New Impact.* See a) above.
- d) *No New Impact.* See a) above.
- e) *No New Impact.* See a) above.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of public services impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XV. 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

Prior Environmental Analysis

Recreation impacts were evaluated in the Grantline West MND on p.3.0-30, which concluded there would be no impact on demand for or use of recreation facilities.

Proposed Project Analysis

- a) *No New Impact.* There would be no increase in the number of employees at the site that would result in population-induced demand on recreational facilities. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on existing recreational facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* See a) above. The proposed project does not include the construction of any recreational facilities. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to the construction or expansion of recreational facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of recreation impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XVI. TRANSPORTATION/TRAFFIC. Would the project:					
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒	☒

DISCUSSION OF IMPACTS

Prior Environmental Analysis

Transportation and traffic impacts were evaluated in the Grantline West MND on pages 3.0-31 and 3.0-32. Under the approved project evaluated in the Grantline West MND, the traffic analysis was based on an operation in which aggregate material from site was placed on an electric conveyor to an existing off-site plant (Grantline) in Sacramento County, where

aggregate was processed into various products. Haul trucks were then used to transport products to market, using primarily Grant Line Road, White Rock Road, and Jackson Highway (SR 16). Six employees operated the on-site loading and conveyor system activities. The Grantline West MND concluded traffic operations impacts would be less than significant because there were existing haul truck operations at the Grantline plant and additional trips would not be generated as a result of mining and use of the conveyor to transport aggregate to the Grantline plant. The Grantline West MND also concluded the project would have less than significant impacts on roadway design hazards and incompatible uses and emergency access. No mitigation measures were required for any impacts.

Proposed Project Analysis

Additional Background Information

Under the revisions to the Grantline West Mining Operation Reclamation Plan and CUP and permit revision, the applicant is proposing an option to the conveyor and existing Grantline plant for processing. Under the proposed option, aggregate would be processed on-site and then loaded into trucks and delivered to off-site markets in the greater Sacramento area. The City will condition the project as follows: (1) the two types of processing/hauling activities (on-site plant/hauling and off-site plant/hauling) may not be operated at the same time; and (2) no more than 500,000 tons per year will be hauled to market from the on-site rock crushing and screening plant during the extended mining permit term. The number of trucks would be monitored as part of Teichert's participation in the TMP program.

The haul trucks transporting material from the on-site rock crushing and screening plant to market would use different roadways than those associated with the Grantline plant. Material would leave the site at Gold Dredge Way, which connects to Fitzgerald Road. At Fitzgerald Road, trucks would either turn north or south on Sunrise Boulevard, depending on the final destination. The applicant has agreed that access to US Highway 50 from the site will be via Sunrise Boulevard, not via White Rock Road to Zinfandel Drive or Prairie City Road. Most of the truck trips on US Highway 50 would be eastbound (63 percent) because areas to the west are served by the applicant's Perkins plant, and only 2 percent of the proposed project's trips would be westbound trips on US Highway 50. The anticipated distribution of haul truck trips is shown in **Figure 3**.

- a) *No New Impact*. A traffic impact analysis (TIA) was prepared to evaluate the effect of haul truck traffic on local intersection and US Highway 50 operations (DKS 2016 [included as Attachment E]). The number of truck trips was estimated based on data from the Grantline plant, which is reflected in the TMP. The TMP truck rates are a "per million ton" basis, and peak hour trips are associated with AM peak hour because PM peak hour trip generation is negligible. Because the permit for mining operations will be limited to 500,000 tons per year, for purposes of the proposed project's TIA, truck trip generation rates from the TMP were halved. Table 4 presents the truck trip generation assumption for the proposed project. Truck trip generation was converted to passenger car equivalents (PCEs).⁴ As in the TMP, PCE factors of 4.0 (for loaded/outbound) and 2.0 (for unloaded/inbound) were applied to estimate outbound and inbound PCEs, which are also shown in Table 4.

⁴ A passenger car equivalent (PCE) is the number of passenger cars displaced by a single heavy vehicle of a particular type under specific roadway, traffic, and control conditions.

3.0 INITIAL STUDY CHECKLIST

TABLE 4
TRUCK TRIP GENERATION

	AM Peak Hour Truck Trip Generation	
	Average Day	30HV Day ^a
Outbound trucks	8	13
Inbound trucks	8	13
Outbound PCEs	32	52
Inbound PCEs	16	26

Source: DKS 2016: Tables 2 and 3.

a 30HV is the 30th highest volume day, which is typically used in transportation studies as a prudent and conservative basis of design.

Intersection Operations Analysis

The PCE trip generation was multiplied by the distribution percentages and added to existing traffic counts to generate “Existing Plus Project” scenarios for both average day and 30HV day at 10 study intersections along Sunrise Boulevard. Table 5 summarizes the LOS policies and results of the traffic operations analysis for study area intersections. Intersections #1 and #10 are under the jurisdiction of Sacramento County, which has a level of service (LOS) E policy. Intersections #2 through #8 are under the City of Rancho Cordova, which has an LOS D policy. Intersection #9 is shared by Sacramento County and the City of Rancho Cordova, and the more restrictive City of Rancho Cordova LOS D is applied to this intersection.

Under existing and existing plus project average day and existing plus project 30HV day conditions, the addition of the proposed project truck trips to study intersections #1 through #8 and #10 would not cause an acceptable LOS to degrade to an unacceptable LOS or cause delay to increase by more than 5.0 seconds at a deficient intersection. At intersection #9, (Sunrise Boulevard/Jackson Highway), although LOS D is the more restrictive City policy, the existing condition is LOS E (Table 5). The proposed project would not cause a deterioration from LOS E to LOS F, and it would not result in an increased delay greater than 5.0 seconds at that intersection. Therefore, the proposed project would not result in a new or substantially increase the severity of a significant adverse impact at intersection #9. The predicted changes in intersection operations are conservative because they assume the full operational potential sought under the revised reclamation plan and permit term extension. However, the truck traffic volumes are likely to be much lower because the already approved conveyor system and off-site processing would continue to be the primary method used by the applicant. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to traffic operations policies or standards when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

EXHIBIT 1C
3.0 INITIAL STUDY CHECKLIST

TABLE 5
INTERSECTION OPERATIONS ANALYSIS (AM PEAK HOUR)

Intersection No.	Intersection	LOS Policy	Existing No Project		Existing Plus Project (Average Day)		Existing Plus Project (30HV Day)	
			LOS	Delay	LOS	Delay	LOS	Delay
1	Sunrise Blvd & US 50 WB Ramps	E	D	50.6	D	50.6	D	50.6
2	Sunrise Blvd & US 50 EB Ramps	D	B	16.9	B	16.9	B	16.9
3	Sunrise Blvd & Folsom Blvd	D	D	38.1	D	38.4	D	38.4
4	Sunrise Blvd & White Rock Rd	D	D	38.1	D	38.1	D	38.1
5	Sunrise Blvd & International Dr	D	C	22.9	C	22.8	C	22.8
6	Sunrise Blvd & Fitzgerald Rd	D	B	10.2	B	12.4	B	13.0
7	Sunrise Blvd & Mechanical Dr	D	A	8.2	A	8.2	B	8.2
8	Sunrise Blvd & Douglas Rd	D	C	31.7	C	31.9	C	31.9
9	Sunrise Blvd & Jackson Hwy	D	E	61.8	E	62.3	E	62.8
10	Sunrise Blvd & Grant Line Rd	E	D	45.1	D	45.6	D	45.8

Source: DKS 2016; Table 6

LOS – level of service. **Bold** values indicate unacceptable LOS. However, the increase in delay at Intersection #9 would not be greater than 5.0 seconds at this intersection with the proposed project.

Freeway Operations Analysis

The Sunrise Boulevard/US Highway 50 merge/diverge segments were also evaluated. AM peak hour mainline and ramp volumes were obtained from 2013 Caltrans' PeMS system data and are consistent with the intersection count data at the US Highway 50 ramp terminal intersections with Sunrise Boulevard. Table 6 summarizes the result of the analysis. Without the proposed project and with the proposed project, all merge and diverge segments operate at an acceptable LOS except US Highway 50 Westbound-Sunrise Boulevard merge. However, most of the trucks would travel in the eastbound direction, as shown in **Figure 3**. When the total truck generation is multiplied by the trip distribution percentage westbound (2 percent), the number of trucks when added to the deficient freeway segment is less than one. Therefore, the proposed project would not result in a new or substantially increase the severity of a significant adverse impact on freeway operations. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to traffic operations policies or standards when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

3.0 INITIAL STUDY CHECKLIST

TABLE 6
FREEWAY OPERATIONS ANALYSIS (AM PEAK HOUR)

Analysis Segment	Type	Existing No Project		Existing Plus Project (Average Day)		Existing Plus Project (30HV Day)	
		LOS	Density	LOS	Density	LOS	Density
US Highway 50 Eastbound							
Sunrise Blvd exit	Two-lane diverge	C	21.0	E	21.0	C	21.0
Sunrise Blvd entrance	One-lane merge	C	21.4	C	21.5	C	21.6
US Highway 50 Westbound							
Sunrise Blvd exit	One-lane diverge	E	37.3	E	37.4	E	37.4
Sunrise Blvd entrance	One-lane merge	F	40.8	F	40.8	F	40.8

Source: DKS 2016: Table 7

LOS – level of service. **Bold** values indicate unacceptable LOS.

Density: passenger cars per minute per lane

- b) *No New Impact.* See a) above.
- c) *No New Impact.* The proposed project does not involve any aviation-related uses but is located within 2 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; thus, no impacts are anticipated. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on air traffic when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New 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; thus, no impacts are anticipated. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to roadway design features when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- e) *No New Impact.* The proposed project site has multiple access points for emergency vehicles to enter and or exit; thus, no impacts are anticipated. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on emergency access when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- f) *No New Impact.* The proposed project would add haul trucks to the local roadway network, where there is already heavy truck traffic associated with the largely light-industrial, industrial, and warehousing land uses in the immediate area. No physical changes to local roadways are required to accommodate project traffic. The proposed project would not result in operating conditions that would affect existing alternative transit modes nor increase congestion that would adversely affect public transit travel times and headways; thus, no impacts are anticipated. The proposed project would not

result in a new or substantial increase in the severity of a significant adverse effect on transit, bicycle, or pedestrian facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of transportation/traffic impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XVII. 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

Prior Environmental Analysis

Utilities/service systems impacts were evaluated in the Grantline West MND on p.3.0-33, which concluded there would be no impact because mining and reclamation activities would not

result in wastewater discharges, generate increased stormwater runoff, or generate solid waste. Water for dust control is available from an existing off-site well.

Proposed Project Analysis

- a) *No New Impact.* Operation of the portable rock crushing and screening plant, stockpiles, and off-site haul truck traffic would not result in wastewater discharge. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect related to wastewater discharges when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- b) *No New Impact.* The proposed project will not require the construction of any wastewater treatment facilities. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on water or wastewater facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* The proposed project would not require storm drainage facilities because it would not result in increased impervious surfaces that could be a source of stormwater runoff requiring storm drain conveyance. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on storm drainage facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- d) *No New Impact.* Water from the existing off-site well is hauled to the site for dust control for approved mining operations. There would be no change in the amount of mining or the use of haul roads that would increase water demand for dust control. Some water would be used, as appropriate, to minimize fugitive dust emissions from soil stockpiles. The aggregate rock crushing and screening plant would not use water during operation. No increase in water demand relative to the approved mining and reclamation plan is anticipated. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on water supplies when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- e) *No New Impact.* See a) and b) above.
- f) *No New Impact.* The proposed project will not need solid waste disposal services. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on solid waste facilities when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- g) *No New Impact.* See f) above.

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of utilities and service systems impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

3.0 INITIAL STUDY CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact	Reviewed Under Previous Document
XVIII. 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

Previous Environmental Analysis

Mandatory findings of significance were evaluated in the Grantline West MND on page 3.0-35. Significance conclusions presented in the MND are summarized in each topic, below.

Proposed Project Analysis

- a) *No New Impact.* The Grantline West MND concluded the Grantline West project would have the potential to result in significant impacts on biological resources, but with mitigation measures adopted as part of the project, impacts would be reduced to less than significant levels. There would be no changes in the mining disturbance area from the proposed project, so there would be no potential for new or additional adverse

impacts on biological resources relative to the Grantline West MND. The applicant would continue to implement adopted mitigation measures MM 4.1a through MM 4.1c in order to ensure setting up the portable plant, placement of the scalehouse, and installation of rock approach and drive apron would not affect sensitive species or habitat, if any are present at those locations. There is low potential for cultural resources, based on site investigations. Because the proposed project does not propose mining in new locations, the potential for discovery of previously unknown resources remains the same as the approved project. However, the applicant will continue to implement mitigation measure MM 5.1 to ensure cultural resources, if any are discovered, would be managed appropriately. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on biological resources or cultural resources when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

- b) *No New Impact.* The Grantline West MND concluded all cumulative impacts would be less than significant and no mitigation measures were required. The only potential contribution to cumulative impacts that would differ from the approved project would be the result of crushing/screening operations at the on-site plant and off-site haul truck trips (air and GHG emissions), noise from off-site haul trucks, and traffic volumes from off-site haul trucks. As discussed in Item III a), the proposed project would not conflict with either the Sacramento Regional 8-Hour Ozone 2011 Reasonable Further Progress Plan or the PM10 Implementation/Maintenance Plan and Re-Designation Request for Sacramento County, and predicted long-term operational emissions attributable to the proposed project would not exceed SMAQMD significance thresholds. Therefore, the proposed project's contribution to air emissions would not be cumulatively considerable. GHG emissions are evaluated as a cumulative condition. The proposed project would not exceed SMAQMD's numeric threshold and therefore would not result in a cumulative contribution (Item VII a). Noise levels from haul trucks would result in minimal increases along major roadways (Item XII). There would be no permanent increase in noise levels that would be cumulatively considerable because the increases from operation of the plant and off-site haul trucks would be temporary and intermittent, limited only to when the portable plant is on-site and operating. The plant would be removed after mining ceases. Haul truck traffic would not result in degradation of intersection or freeway levels of service that would contribute to cumulative impacts over the long-term because the proposed project would extend the permit term no more than 10 years, and haul truck traffic would only occur when the on-site plant is in operation, which would be in response to local market demand and would not be continuous for the entire 10 years. The proposed project would not result in a new or substantial increase in the severity of a significant adverse cumulative effect when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.
- c) *No New Impact.* The proposed project would not cause significant adverse effects on human beings, either directly or indirectly. Air and GHG emissions and noise levels would not exceed adopted thresholds, and hazardous materials would not be used in the on-site portable plant. There would be no adverse changes in the visual environment. The proposed project would not result in increased traffic congestion or cause any traffic hazards. The proposed project would not result in a reduction in water supply, degrade water quality, or cause or expose people to flooding. The proposed project would not result in a new or substantial increase in the severity of a significant adverse effect on human beings when compared to the effects identified in the Grantline West MND, and no new impacts would result. Therefore, no further CEQA review is required.

3.0 INITIAL STUDY CHECKLIST

Conclusion

The proposed project would not result in a new impact or substantially increase the severity of physical environmental impacts compared to those identified in the Grantline West MND, and no new impacts would result. No other standards for triggering supplemental environmental review are met. Therefore, no further CEQA review of this impact area is required.

REFERENCES

- Bollard Acoustical Consultants. 2016. Environmental Noise Assessment Grantline West Mining Project, Rancho Cordova, California.
- City of Rancho Cordova. 2005. Grantline West Mitigated Negative Declaration (SCH #2005052042).
- DKS. 2011. East Sacramento Region Aggregate Mining Truck Management Plan Final Technical Report.
- . 2016. Traffic Impact Analysis for Grantline West Mining Permit Memorandum.
- Haley & Aldrich, Inc. 2016. Air Quality Impact Analysis Grantline West Project, Rancho Cordova, California.
- Peak & Associates, Inc. 2005. Determination of Eligibility and Effect for the Proposed Rio Del Oro Project Area, City of Rancho Cordova, Sacramento County, California.
- Teichert. 2016. Grantline Road Properties, LLC Grantline West Mining Operation Reclamation Plan.

ADDENDUM PREPARERS

CITY OF RANCHO CORDOVA PLANNING DEPARTMENT

Patrick Hindmarsh Environmental Coordinator

CITY OF RANCHO CORDOVA PLANNING DEPARTMENT, AS PROVIDED BY MICHAEL BAKER INTERNATIONAL

Patrick Angell Project Manager

Alice Tackett Environmental Specialist

ATTACHMENT 2

CITY OF RANCHO CORDOVA

RESOLUTION NO. 18-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE A ROADWAY IMPACT AND TRUCK
MANAGEMENT PROGRAM AGREEMENT AND A PAYMENT AGREEMENT WITH GRANT
LINE ROAD PROPERTIES, LLC FOR THE GRANTLINE WEST MINING OPERATION**

WHEREAS, on July 5, 2005, Grant Line Road Properties, LLC (hereinafter referred to as Applicant) was approved by the City of Rancho Cordova (hereafter referred to as City) by Resolution No. 81-2005 to conduct mining operations for a period of 12 years which expires on July 5, 2017; and

WHEREAS, Applicant filed an application with the City to continue mining operations for an extension of 5 years with an optional 5 year renewal subject to City review and approval; and

WHEREAS, pursuant to new conditions of approval on the mining permit renewal, Applicant is required to execute a Roadway Impact and Truck Management Agreement prior to operation under the permit renewal; and

WHEREAS, pursuant to the terms of the Roadway Impact and Truck Management Agreement for mined and removed materials from the project site, the City shall receive a fee of three cents (\$0.03) per gross ton for wear and tear on City roadways, ten cents (\$0.10) per gross ton to mitigate public improvements on Gold Dredge Way and Fitzgerald Road necessitated by the project, and City's portion of twelve cents (\$0.12) per ton for quality of life improvements; and

WHEREAS, to satisfy Condition #21 under the original conditions of approval as extended to the permit renewal, Applicant is required to execute a Payment Agreement prior to operation under the permit renewal; and

WHEREAS, pursuant to the terms of the Payment Agreement, the City shall receive one percent (1%) of the gross sales generated by the sales of mined materials which are recovered from the project site and removed and sold from a site that outside the City; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on February 6, 2017 and received a staff report and public testimony at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute a Roadway Impact and Truck Management Program Agreement (**Exhibit 2A**) and a Payment Agreement (**Exhibit 2B**) in a form approved by the City Attorney.

ATTACHMENT 2

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the)
____ day of _____, 2017.

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk

**ROADWAY IMPACT AND TRUCK
MANAGEMENT PROGRAM AGREEMENT
FOR THE GRANTLINE WEST MINING PROJECT
(PERMIT RENEWAL)
BETWEEN THE CITY OF RANCHO CORDOVA AND
GRANT LINE ROAD PROPERTIES, L.L.C.**

This ROADWAY IMPACT AND TRUCK MANAGEMENT PROGRAM AGREEMENT (hereinafter the “**Agreement**”) is dated for reference purposes as of [REDACTED], by and between the CITY OF RANCHO CORDOVA, a municipal corporation of the State of California (hereinafter the “**City**”), and GRANT LINE ROAD PROPERTIES, L.L.C., a Delaware Limited Liability Company (hereinafter the “**Operator**”) (the City and Operator being collectively referred to herein as the “**Parties**”). This Agreement is made and entered into in accordance with Conditions 34, 35, 40 and 41 to the renewal of the Permit for the Grantline West Mining Operation (hereinafter referred to as “**Project**” or “**Permit Renewal**”) by the City Council on the 6th day of February, 2017. Terms with initial capitalization used but not defined in this Agreement shall have the meanings given to them in the Project Approvals, as defined below.

RECITALS

A. The City Council approved the Surface Mining and Reclamation Permit for the Grantline West Mining Project , Project No. RC-04-145, by Resolution No. 81-2005, on July 18, 2005 (hereafter the “**Original Permit**”). The Original Permit, expires on July 18, 2017. It is the intent of the parties that the Original Permit be modified and the term be extended for ten (10) years as provided for in this Agreement.

B. Operator intends to continue to remove aggregate resources from portions of the Rio Del Oro property, which is located within the City limits, as identified and depicted on Exhibit A to this Agreement (hereafter the “**Project Site**”), which is incorporated herein by reference. On the 6th day of February 2017 (the “**Project Approval Date**”), the City Council approved the renewal of the permit for the Project, which shall become effective on July 18, 2017 (hereafter the “**Permit Renewal**” and the “**Permit Renewal Date**”). There are limited modifications to the Mining and Reclamation Plan, and the renewal of the permit for the Project does not require subsequent or supplemental environmental review under the California Environmental Quality Act (“CEQA”). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 - 15164, the City prepared, and on the 6th day of February 2017 the City Council adopted an addendum to the original 2005 Grantline West Mitigated Negative Declaration (RC 04-145).

C. The Project Site is an important source of aggregate for the City and the Sacramento metropolitan area. Aggregate material that is extracted from the Project Site will be used in local and regional projects and sales within the City of Rancho Cordova are expected to generate certain tax revenues. The Permit Renewal now allows for materials to be hauled by truck from the Project Site which will impact roadways within the City and, in order to address impacts to roads anticipated by such activities, in order to address impacts to roads anticipated by such activities, the City imposed Condition No. 34, which requires as follows:

The applicant shall enter into an agreement with the City to address damages and impacts to City roadways directly attributable to the project. Impacts include, but are not limited to: public improvements necessitated by the project and accelerated wear on public infrastructure. The form of the agreement may include a fee per unit of material hauled away from the site and/or a capital fee to the satisfaction of the Public Works Department.

To satisfy Condition No. 34, the City and Operator are entering into this Agreement.

D. On December 15, 2011, Sacramento County adopted the Sacramento County Quarry Truck Management Plan (the “**TMP**”), attached hereto and incorporated herein as Exhibit B, in order to address quality of life impacts resulting from truck trips used to transport materials mined within a designated jurisdictional area. On January 24, 2012, the City entered into the Quarry Truck Management Plan Operational Agreement with the County of Sacramento (the “**TMP Operational Agreement**”), attached hereto and incorporated herein as Exhibit C. Both the TMP and the TMP Operational Agreement require the imposition of a per ton fee, referred to herein as the “**TMP Per Ton Fee**” on specified new projects and permit renewals.

E. Pursuant to the TMP and the TMP Operational Agreement, the City imposed Condition No. 35 on the Permit Renewal, as follows:

Prior to operations under the Permit Renewal, the Applicant shall execute a Roadway Impact and Truck Management Program Agreement that will satisfy the terms of a Truck Management Plan Operational Agreement executed between the City and the County of Sacramento.

These per ton fees required by Conditions Nos. 34 and 35 on the Permit Renewal are referred to herein as the “**Roadway Per Ton Fee** and the **TMP Per Ton Fee**, respectively.”

F. The distribution map for materials conveyed from the Project Site to the Grantline Plant, required by Paragraph 10 of Exhibit B of the TMP (the “**TMP Grantline Plant – Distribution Figure**”) is attached hereto and incorporated herein as Exhibit D, which may be modified from time to time as set forth in Section 2.4.2 of this Agreement and Paragraph 11 of the TMP.

The distribution route shown on Exhibit D used by trucks transporting materials from the Grantline Plant is referred to herein as the “**Grantline Plant Truck Route**”, for purposes of calculation of the TMP Fee (Section 2.2) and monitoring compliance with the Truck Route Enforcement Plan (attached hereto and incorporated herein as Exhibit F). The City also imposed certain limitations on truck routes in Condition No. 40 of the Permit Renewal, as follows:

Truck access from the Grantline Plant to Highway 50 for materials from the Project shall be from Prairie City Road, and not from Zinfandel Drive. With the exception of local deliveries, no through trips shall be allowed on White Rock Road.

Exhibit D is consistent with Condition No. 40.

G. The distribution map for trucks leaving the Project Site, required by Paragraph 10 of Exhibit B of the TMP (the “**TMP Grantline West Operation – Rancho Cordova - Distribution Figure**”) is attached hereto and incorporated herein as Exhibit E, which may be modified from time to time as set forth in Section 2.4.2 of this Agreement and Paragraph 11 of the TMP.

The distribution route used by trucks transporting materials from the Project Site is referred to herein as the “**Grantline West Truck Route**”, for purposes of calculation of the TMP Fee (Section 2.2) and monitoring compliance with the Truck Route Enforcement Plan (attached hereto and incorporated herein as Exhibit F). The City also imposed certain limitations on truck routes in Condition No. 41 of the Permit Renewal, as follows:

Truck access to Highway 50 for materials from the Project site shall be from Sunrise Blvd., and not from Zinfandel Drive. With the exception of local deliveries, no through trips shall be allowed on White Rock Road.

Exhibit E is consistent with Condition No. 41.

H. Conditions 34, 35, 40 and 41 of the Permit Renewal are sometimes referred to herein collectively as the “**Conditions**”. As set forth in Section 1.1 of this Agreement, the City and Operator desire to enter into this Agreement in response to and in satisfaction of the Conditions.

AGREEMENT

NOW THEREFORE, the City and Operator do hereby agree as follows:

1. PURPOSE OF AGREEMENT; INCORPORATION OF RECITALS; DEFINED TERMS.

1.1 Purpose of Agreement. Execution of this Agreement by the Parties and performance by Operator hereunder shall constitute full satisfaction of Conditions 34, 35, 40, and 41 of the Permit Renewal.

1.2 Incorporation of Recitals; Defined Terms. The Parties acknowledge and agree upon the accuracy of the Recitals hereto and incorporate them herein by this reference. The “**Project Approvals**” consist of (1) the Original Permit and related conditions of approval; (2) the Permit Renewal and related conditions of approval; and (3) the Mining and Reclamation Plan approved by the Permit Renewal. Terms with initial capitalization used but not defined in this Agreement shall have the meanings given to them in the Project Approvals.

2. FEES AND PAYMENTS.

2.1 Roadway Per Ton Fee; Amount. Operator agrees to pay the City a fee equal to thirteen cents (\$0.13) per gross ton of Mined and Removed Materials from the

Project Site (the “**Roadway Per Ton Fee**”) that is trucked or hauled from the Project Site. For purposes of this Agreement, the term “**Mined and Removed Materials**” is defined in Section 2.3.1 of this Agreement. The City may not increase the amount of the Roadway Per Ton Fee during the term of the Project Approvals, and such fee shall not apply to materials mined and removed by conveyor.

2.1.1 Timing For Payment of Roadway Per Ton Fee. Operator shall make and deposit payments of the Roadway Per Ton Fee due under this Agreement on an annual basis coinciding with the City’s fiscal year, which runs from July 1 to June 30, with each payment of Roadway Per Ton Fee for the subject fiscal year due to the City within forty-five (45) calendar days after the end of the City’s fiscal year. Operator shall deposit these payments with the City Finance Department. Operator shall pay a late fee of two and one-half percent (2.5%) per month on a prorated basis for any payment not made within ten (10) days after the date due.

2.1.2 Statements. Each payment of Roadway Per Ton Fee made by Operator under this Agreement shall be accompanied by the following: (a) a Statement of Quantities; (b) a calculation of the payment due based upon the Statement of Quantities; and (c) a record of truck tickets regarding Mined and Removed Materials for the applicable fiscal year certified by a California Weighmaster. Subject to approval by City, which shall not be unreasonably withheld, Operator may substitute an alternative computerized tracking method that substantiates the amount of Mined and Removed Materials. For purposes hereof, the term “**Statement of Quantities**” shall mean an annual statement indicating the total tonnage of Mined and Removed Materials during a subject fiscal year.

2.1.3 Purpose of Roadway Per Ton Fee. The purpose of the Roadway Per Ton Fee is to fully compensate the City during the entire Term of this Agreement as defined in Section 3 for wear and tear on City roadways. Ten cents (\$0.10) per ton is for repair of Gold Dredge Way and Fitzgerald Road between the Project Site access roads and Sunrise Blvd which may be needed as a result of Operator’s removal of materials from the Project Site by truck. Three cents (\$0.03) per ton is for unspecified future damage that may occur to any and all portions of Sunrise Blvd or to any other City roadways which may be needed as a result of Operator’s removal of materials from the Project Site by truck. The Parties acknowledge and agree that Operator’s obligation to pay the Roadway Per Ton Fee shall fully satisfy any other obligation that Operator may have at any time during the Term towards any repairs or improvements to City roadways.

2.2 TMP Per Ton Fee.

2.2.1 TMP Per Ton Fee; Amount. Beginning on July 18, 2017 (hereafter the “**Permit Renewal Effective Date**”), Operator agrees to pay the County of Sacramento a fee (hereinafter, the “**TMP Per Ton Fee**”) equal to Twelve Cents (\$0.12) per gross ton of Mined and Removed Materials, as that term is defined in Section 2.3.1 of this Agreement, and that are removed from the Project Site pursuant to the terms of the TMP, attached as Exhibit B. The amount of the TMP Per Ton Fee shall be adjusted during the term of the Permit Renewal, but only as authorized by and consistent with the terms of Paragraph 6 of Exhibit B to the TMP. The distribution of funds shall be determined as more specifically set forth in

Paragraph 9 of Exhibit B to the TMP. The TMP Distribution Figure percentages identified in Exhibits D (for material conveyed) or E (for material removed by truck) to this Agreement shall establish the distribution between the City and County, and/or other jurisdictions, with such percentages subject to revision from time to time as set forth in the TMP.

2.2.2 Documentation of Truck Route; Changes to Method for Documenting Truck Route. In order to document actual Truck Routes as required by the TMP and the TMP Operational Agreement, Operator shall implement one of the following alternatives to identify the Truck Route:

(a) The Operator shall require each driver of a truck leaving the Project Site to identify (a) whether the delivery destination is within the City limits or outside of the City limits and (b) for those deliveries outside of the City limits, the point of ultimate destination. For each aggregate truck leaving the Project Site, the Operator shall maintain a log identifying by date, (a) tonnage transported and (b) the Major Road (as identified on Exhibit D or E) that will be used for delivery of aggregate materials, and (c) whether the delivery destination is within City limits or outside City limits. Operator shall maintain this log and provide a copy, quarterly, to the County and the City; or

(b) For purposes of this Agreement, a “Haul Tag” is a written record that includes the identification of the truck, job, customer and weight of materials included that is maintained by the Operator in the regular course of business to establish point of sale. The Operator shall provide City and County with a report that estimates Truck Routes based on a comparison of Haul Tags and actual distribution routes, observed quarterly, when mining operations are occurring. Operator shall perform a random check at least quarterly to assure that trucks are following the prescribed Truck Route by observing which direction trucks are turning on White Rock Road, Sunrise Blvd and Grant Line Road, and shall maintain a copy of the report for review by the City or County upon demand. Such report shall include percentages of truck trips traveling in each direction on such roads observed in the spot check. Such report should also assess the Haul Tags in comparison to the Truck Routes; or

(c) The City and Operator may agree to develop a different means for documenting Truck Routes during the term of the mining permit. City shall notify County of any changes in the manner for documenting Truck Routes.

Based on such information derived from the reports provided pursuant to this Section, and as allowed by the terms of the TMP, City or County may submit a request for modifications to the TMP Distribution Figure Percentages identified on Exhibit D and/or E to this Agreement.

2.2.3 Alternative Method to Determine Truck Route Distribution for Annual Sales Less than 250,000 Tons. City acknowledges that the collective cost to Operator, City and County to implement the administrative requirements for accounting for the distribution of Truck Routes may exceed the value of the TMP Per Ton Fee in years in which annual sales generated from the Project Site are less than 250,000 Tons of Mined and Removed Materials (i.e., generating less than or equal to approximately \$30,000 in TMP Per Ton Fees). City agrees to negotiate in good faith with County and other entities anticipated to receive

payments of the TMP Per Ton Fee a distribution method that relies upon reasonable estimates of Truck Routes as an alternative to the record-keeping described herein. In the event an alternative method to calculate Truck Route distribution is agreed to by the affected jurisdictions in the TMP Program, that alternative method shall be attached to this Agreement as an Exhibit G, without further necessity of amending the other terms stated herein. The provisions of this Section do not obligate either City or County to agree to any alternative method for calculating Truck Route distribution.

2.2.4 Satisfaction of TMP Requirements. Operator's payment of the TMP Per Ton Fee and the provision of the quarterly report identified in Section 2.2.2(a), and observance of the applicable requirements and obligations set forth in the TMP and the TMP Operational Agreement shall constitute full compliance by Operator with the TMP Per Ton Fee requirements.

2.3 Computation Method for Fees and Inspection Rights. The following computation method and inspection rights shall apply to the Roadway Per Ton Fee and the TMP Per Ton Fee.

2.3.1 Definition of Mined and Conveyed Materials; Mined and Removed Materials. For purposes of this Agreement, the term "**Mined and Conveyed Materials**" shall mean and include sand, gravel, rock, and other aggregate and/or construction materials mined and permanently removed from the Project Site by conveyor during the Term of this Agreement. For purposes of this Agreement, the term "**Mined and Removed Materials**" shall mean and include sand, gravel, rock, and other aggregate and/or construction materials mined and permanently removed from the Project Site by Truck during the Term of this Agreement.

2.3.2 Weighing of Materials. All Mined and Removed Materials shall be weighed prior to removal from the Project Site through certified scales to be installed and maintained and operated at all times by a Certified Weighmaster. All Mined and Conveyed Materials shall be weighed prior to removal from the Grantline Plant through certified scales to be installed and maintained and operated at all times by a Certified Weighmaster.

2.3.3 Records. Operator shall keep full, true and accurate books of account during the Term hereof containing: (a) all necessary data for computation of Roadway Per Ton Fees and TMP Per Ton Fees due hereunder; and (b) certified weight receipts of all Mined and Removed Materials and all Mined and Conveyed Materials.

2.3.4 Inspection Rights. Solely for the purpose of verifying the amounts of Mined and Removed Materials and Roadway Per Ton Fees and Mined and Removed Materials and Mined and Conveyed Materials and TMP Per Ton Fees due under this Agreement, the City and County shall have the following rights and privileges:

(a) At any reasonable time and from time to time during the Term of this Agreement upon not less than three (3) calendar days' prior written notice, and subject to Section 6 hereof, the right to have a duly authorized agent or representative of the City

or County, when accompanied by a representative of Operator but at their own risk, to enter upon the Project Site for the purposes of making such examinations, inspections and verifications as such representative or agent may reasonably desire; and

(b) The right to examine any of the items delivered by Operator pursuant to Section 2.1.2 and 2.2.2 hereof; and

(c) Upon not less than ten (10) calendar days' prior written notice by City or County to Operator, and subject to Section 4 hereof, the right during regular business hours for Operator and Operator's authorized experts, accountants and auditors to review and inspect Operator's records and books of account relevant to payment of the Roadway Per Ton Fee and TMP Per Ton Fee and the Project Site, together with the right, at the expense of the City or County, as applicable, to make a copy or copies of the relevant portion of Operator's books and records. Operator will keep and maintain its book and records relevant to payment of the Roadway Per Ton Fee and TMP Per Ton Fee and the Project Site for at least three (3) years from the date of payment to the City or County, as applicable.

2.4 Truck Routes and Enforcement.

2.4.1 Truck Routes. With the exception of local deliveries, Operator agrees to implement the Truck Route Enforcement Plan incorporated herein as Exhibit F to ensure that trucks follow the truck route established in the Project Approvals as depicted in Exhibits D and E or as modified per paragraph 11 of the TMP. Such Truck Route Enforcement Plan shall be reviewed after the second year of any truck operations from the Project Site and then four years thereafter to determine whether there are issues with the Truck Route or enforcement thereof. Should the City determine that Truck Routes are not being followed and/or adequately enforced, the parties shall meet and confer to determine whether additional enforcement measures are necessary and/or whether an alternative route should be established after an appropriate traffic analysis has been performed. Any proposed changes to the route shall be consistent with the restrictions in the TMP, as more specifically set forth in Paragraph 15(a)-(c), inclusive, of Exhibit B to the TMP.

2.4.2 City's Obligations Under TMP Operational Agreement. The provisions in this Section 2.4 are intended to comply with the City's obligations under the TMP Operational Agreement with the County and the City shall, consistent with the TMP Operational Agreement, provide continuous access along Grantline Road and Jackson Highway within the City limits. However, consistent with the TMP and as required by Conditions 40 and 41, Truck Access for the Project shall be limited to local deliveries only for White Rock Road.

3. TERM OF AGREEMENT. This agreement shall be binding and in effect for a term (the "Term") beginning on the Permit Renewal Date and ending on the later to occur of the following: (a) the expiration or termination of the Project Approvals, as the same may be extended from time to time, or (b) completion and cessation of all mining, processing and related activities by Operator on the Project site.

4. **CONFIDENTIALITY AGREEMENT.**

4.1 Nondisclosure of Confidential Materials. Except to the extent required by the California Public Records Act (California Government Code Section 6250 *et seq.*) (“CPRA”) or other applicable laws, the City, in order to protect Operator’s financial and commercial interests, shall not cause or permit any Confidential Materials to be disclosed to, or made accessible to, any person, firm or entity other than those employees of the City, attorneys and accountants of the City, or consultants of the City who are immediately and directly involved in the administration of this Agreement and who are subject to the confidentiality provisions of this Section 4. For purposes hereof, “**Confidential Materials**” shall mean any Statement of Quantities, any other statement accompanying a payment of Per Ton Fees, any records of payments or payment amounts made under this Agreement, information obtained pursuant to or in connection with Section 2.4.3, or any other related documents, information, statements or materials.

4.2 Public Records Act Requests. If City receives a request for disclosure of any Confidential Materials (“**Document Request**”), then City shall immediately notify Operator of the Document Request as well as the identity of the individual or entity making the Document Request and shall also provide a written copy of the Document Request to Operator by the most expedient means (e.g., facsimile, e-mail, etc.). If City believes that it is obligated to disclose any or all of the documents identified in the Document Request pursuant to the CPRA or other applicable laws, then at least five (5) business days prior to making any disclosure under or pursuant to the Document Request, City shall provide written notice to Operator of City’s intention to make the disclosure, which notice shall include, without limitation, a written description of (a) each and all of the documents that City intends and believes it is obligated to disclose, and (b) the legal basis requiring such disclosure. Operator shall then have the option to request that the City decline such disclosure and to advise the City of any grounds for same; Operator shall provide City with such request no later than three (3) business days after receiving notice from the City. If Operator timely requests that the City decline such disclosure, and the City Attorney determines that Operator has provided legally sufficient ground to decline the request, then the City shall respond to the Document Request declining to make the disclosure and providing the appropriate grounds or exemption. Operator, at Operator’s sole cost, shall then defend and indemnify the City from any action related to such response. If the City Attorney disagrees with Operator’s position, then the City shall notify Operator within one (1) business day of that fact, providing Operator with the opportunity, at Operator’s sole cost, to file a declaratory relief action to determine whether the documents must be disclosed. Such declaratory relief action must be filed no later than five (5) business days after the City notifies Operator that the City Attorney disagrees with Operator’s position. The City shall also notify the party making the Document Request that Operator has requested the opportunity to file a declaratory relief action to determine if the documents are exempt from disclosure.

5. **DISPUTES**

5.1 Notice and Cure; Meet and Confer. Prior to filing suit for any claim under this Agreement for any alleged breach, the aggrieved Party shall first give the other Party an opportunity to cure the alleged breach by sending written notice to the breaching Party and

giving the breaching Party a minimum of thirty (30) days from the receipt of notice to cure the alleged violation. Either Party may request that the Parties meet and confer to discuss the alleged breach within the thirty (30) day period after the notice to cure the alleged violation is received.

5.2 Arbitration For Certain Controversies. Any controversy between the Parties regarding the terms or conditions of this Agreement and/or any claim arising out of or relating to this Agreement or its breach (with the exception of Operator's non-payment of the Per Ton Fee), shall be submitted to binding arbitration upon the written request of one party after the service of that request on the other party. The arbitration shall be initiated by written notice of a demand to arbitrate sent by certified mail, return receipt requested, by one party to the other party. The Parties shall attempt to agree on a retired judge of the Superior Court of the State of California to be the Arbitrator. If the Parties cannot agree, then the Superior Court of the Sacramento County shall choose an impartial Arbitrator whose decision shall be final and conclusive on all parties, and it may be confirmed thereafter as a judgment by the Superior Court of the State of California, subject only to challenge on the grounds set forth in California Code of Civil Procedure Section 1286.2. The validity and enforceability of the Arbitrator's decision is to be determined exclusively by the California courts. The City and Operator shall each have the right of discovery in connection with any arbitration proceeding in accordance with Code of Civil Procedure Section 1283.05. The Parties shall equally share the costs and fees of the Arbitrator. Each Party shall pay its own engineers', attorneys' and other professionals' fees. The sole and exclusive venue for the arbitration and or any legal dispute shall be Sacramento County, California.

6. INDEMNIFICATION; INSURANCE.

6.1 Indemnity Requirements. To the fullest extent permitted by law, Operator shall indemnify, defend (with counsel acceptable to City) and hold harmless City (including its officers, agents, members, employees, affiliates, and representatives) from and against any and all claims, demands, actions, losses, liabilities, damages, expenses, liabilities and all costs incidental thereto, including cost of defense, settlement, arbitration and reasonable attorneys' fees ("**Claims**") arising out of, pertaining to, or resulting from (a) the negligent, reckless or willful acts of omissions of Operator, its offices, agents or employees, or the acts of omissions of anyone else directly or indirectly acting on behalf of Operator or for which Operator is legally liable under law, of (b) Operator's performance of its obligations under this Agreement. Without limitation, such obligations to defend, hold harmless and indemnify the City under this Section 6.1 shall not apply to the extent that such Claims are caused by the sole negligence, active negligence, or willful misconduct of the City, and shall exclude punitive and consequential damages of any kind.

6.3 Insurance Requirements. Operator shall procure, maintain, and keep in force at all times during the Term of this Agreement, at Operator's sole expense, all that insurance described in Exhibit H.

7. **GENERAL.**

7.1 Notices. All notices required or permitted to be given hereunder shall be in writing and shall be delivered in person, sent by overnight delivery service (such as Federal Express) or sent by certified mail, return receipt requested, postage fully prepaid thereon, addressed as follows:

City: City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Attn: City Manager and Public Works Director

Operator: Grant Line Road Properties LLC
3500 American River Drive
P.O. Box 13308
Sacramento, CA 95813
Attn: President

And to: Taylor &Wiley
500 Capitol Mall, Suite 1150
Sacramento, CA 95814
Attn: James Wiley

No party shall refuse or evade delivery of any notice.

7.2 Interpretation. It is agreed and acknowledged by the parties hereto that the provisions of this Agreement have been arrived at through negotiation, and that each party has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

7.3 Counterparts. This Agreement may be signed in several counterparts and all so signed shall constitute one and the same agreement, binding on all of the parties hereto, notwithstanding that all of the parties are not signatory to the original or same counterparts,

7.4 Successors And Assigns. Each and every provision of this Agreement shall bind and inure to the successors in interest of the parties hereto, in the same manner as if such parties had been expressly named herein.

7.5 Governing Law. This Agreement and the rights and duties of the parties hereunder shall be governed by the laws of the State of California, without giving effect to such state's conflict of law principles. Any legal action filed by the parties with respect to this Agreement shall be filed in Sacramento County, California.

7.6 Attorneys' Fees. Each Party to this Agreement shall bear its own attorneys' fees in connection with the negotiation and drafting of this Agreement. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provisions of this Agreement, then the prevailing party in any such action shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose. For purposes hereof, the "prevailing party" shall be the party that recovers substantially the relief sought by said party, whether by judgment, settlement, dismissal or otherwise. Operator shall have no obligation to reimburse the City for any attorneys' fees incurred in connection with any future disputes over the construction of this Agreement, unless and until an determination is made by an arbitrator or by a court of competent jurisdiction which establishes that the City is the prevailing party, as defined in this section, in connection with any such dispute.

7.7 Effect Of Invalidity. If any term of provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term or provision of this Agreement shall continue to be valid and shall be enforced to the fullest extent permitted by law.

7.8 Effect Of Waiver. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, except those of the waiving party, which shall be extended by a period of time equal to the period of delay.

7.9 No Agency, Partnership Or Joint Venture. Nothing in this Agreement shall be deemed or construed to create the relationship of principal and agent, a partnership, joint venture or any other association between the parties.

7.10 Entire Agreement. This Agreement (including any exhibits hereto) is the final expression of and contain the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented, superseded, canceled or terminate, nor may any obligations hereunder be waived, except by a written instrument signed both Parties hereto or by a party's agent duly authorized in writing or as otherwise expressly permitted herein. The parties do not intend to confer any benefit hereunder on any other person, firm or corporation other than the parties hereto and their lawful successors and assigns.

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

CITY OF RANCHO CORDOVA
A Municipal Corporation of the State of

GRANT LINE ROAD PROPERTIES,
L.L.C., a Delaware LLC.

By: _____
Cyrus Abhar, City Manager

Date: _____

By: _____
Name: _____
Title: _____
Date: _____

ATTEST:

Mindy Cuppy, MMC, City Clerk

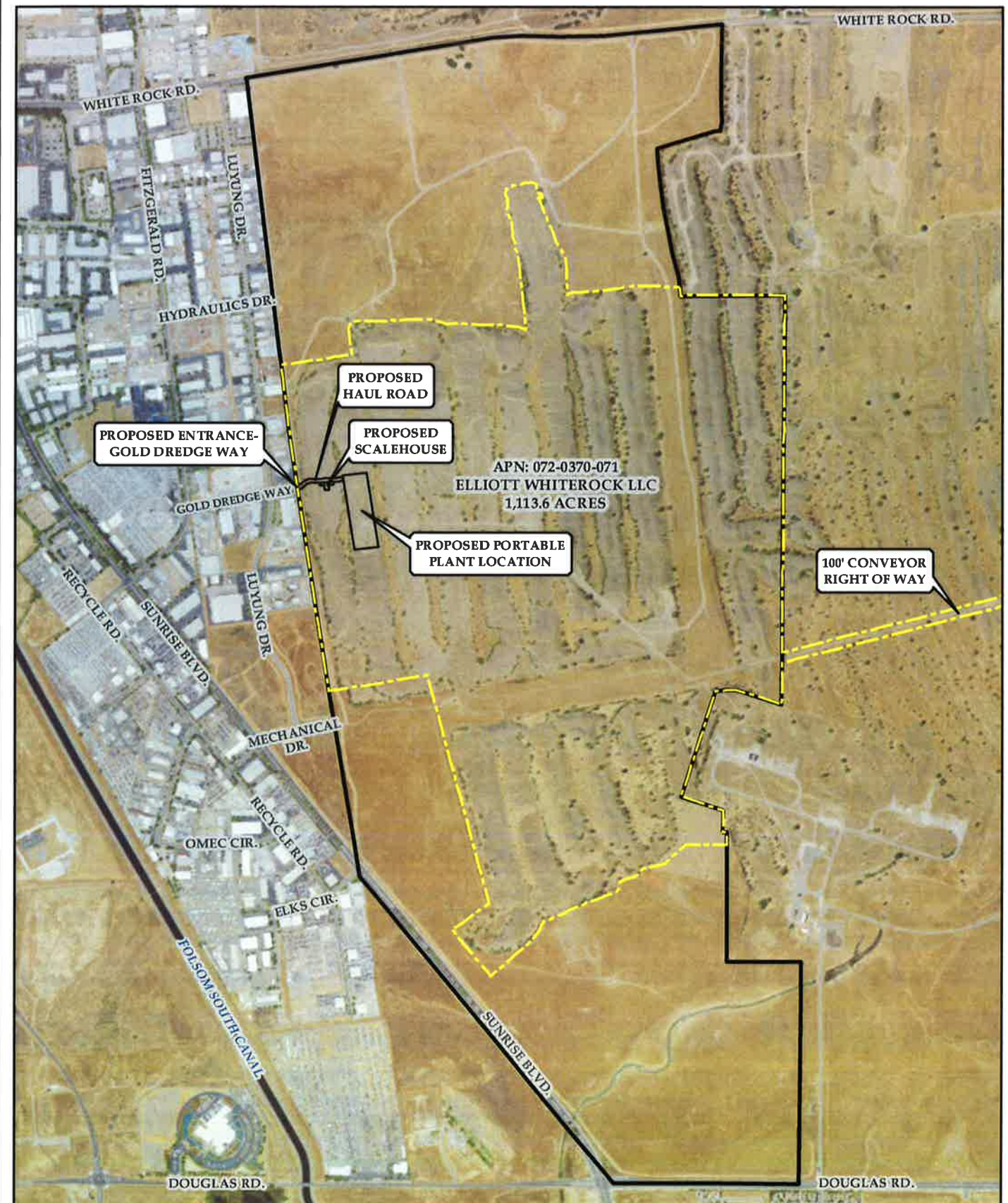
APPROVED AS TO FORM:

Adam Lindgren, City Attorney

Date: _____

EXHIBIT A

GRANTLINE WEST SITE PLAN

**LEGEND:**

- Existing CUP Boundary RC-04-145
- Project Parcel Boundary

SOURCE:

Aerial Photography Provided
by ESRI Basemaps &
Affiliates (June 2014)



0 700 1,400 Feet

DISCLAIMERS:

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

SITE MAP

**GRANTLINE WEST
MINING OPERATION**
SACRAMENTO COUNTY,
CALIFORNIA

EXHIBIT B
SACRAMENTO COUNTY QUARRY TRUCK MANAGEMENT PLAN

Revised
December 15, 2011

RESOLUTION NO. 2011-0938

**RESOLUTION OF THE BOARD OF SUPERVISORS, OF THE COUNTY OF
SACRAMENTO, STATE OF CALIFORNIA, ESTABLISHING A QUARRY TRUCK
MANAGEMENT PLAN FUNDING MECHANISM PROGRAM FOR QUALITY OF
LIFE IMPROVEMENTS FOR EASTERN SACRAMENTO COUNTY**

WHEREAS, since 2002, Sacramento County (County) has received three separate applications for aggregate quarries to be located in the eastern sector of the County;

WHEREAS, Teichert Quarry was approved by the Board of Supervisors (Board) on November 30, 2010, and Stoneridge Quarry was heard by the Board on December 7, 2011 and final Board action is tentatively scheduled in January of 2012;

WHEREAS, the third remaining application, Milgate Quarry, has yet to be heard by the Board;

WHEREAS, other quarrying proposals to be located in the eastern sector of the County may be advanced in the future;

WHEREAS, the Teichert and Stoneridge Quarries and these other various quarries will, if approved, generate considerable truck related traffic;

WHEREAS, each quarry when approved either has been or will be required to analyze and mitigate its California Environmental Quality Act ("CEQA") identified traffic capacity, air quality and noise impacts;

WHEREAS, in addition to such CEQA identified impacts, the Board recognizes that there may be various perceived "quality of life" concerns, stemming from said truck traffic, which are not subject to analysis and mitigation as required under CEQA;

WHEREAS, the Board desires to establish a voluntary non-CEQA based funding mechanism whereby aggregate quarry operations in eastern Sacramento County can commit to providing partial funding for the implementation of various roadway related improvements to help address perceived "quality of life" concerns stemming from said aggregate truck traffic;

WHEREAS, said aggregate truck related quality of life concerns will be to land uses located in an area of concern which includes the area south of the City of Folsom consisting of the City's south of U.S. Highway 50 sphere of influence area, a portion of the City of Rancho Cordova and a portion of unincorporated Sacramento County;

WHEREAS, said area of concern is depicted, jurisdiction by jurisdiction, in Exhibit A;
and

WHEREAS, the Board desires to enhance comity between the three affected jurisdictions and settle existing and avoid future litigation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Sacramento does hereby establish the Quarry Truck Management Plan (TMP) Funding Mechanism Program, attached hereto as Exhibit B:

1. Section 2.4.5.B of the Development Agreement by and between the County of Sacramento and Teichert & Sons, Inc., dated 30 November, 2010, requiring the adoption of a TMP program, is hereby deemed satisfied by the adoption of this Resolution.
2. In order for the City of Rancho Cordova to receive funds from this Quarry TMP Funding Mechanism, the City must dismiss with prejudice its lawsuit against the County and Real Party in Interest Teichert regarding the Teichert Quarry (Sacramento Superior Court Case Number 34-2010-80000747) within 45 days of the adoption of this Resolution. If a final judgment has been entered by the Superior Court prior to the lapse of said 45 days, Rancho Cordova must enter into an agreement with the County before receipt of funds from the TMP Funding Mechanism which provides: (1) that Rancho Cordova will not appeal any decision rendered by the Superior Court

(2) that Rancho Cordova waives any claim for an award of attorneys' fees stemming from said case from either the County or Real Party in Interest Teichert and (3) pledges that Rancho Cordova will not, in the event it has prevailed before the Superior Court, file a subsequent action challenging the Teichert Quarry EIR. Said agreement must be executed within 60 days of the adoption of this Resolution.

3. Section 2.4.4 of the Development Agreement by and between the County of Sacramento and Angelo G. Tsakopoulos and Katherine Tsakopoulos, requiring the adoption of a TMP program, will be deemed satisfied by the adoption of this Resolution, upon approval of the Development Agreement by the Board of Supervisors.

BE IT FURTHER RESOLVED that Exhibits "A" through "B" are hereby incorporated into and made a part of this resolution establishing a Quarry Truck Management Plan Funding Mechanism Program.

On a motion by Supervisor MacGlashan Seconded by Supervisor Nottoli, the foregoing resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 14th day of December, 2011, by the following vote, to wit:

AYES:	Nottoli, Peters, Serna, Yee, MacGlashan
NOES:	None
ABSENT:	None
	None



Cyndi Lee
Clerk, Board of Supervisors

Roberta MacGlashan
Chair, Board of Supervisors
of Sacramento County, California

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, County Of Sacramento on 12/15/11

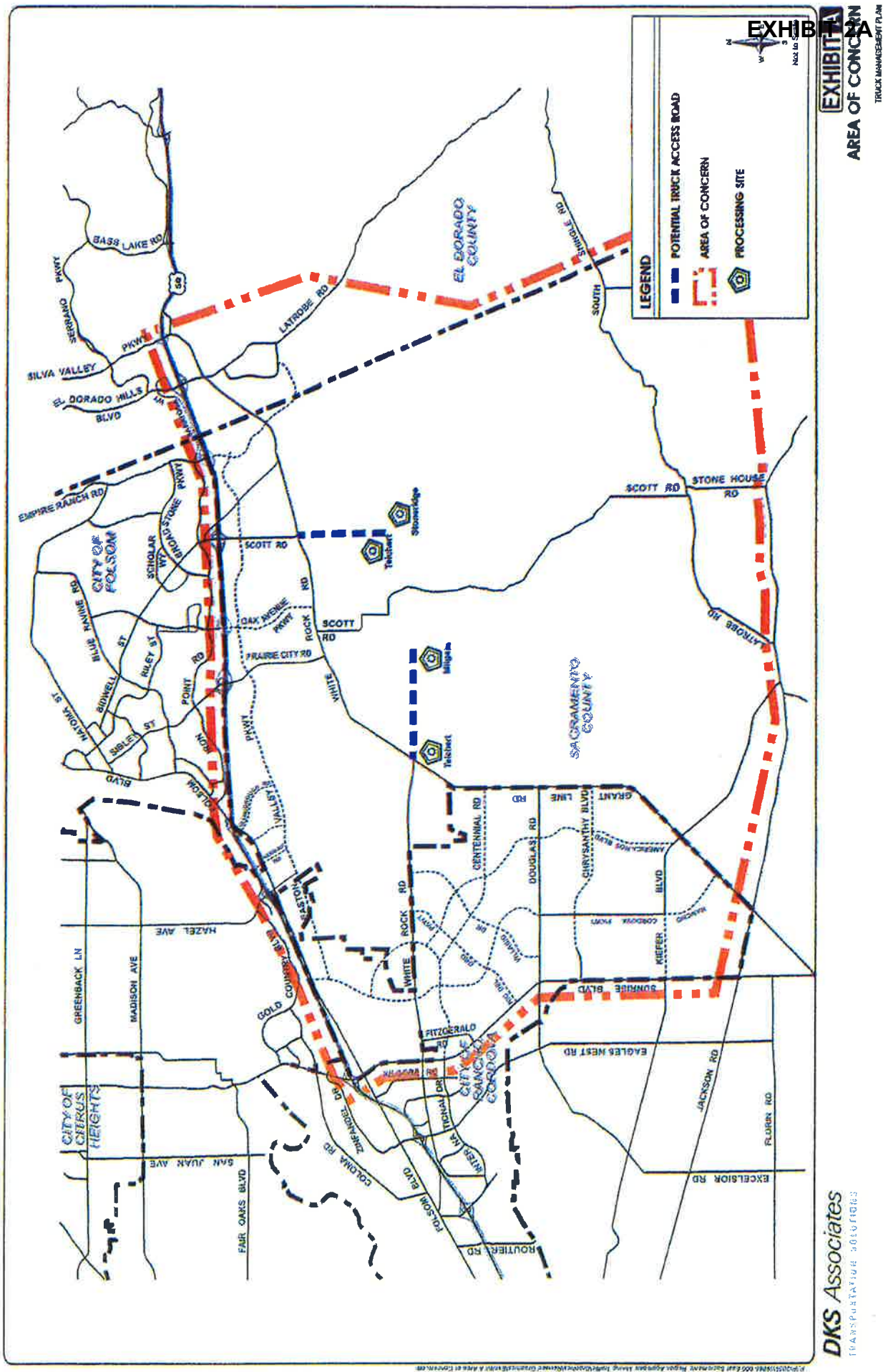
By V. Holmes
Deputy Clerk, Board of Supervisors

FILED
BOARD OF SUPERVISORS

DEC 15 2011

BY

Cyndi Lee
CLERK OF THE BOARD



DKS Associates
TRANSPORTATION SOLUTIONS

EXHIBIT A
AREA OF CONCERN
TRUCK MANAGEMENT PLAN

Revised
December 15, 2011

EXHIBIT B
Eastern Sacramento County
Quarry Truck Management Plan Funding Mechanism Program

1. All new quarry or other mining proposals and renewals of existing quarry or other mining permits (quarry or quarries), located within the Quarry TMP Participation Area (Participation Area), as depicted in Figure I, may elect to participate in the Quarry TMP Funding Mechanism Program.
2. Those jurisdictions located within the Participation Area may similarly elect to participate in the Quarry TMP Funding Mechanism Program.
3. The Quarry TMP Funding Mechanism Program shall consist of a twelve (12) cents per ton contribution on all aggregate material produced and sold from the participating quarries. Aggregate material shall include raw materials sold or transferred to affiliates or subsidiaries for the production of concrete, asphalt or other products. Asphalt oil, water, cement or other ingredients from outside sources shall not be included in the tonnage measured, although, the sale of recycled materials shall be included.
4. A quarry operator electing to participate in the Quarry TMP Funding Mechanism Program shall execute a development agreement, or other similar binding obligation, with the County which mandates payment of the twelve (12) cents per ton contribution specified in Paragraph 3. In the event a quarry is approved by a participating jurisdiction other than the County, a quarry electing to participate in this program shall execute a similar agreement with that jurisdiction.
5. The Quarry TMP Funding Mechanism Program contribution (contribution) shall be collected for the term of each quarry use permit and any extensions thereto granted up to a total of one hundred (100) years, subject to modification as provided in Paragraphs 6 and 7 below.
6. In recognition of the fact that the value of a ton of aggregate may fluctuate, the twelve (12) cents per ton contribution will be adjusted every eight (8) years for the first twenty four (24) years that the contribution is in place (year 8, year 16, and year 24) by applying an Adjustment Factor to the contribution, provided that, in no event will the adjustment be more than one half (1/2) cent per year (e.g. four (4) cents in any adjustment period), and in no event shall the adjustment reduce the cents per ton contribution to less than twelve (12) cents per ton during the same twenty four (24) year period. The Adjustment Factor shall be defined as the proportion of the value of a ton of aggregate material as of one year from the date of the first aggregate material sale from the first quarry

participating in this program to the value of a ton of aggregate material as of the date eight (8) years after the first aggregate material sale from the first quarry participating in this program. The value of a ton of aggregate for purposes of the eight (8) year review shall be the annual gross revenue received for aggregate material (aggregate material as defined in paragraph 3) from all participating quarries divided by the annual total tons of aggregate material sold from all participating quarries. The participating quarries shall provide a report with this information to the County within ninety (90) days of the triggering dates outlined above. The County will maintain this information as confidential and calculate the Adjustment Factor to be applied to the cents per ton contribution by averaging the data provided by participating quarries. The adjusted contribution shall apply to all of the participating quarries located in the Participation Area.

Beginning on the twenty fourth (24th) year that the contribution is in place, there shall be an evaluation of the amount of the contribution every ten (10) years thereafter. The evaluation of the contribution shall be considered by the County Board of Supervisors and shall be based on the following factors:

- a. The total amount of the contribution collected to date;
- b. The total amount of contributions that have been expended to date;
- c. The quality of life improvements that have been constructed to date;
- d. The quality of life improvements that still need to be constructed;
- e. The maintenance costs associated with the quality of life improvements;
- f. The total amount of funding and adjustments to that funding collected and expended toward quality of life improvements by non-quarry contributors; and
- g. Whether the participating quarry operations will be competitive in the regional market given the contribution.

The Board's evaluation may result in a reduction to the per ton fee. In the event that the quality of life improvements have not been completed by the fiftieth (50th) year that the contribution is in place, the contribution will be reduced to an amount necessary to provide for ongoing maintenance of the quality of life improvements that were previously constructed and shall extend for the balance of the permitted life or extended permit life up to a total of one hundred (100) years of each quarry operation.

7. If a jurisdiction approves a new quarry or renews an existing quarry that is located within the Participation Area and that quarry elects to not participate in the Quarry TMP Funding Mechanism Program or provides a cents per ton contribution that is less than the amount established in Paragraphs 3 and 6 above, then the contribution amount applicable to all quarry operators shall be adjusted to reflect the lowest contribution amount and the jurisdiction that approved such quarry shall not be entitled to receive any of the benefits of the Quarry TMP Funding Mechanism Program including the cents per ton contribution. Additionally, a quarry approved or renewed by a jurisdiction other than Sacramento County will not require any subsequent approvals from Sacramento County prior to commencing operations.
8. The County shall be responsible for the collection of the Quarry TMP contributions, which shall occur as described in Figure II.
9. The County shall also be responsible for distributing the collected contributions to the participating jurisdictions. The distribution of contributions shall be based upon the relative distribution of through (not local delivery) quarry truck traffic established as part of the project approval for each quarry relative to each jurisdiction that elects to participate in the Quarry TMP Funding Mechanism Program. Local quarry trucks are defined as those quarry trucks with a delivery destination located within the Participation Area. Through quarry trucks are defined as those quarry trucks with a delivery destination located outside of the Participation Area. For quarry truck distribution routes that share a jurisdictional boundary, the affected jurisdictions shall share in the contributions for that route. Distribution of contributions for Teichert Quarry and for Stroneridge Quarry shall be as depicted in Figures III and IV, respectively.
10. As additional quarries are approved and elect to participate, distribution figures shall be added to this program for those quarries. Said distribution figures shall be based upon the anticipated distribution of quarry truck traffic as established at the time of the project approval.
11. The County shall review and revise the figures referenced in Paragraphs 9 and 10 to represent changes that may occur over time to the trip distribution patterns associated with each participating quarry or changes in jurisdiction boundaries. Said review and revision shall occur every four (4) years from the effective date of the Resolution creating this program or sooner should a significant changed condition occur. Participatory

quarries shall be responsible for ensuring that their through quarry trucks utilize the through truck haul routes established on the distribution exhibits.

12. Participating jurisdictions shall share those contributions intended for quarry truck routes which straddle jurisdictional boundaries. However, the County will assign any contributions it receives for Prairie City Road or Scott Road (east) towards quality of life improvements on Prairie City Road. The County shall also assign any contributions it receives for White Rock Road toward quality of life improvements to White Rock Road.
13. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, jurisdictions must enter into an operational agreement with the County. All such operational agreements shall contain the following:
 - a. That distribution of contributions for quality of life improvements shall be made by the County on an annual basis consistent with Paragraphs 9 through 12.
 - b. That contributions shall only be used for the purpose of designing, approving, financing, constructing and maintaining quality of life roadway improvements related to quarry truck traffic from participating quarries. Such roadway related improvements may include, but are not limited to, any of the following: special quarry truck lanes (including grade separation) and associated improvements, rubberized asphalt, sound wall extensions, and landscaping enhancements as well as right of way acquisition for any such improvements.
 - c. That contributions shall not be used in lieu of nexus based traffic mitigation fees and/or CEQA based mitigations for road capacity improvements or for normal road maintenance, with the exception of maintenance of quality of life improvements identified in this TMP.
 - d. That, prior to commencement of construction of quality of life improvement projects pursuant to this program, appropriate CEQA review shall be conducted by the jurisdiction proposing such improvements. Where the quality of life improvements are located within more than one jurisdiction, the jurisdictions may review such improvements jointly.
 - e. That an annual report shall be provided to the County by any jurisdiction receiving contributions which accounts for the use of those contributions during the prior year.

- f. That contributions shall be held in a separate account, specifically identified for Quarry TMP quality of life improvements, and shall not be available to the general fund of the receiving jurisdiction.
 - g. That the County shall provide guaranteed, reasonable and continuous direct access for all aggregate trucks from quarries participating in this program and traveling along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway. Except as stated in paragraph 14 below, there shall be no limit set on the volume of such quarry truck trips that is permitted to travel along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway within the unincorporated County.
14. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, the operational agreement with the City of Folsom shall be consistent with the provisions of the agreement between the County and the City of Folsom relating to transportation, adopted by both jurisdictions on December 6, 2011, which provisions are incorporated herein by reference as well as the provisions of this Quarry TMP Funding Mechanism Program and shall contain, in addition to the provisions of Paragraph 13, the following:
- a. That the City will set no limit, following annexation, on the volume of participating quarry truck traffic which is allowed to pass through the Folsom SOI area for quarry trucks that have agreed to pay a baseline cents per ton contribution of \$0.12 as provided in Sections 3 and 4
 - b. That the City, following annexation, shall provide guaranteed, reasonable and continuous direct access through the Folsom SOI area for participating quarry truck traffic traveling to and from U. S. Highway 50. The City may, however, assign such traffic to Scott Road (east), Prairie City Road and any future extension of Oak Avenue, or any combination thereof, provided that at all times participating quarry truck traffic is provided with said guaranteed, reasonable and continuous access. Said assignment of traffic shall include the ability to limit hours trucks may traverse a particular road so long as guaranteed 24 hour per day access is provided along one of the enumerated routes.

- c. That the City quality of life improvements shall generally be the improvements depicted in Figure V, as well as (1) improvements to the Prairie City Road/Highway 50 interchange as determined by or negotiated with the California Department of Transportation, (2) improvements to the Prairie City Road and White Rock Road intersection as determined by the County and the City in consultation with the Sacramento Southeast Connector Joint Powers Authority.
 - d. That contributions for the City will begin to accrue upon annexation of the Folsom SOI area.
15. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, the operational agreement with the City of Rancho Cordova shall be consistent with the provisions of this Quarry TMP Funding Mechanism Program and shall contain, in addition to the provisions of Paragraph 13, the following:
- a. That the City shall provide guaranteed, reasonable and continuous direct access for aggregate trucks from quarries participating in this program which travel along Grant Line Road and Jackson Highway. There shall be no limit set on the volume of such quarry truck trips permitted to travel along Grant Line Road and Jackson Highway.
 - b. That the City shall provide guaranteed, reasonable and continuous direct access on White Rock Road in the City for Granite and Milgate aggregate trucks resulting from an annual aggregate production level equivalent to four (4) million tons. Unless otherwise revised through an amendment to this agreement and subject to the consensus by the City, Granite, and Milgate, the four (4) million tons per year aggregate production shall be apportioned as follows:
 - 1) Three (3) million tons of aggregate production shall be assigned to Granite Construction Company via an aggregate production site that would directly access White Rock Road.
 - 2) One (1) million tons of aggregate production shall be assigned to Milgate quarry.

- c. The four (4) million ton limitation stated above shall not be reduced by either local aggregate truck trips using White Rock Road in the City of Rancho Cordova or by any temporary access allowed by the City to other participating quarry operators due to construction activities on Grant Line Road or Jackson Highway.
16. In the event that a participating jurisdiction initiates a legal action based upon quarry truck traffic challenging an application for a new quarry, or the renewal of an existing quarry located within the Participation Area, then that jurisdiction shall automatically be terminated from participating in this program and no longer be eligible to receive any contributions pursuant to it. This provision shall, however, only be applicable where a quarry project has entered into a development agreement, or other similar binding obligation, wherein it becomes obligated to make the contribution payments established in Paragraph 3.
17. In order to participate in this program, Teichert must first amend its development agreement with the County so that the Construction Market Equalizer in Section 2.5 of the agreement shall only apply to Sections 2.4.1 through Section 2.4.4.3 and is rendered inapplicable to Sections 2.4.5.A, 2.4.5 B and 2.4.6. In addition, Teichert shall commit, in its amended development agreement, not to route Teichert Quarry and Teichert Grantline Plant trucks, moving to and from U.S. Highway 50, via White Rock Road and Sunrise Boulevard, White Rock Road and Zinfandel Drive and/or White Rock Road and a future Rancho Cordova Parkway.
18. No participating quarry trucks will utilize White Rock Road or any other roadways within the current jurisdictional boundaries of the City of Rancho Cordova except for quarry trips identified in Paragraph 15b above and quarry truck trips making local deliveries, or if temporarily necessary due to construction along either Grant Line Road or Jackson Highway. Any said temporary use of City of Rancho Cordova roadways shall be subject to review and approval by the City of Rancho Cordova prior to use of those roadways.
19. If the City of Rancho Cordova or the City of Folsom initiates any legal action against the Stoneridge Project, then the City(s) that brought forward that legal action shall not receive any Quarry TMP funding contribution from the Stoneridge quarry. If the Folsom SOI landowners initiate any legal action against the Stoneridge Project, then the City of Folsom shall not receive any Quarry TMP funding contribution from the Stoneridge quarry.

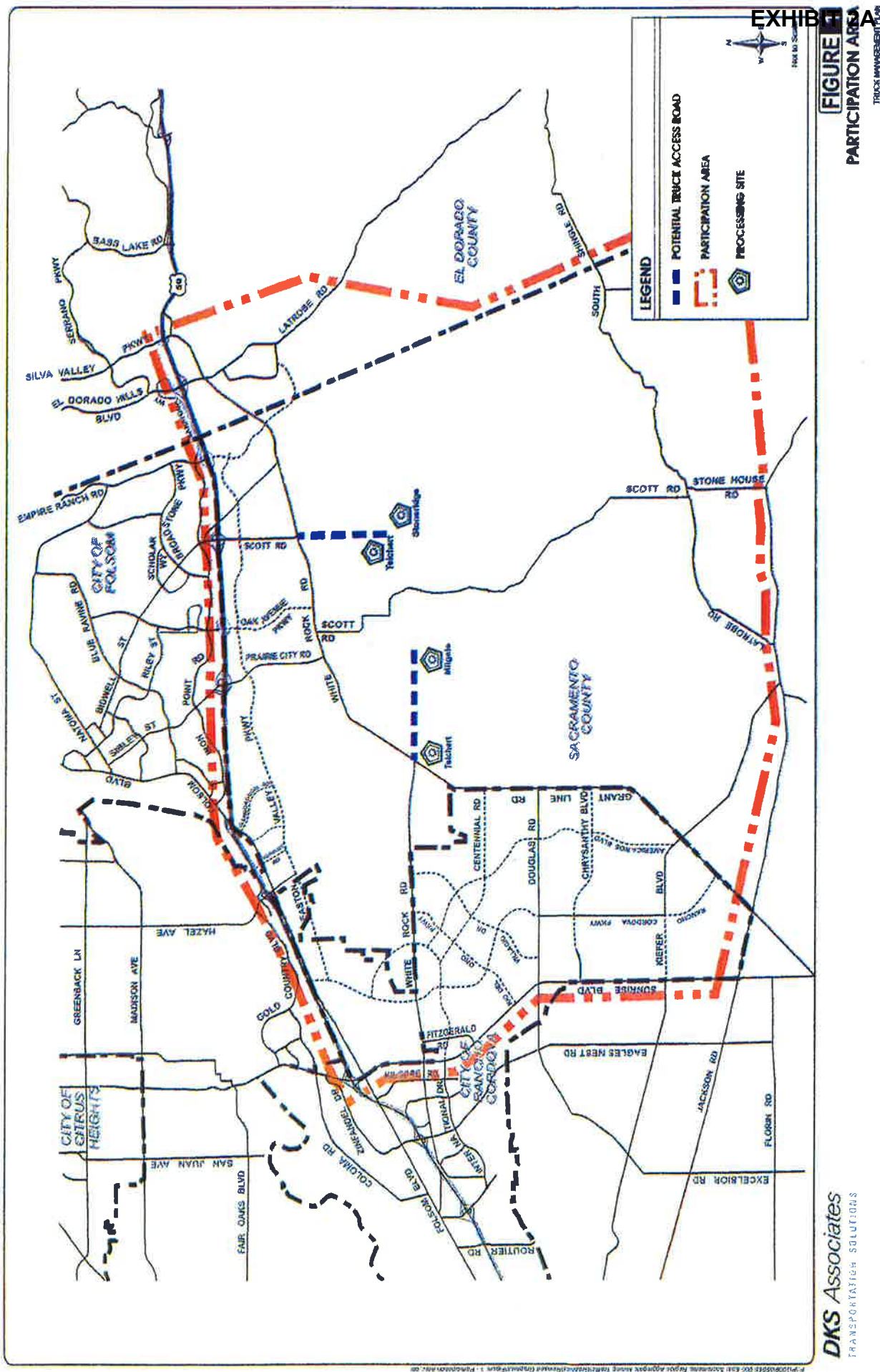


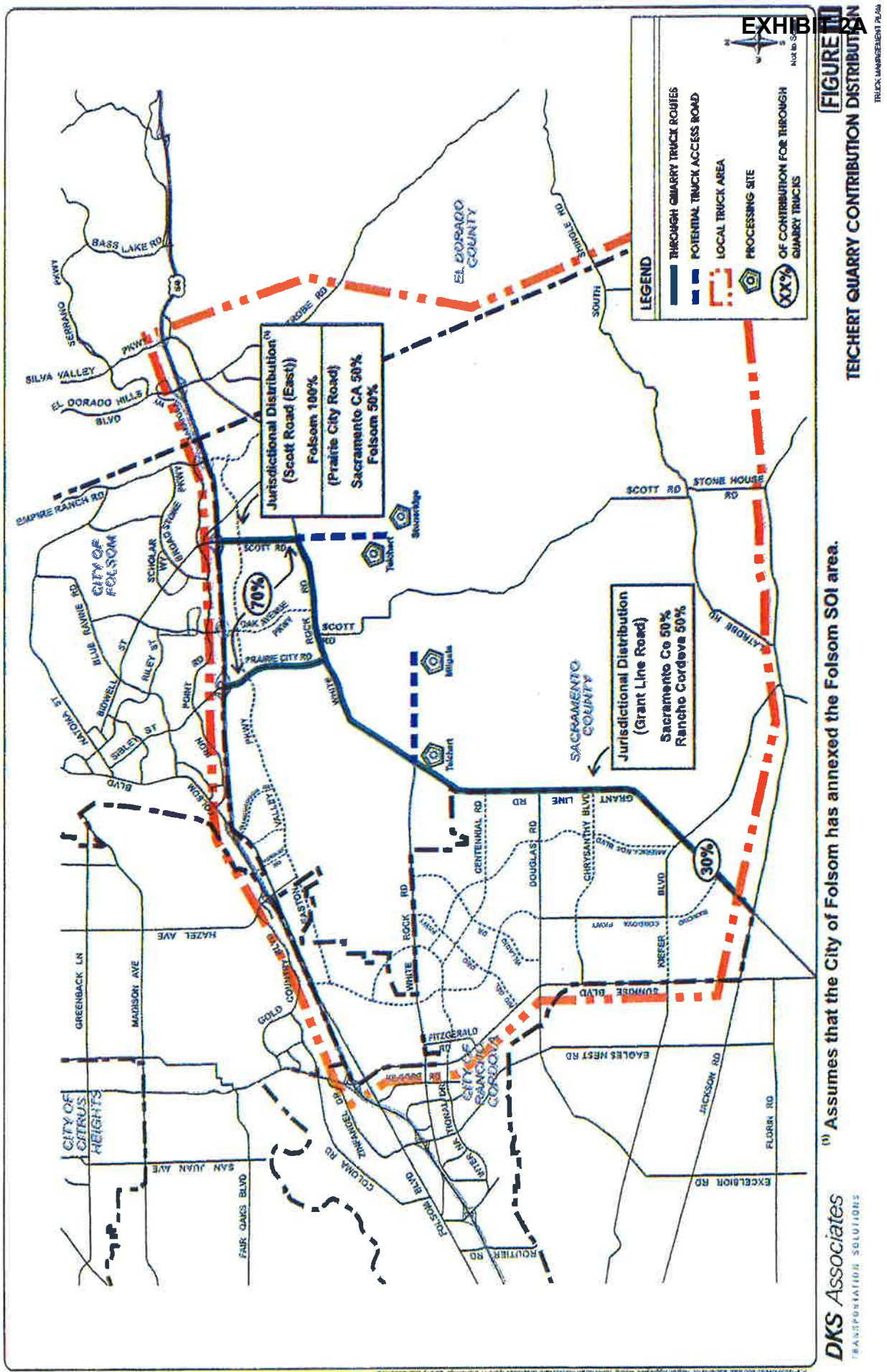
Figure II

Calculation, Payment and Verification of Aggregate Funds Cents per Ton Contributions.

Payments required by the TMP Resolution shall be made within 30 days of the following quarterly dates each year: March 31, June 30, September 30, and December 31. The first quarterly contribution shall be due at the end of the first quarter during which quarry makes its first sale. Together with each payment, quarry shall provide County with a statement indicating the tons of Aggregate Material sold and the calculation of the contribution being made. Quarterly payments shall be based upon the tonnage produced and sold from the Project site and the rates provided pursuant to the TMP Resolution. Payments to County shall be made to County of Sacramento TMP Fund account and delivered to the County CEO Office, or such address as County may designate in writing. All transmittals of payments shall be copied to the Sacramento County Planning Division and the Sacramento County Department of Transportation.

The County may audit, as it determines necessary, the tonnage of Aggregate Material being produced and sold at the Project site and the contributions paid to County to verify that the amount of payment correctly reflects actual tonnage sold.

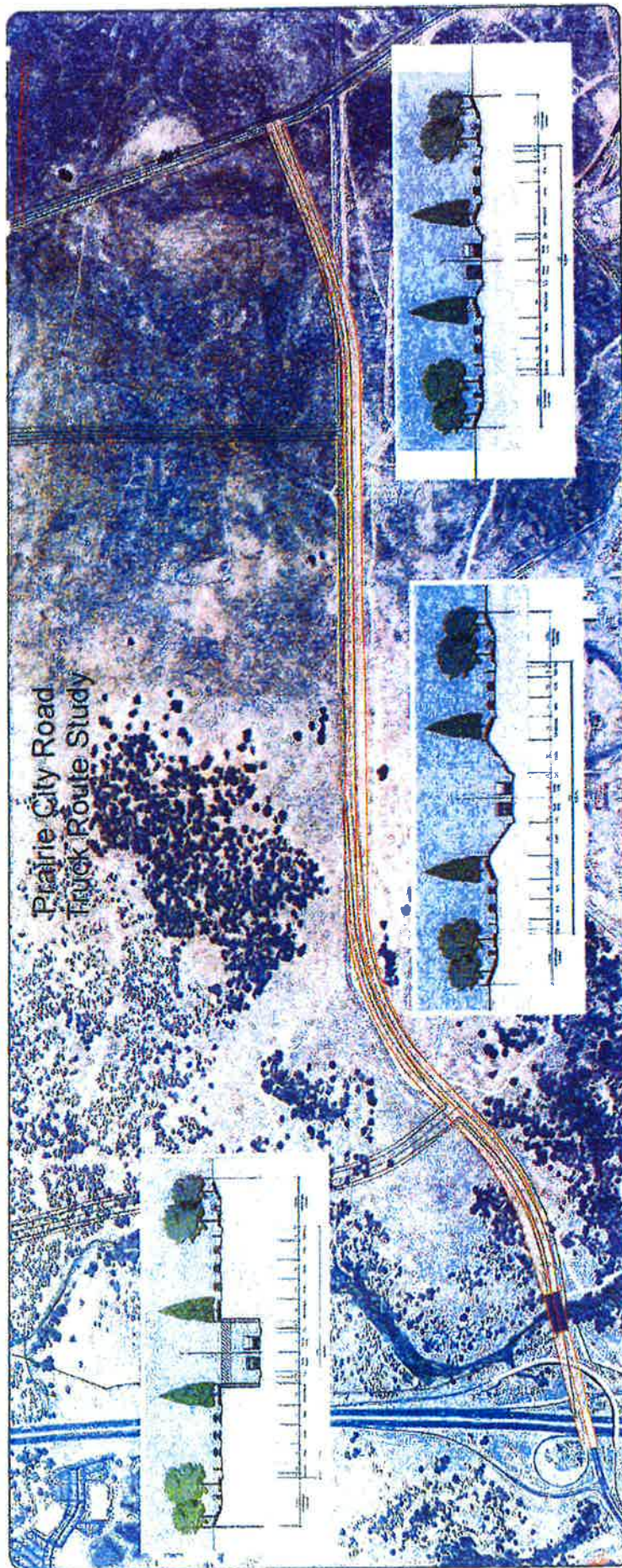
The County shall provide all participating jurisdictions with appropriate documentary support for the calculation and distribution of the cents per ton contributions. Any participating jurisdiction may request the County to perform an audit of material produced and funds distributed. Such audits shall not be requested more frequently than every other year.



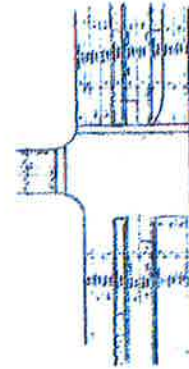


(1) Assumes that the City of Folsom has annexed the Folsom SOL area.

DKS Associates
TRANSPIRANT SOLUTIONS



Intersection 'A'
Prairie City Road - Easton Valley Parkway



Intersection 'C'
Prairie City Road - Street A

Figure V
Prairie City Road Special Design

EXHIBIT C
QUARRY TRUCK MANAGEMENT PLAN OPERATIONAL AGREEMENT

Revised (01-23-12)

County Contract No. 52361

City Contract No. 10-2012

**QUARRY TRUCK MANAGEMENT PLAN OPERATIONAL AGREEMENT BETWEEN
THE COUNTY OF SACRAMENTO
AND
THE CITY OF RANCHO CORDOVA**

This Quarry Truck Management Plan Operational Agreement (Agreement) is made and executed this ____ day of January 2012 by and between the County of Sacramento, a political subdivision of the State of California, (County) and the City of Rancho Cordova (City). Collectively, the County and City may be referred to as the Parties. Individually, the County and City may be referred to as a Party.

RECITALS

- A. Since 2002, County has received three separate applications for aggregate quarries to be located in the eastern sector of the County; and
- B. The Teichert Quarry was approved by the Board of Supervisors (Board) on November 30, 2010, and the Stoneridge Quarry was approved by the Board on January 10, 2012; and
- C. The third remaining application, the Milgate Quarry, has yet to be heard by the Board; and
- D. Other quarrying proposals to be located in the eastern sector of the County may be advanced in the future, including a quarry proposal by Granite Construction Company; and
- E. The Teichert, Stoneridge, and Milgate Quarries and these other various quarries will, if approved, generate considerable truck related traffic; and
- F. Each quarry when approved either has been or will be required to analyze and mitigate its California Environmental Quality Act (CEQA) identified impacts, including but not limited to traffic capacity, air quality and noise impacts; and
- G. In addition to such CEQA identified impacts, the Board recognizes that there may be various perceived "quality of life" concerns, stemming from the truck traffic, which are not subject to analysis and mitigation as required under CEQA; and
- H. On December 14, 2011, the Board adopted Resolution Number 2011-0938 which establishes the Quarry Truck Management Plan (TMP) Funding Mechanism Program (TMP Program), attached for reference as Attachment 1, a voluntary non-CEQA based funding mechanism whereby aggregate quarry operations in eastern Sacramento County can commit to providing partial funding for the implementation of various roadway related improvements to help address perceived quality of life concerns stemming from the quarry truck traffic; and

Revised (01-23-12)

County Contract No. 52361

City Contract No. 10-2012

- I. The perceived quality of life concerns related to the aggregate truck traffic from the quarry projects may impact the current and future residents and businesses located in an area of concern which includes a portion of the City as depicted in Exhibit A to the TMP Program; and
- J. By entering into this Agreement, the City agrees not to exercise its present rights to restrict truck traffic on City roadways under State law, including but not limited to Vehicle Code Section 35701, in consideration for the benefits and payments provided for in this Agreement; and
- K. The conditions of approval for the Teichert and Stoneridge Quarries also include provisions to install infrastructure to monitor quarry truck traffic at defined locations along the quarry truck haul routes; and
- L. The City desires to participate in the TMP Program and receive funding for quality of life improvements along designated through quarry truck routes within said area of concern.

NOW THEREFORE, in consideration of the above Recitals, which are an essential part of the Agreement and are therefore incorporated by reference, and for other good and valuable consideration, the receipt and adequacy of which is acknowledged, it is hereby agreed as follows:

AGREEMENT

1. **County Actions.** In addition to the applicable provisions of the most recently adopted TMP Program, which is hereby made a part of this agreement, County hereby agrees to be bound by and implement the following provisions:

1.1 The County shall be responsible for the collection of the TMP Program contributions as described in the TMP Program. The County shall exercise its best efforts and exhaust all reasonable remedies to collect the TMP Program contributions from participating quarries, but in no event shall the County be liable to the City in the event such efforts are unsuccessful.

1.2 On or before April 30 of each year, the County shall be responsible for distributing to the City the City allocated TMP Program contributions collected by the County during the prior calendar year pursuant to the provisions of, and in order to implement paragraphs 9 through 12 of Exhibit B to the TMP Program. The distribution of the TMP Program funds to the City shall include any interest that may have accrued on those funds being held by the County on behalf of the City. Distributions to the City shall be authorized by the Director of the Department of Transportation or his/her designated delegate. The County shall provide to the City, at the time TMP Program funds are distributed, an accounting of the total program contributions received from the participating quarries and the allocations paid out to the participating jurisdictions.

Revised (01-23-12)

County Contract No. 52361

City Contract No. 10-2012

1.3 The County shall be responsible for monitoring and evaluating the quarry truck trip distribution patterns associated with each participating quarry. The relative quarry truck distribution may change over time to reflect new aggregate market areas being served by participating quarries or other changes in aggregate distribution. These distribution changes may result in increases or decreases in quarry truck traffic on roadways within the City's jurisdiction, compared to the figures referenced in paragraphs 9 and 10 of the TMP Program. In order to ensure accurate and transparent monitoring of quarry truck trip distribution patterns, the County shall utilize the most appropriate tracking technology and generate annual reports showing quarry truck traffic distribution during the calendar year. If the annual report indicates a quarry truck trip distribution pattern that differs by more than ten percent (10%), compared to the most recently approved figures referenced in paragraphs 9 and 10 of the TMP Program, on any through quarry truck route, the County or the City, by submitting to the County a written request, may initiate an adjustment to the City's funding allocation pursuant to paragraph 11 of Exhibit B to the TMP Program. The County shall respond to City with a proposed recalculation of the City's allocation within 30-days of the date the City submits its request. City and County shall mutually agree on any revision to the TMP Program funding distribution to the City.

1.4 The County shall provide guaranteed, reasonable, continuous, and direct access for all aggregate trucks from quarries participating in this program and traveling along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway within the unincorporated County. Except as stated in paragraph 14 of Exhibit B to the TMP Program, there shall be no limit set on the volume of such quarry truck trips that is permitted to travel along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway within the unincorporated County.

1.5 The County Department of Transportation shall be responsible for managing and administering all aspects of the TMP Program. All costs associated with the County managing and administering the TMP Program (Administrative Costs) shall be paid from the TMP Program funds. The Administrative Costs shall be apportioned to and subtracted from the yearly TMP Program distribution to each participating jurisdiction based on the proportion of the gross distribution of the TMP Program funds to each jurisdiction to that of the total gross TMP Program funds collected on a yearly basis. The City shall be responsible for all costs associated with a request by the City for the County to perform an audit of material produced and funds distributed pursuant to Figure II of Exhibit B to the TMP Program. The Administrative Costs deducted from TMP Program funds by the County shall not exceed one and one-half percent (1.5%) of the total gross TMP Program funds collected on a yearly basis.

1.6 The County shall provide all quarries and jurisdictions participating in the TMP Program with reasonable notification prior to any proposed amendment to this Agreement.

1.7 County acknowledges and agrees that should the County initiate a legal action based upon quarry truck traffic challenging an application for a new quarry, or the renewal of an

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existing quarry located within the TMP Participation Area, as defined in Figure I of Exhibit B to the TMP Program, (Participation Area), then the County shall automatically be terminated from participating in the TMP Program and no longer be eligible to receive any contributions pursuant to it. This provision shall, however, only be applicable where a quarry project has entered into a development agreement, or other similar binding obligation, wherein it becomes obligated to make the contribution payments established in the TMP Program. If the County is excluded from the benefits of the TMP Program, the remaining participating jurisdictions shall meet and confer to determine which agency will assume administrative responsibilities and make other amendments to the TMP Program as necessary.

1.8 In the event the City violates any material provision of this Agreement, the County shall have the right to unilaterally withhold the distribution of the TMP Program funds allocation to the City. At least 60-days prior to withholding a distribution of TMP Program funds to the City, the County shall provide the City with a written notice of said violation(s) and request the City to cure the violation(s). Upon remedy of the City's violation(s), the County shall distribute the City's TMP Program funds allocation pursuant to this Agreement. The specific provisions of this section shall not apply to sections 2.1, 2.2, 2.11, and 2.12 of this Agreement. County's enforcement of the provisions of this section shall not be construed in part or in whole as a material violation of this Agreement.

1.9 The County shall make a good faith effort to enter into an Operational Agreement with the City of Folsom (Folsom Operational Agreement) that is substantially similar to this Agreement. The County shall notify the City's Public Works Director prior to approval of the Folsom Operational Agreement if the County is considering terms that are materially different than the terms of this Agreement. The Parties agree to work cooperatively to modify this agreement if deemed necessary by either Party.

2. City Actions. The City hereby agrees to be bound by and implement the applicable provisions of the adopted TMP Program. In addition, City hereby agrees to be bound by and implement the following provisions:

2.1 The City shall dismiss with prejudice its lawsuit against the County and real party in interest, Teichert regarding the Teichert Quarry (Sacramento Superior Court Case Number 34-2010-80000747) by January 27, 2012, in order for this Agreement to be effective and the City to receive funds from the TMP Program.

2.2 Pursuant to paragraph 7 of Exhibit B to the TMP Program, if the City approves a new quarry or renews an existing quarry within its jurisdiction that is located within the Participation Area, and that quarry does not participate in the TMP Program or provides a cents per ton contribution that is less than the amount established in the TMP Program, then the contribution amount applicable to all quarry operators subject to the TMP Program shall be adjusted to reflect the lowest contribution amount, and the City shall not be entitled to receive any of the benefits of the TMP Program including the cents per ton contribution. Additionally, a quarry approved or renewed by City will not require any subsequent

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approvals from the County prior to commencing operations. Nothing in this agreement shall prevent the City from taking unilateral action, so long as it is consistent with State law, to restrict truck traffic, including quarry truck traffic, on City roadways in the event the City is excluded from the benefits of the TMP Program.

2.3 Those contributions intended for quarry truck routes where the City and the County share jurisdictional boundaries shall be shared by the City and the County as indicated in the most recently adopted Figures III and IV of Exhibit B to the TMP Program, as well as indicated in any new distribution figures for additional quarries included in an adopted TMP Program pursuant to paragraph 11 of Exhibit B to the TMP Program.

2.4 TMP Program funds received by the City shall only be used for the purpose of designing, approving, financing, constructing and maintaining quality of life roadway improvements related to quarry truck traffic from participating quarries. Such roadway related improvements may include, but are not limited to, any of the following: special quarry truck lanes (including grade separation) and associated improvements, rubberized asphalt, sound wall extensions, and landscaping enhancements as well as right of way acquisition for any such improvements. The City is entitled to utilize up to one and one-half percent (1.5%) of the TMP Program funds it receives on administrative and enforcement costs related to the TMP Program and this Agreement.

2.5 TMP Program funds received by the City shall not be used in lieu of nexus based traffic mitigation fees and/or CEQA based mitigations for road capacity improvements or for normal road maintenance, with the exception of maintenance of quality of life improvements.

2.6 Prior to commencement of construction of quality of life improvement projects located within the City, or within the shared jurisdiction of the City and the County, and funded with TMP Program funds, appropriate CEQA review shall be conducted by the City. Where the quality of life improvements are located within the City and County, the City and County may review such improvements jointly.

2.7 Once the City has received funds from the County pursuant to the TMP Program, the City shall thereafter provide an annual report to the County which accounts for the City's use of those contributions during the prior year for the duration that the City receives funds from the TMP Program.

2.8 The City shall hold TMP Program funds in a separate account specifically identified for TMP Program quality of life improvements. The City's TMP Program funds shall not be available to, or loaned to the City's general fund.

2.9 The City shall provide guaranteed, reasonable, continuous, and direct access for quarry trucks from quarries participating in the TMP Program which travel along Grant Line Road and Jackson Highway in the City. There shall be no limit set on the volume of such quarry truck trips permitted to travel along Grant Line Road and Jackson Highway in the City.

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2.10 The City shall provide guaranteed, reasonable, continuous, and direct access on White Rock Road in the jurisdiction of the City for quarry truck trips with destinations within the City. and for In addition, the City shall provide guaranteed, reasonable, continuous, and direct access on White Rock Road in the City for Granite Construction Company and Milgate Quarry aggregate trucks passing through the City en route to a final destination outside the City resulting from an annual aggregate production level equivalent to four (4) million tons. Unless otherwise revised through an amendment to this Agreement and subject to the consensus by the City, Granite Construction Company, and Milgate Quarry, the four (4) million tons per year aggregate production shall be apportioned as follows:

2.10.1 Granite Construction Company shall be entitled to distribute three (3) million tons of aggregate production per year on White Rock Road from its aggregate production site that would directly access White Rock Road.

2.10.2 The Milgate Quarry shall be entitled to distribute one (1) million tons of aggregate production per year on White Rock Road.

2.10.3 The four (4) million ton per year limitation stated above shall not be reduced by either local quarry truck trips, as that term is defined in Paragraph 9 of Exhibit B to the TMP Program, using White Rock Road in the City, or by any temporary access allowed by the City to other participating quarry operators due to construction activities on Grant Line Road or Jackson Highway, except as otherwise provided in this agreement.

2.11 City acknowledges and agrees that should the City initiate a legal action, based upon quarry truck traffic challenging an application for a new quarry, or the renewal of an existing quarry located within the TMP Participation Area, then the City shall automatically be terminated from participating in the TMP Program and no longer be eligible to receive any contributions pursuant to it. This provision shall, however, only be applicable where a quarry project has entered into a development agreement, or other similar binding obligation, wherein it becomes obligated to make the contribution payments established in the TMP Program.

2.12 If the City initiates any legal action against the Stoneridge Project, then the City shall not receive any Quarry TMP funding contribution from the Stoneridge quarry.

2.13 In the event the City does not receive payment from the County of its allocation under the TMP Program within 90-days of the date the fees are due to be paid by the County, or if the County otherwise violates any material provision of this Agreement, including but not limited to sections 1.1 and 1.2 of this Agreement, or if the City is no longer entitled to receive the benefits of the TMP Program for any reason, the City shall have the right to unilaterally restrict truck traffic on City roadways consistent with State law. The City shall provide the County and affected quarries with a written request to cure the violations at least 60-days prior to enacting such a restriction. Upon remedy of the County's violation, the City shall cease to restrict truck traffic on City roadways.

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3. **Enforcement.** Participating jurisdictions should coordinate enforcement efforts using the most appropriate technology, which may include a GPS tracking system, to ensure participating quarries comply with the TMP Program truck route restrictions. The City, however, is not limited by the TMP Program or this Agreement from taking any enforcement action it sees fit, including but not limited to the issuance of fines and citations to quarry trucks, either owned by a participating quarry or operating as an independent contractor for a participating quarry, that operate in violation of the TMP Program.
4. **No Modification.** No addition to or modification of any term or provision of the Agreement shall be effective unless set forth in writing and signed by the Parties.
5. **Entire Agreement.** The Parties agree that this Agreement sets forth the final entire agreement between them and relating to the subject matter and that this document merges and supersedes all prior discussions, agreements, understandings, representations, and all other communications between them relating to the subject matter of this Agreement.
6. **Warranty of Authority.** Each Party represents and warrants that it has the right, power and authority to execute this Agreement.
7. **Written Waiver.** A waiver of any Party's right to enforce any provision of this Agreement shall not be effective unless such a waiver is made expressly in writing. An express waiver of any one breach shall not be deemed a waiver of any other breach of the same or any other provision of this Agreement.
8. **Joint Preparation.** The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any party. No presumptions or rules of interpretation based upon the identity of the party preparing or drafting the Agreement, or any part thereof, shall be applicable or invoked.
9. **Equal Dignity.** This Agreement may be altered, amended, modified or otherwise changed with approval by the Parties' legislative bodies at a public meeting and in writing duly executed by an authorized representative of each of the Parties.
10. **Notice.** All notices and demands which either party is required or desires to give to the other shall be given in writing by certified mail, return receipt requested with appropriate postage paid, by personal delivery, or by private overnight courier service to the address set forth below for the respective party, provided that if any party gives notice of a change of name or address or number, notices to that party shall thereafter be given as demanded in that notice. All notices and demands so given shall be effective only upon receipt by the party to whom notice or demand is being given.

County: Director
County of Sacramento Department of Transportation
906 G Street, Suite 510
Sacramento, CA 95814

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City: Director
City of Rancho Cordova Public Works Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

11. **Binding on Assignees.** This Agreement shall be binding on and inure to the benefit of the heirs, successors and assigns of the Parties to the Agreement.
12. **California Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California. Should any part of this Agreement be found to be invalid, the validity of any remaining parts or provisions shall not be affected thereby.
13. **Sacramento Superior Court.** The parties irrevocably submit to the exclusive jurisdiction of Sacramento County Superior Courts for the determination of disputes arising under this contract.
14. **Counterparts.** This Agreement may be executed in counterparts, each of which will be deemed an original. This Agreement shall be binding upon the receipt of facsimile signatures.
15. **Captions.** Captions are included herein for ease of reference only. The captions are not intended to affect the meaning of the contents or scope of this Agreement.
16. **Attachment.** The TMP Program, attached to this Agreement as Attachment 1, is an essential part of the Agreement and is hereby incorporated by reference into this Agreement.

EXHIBIT 2A

County Contract No. 52361

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City Contract No. 10-2012

IN WITNESS WHEREOF this Agreement is executed and agreed to by the following, as of the last date set forth below.

COUNTY OF SACRAMENTO, a political subdivision of the State of California	CITY OF RANCHO CORDOVA
By:  Michael J. Penrose, Director Department of Transportation Agreement approved by the Board of Supervisors with authority delegated to the Director to sign: Agenda Date: <u>01-24-12</u> Item Number: <u>23</u> Resolution Number: <u>2012-0045</u>	By:  Ted A. Gabler, City Manager GABLER Agreement approved by the City Council with Authority delegated to the City Manager to sign: Agenda Date: <u>2-6-12</u> Item Number: <u>11.1</u> Resolution Number: <u>10-2012</u>
Reviewed and Approved by County Counsel	Reviewed and Approved by City Attorney
By:  Krista Whitman, Supervising Deputy County Counsel	By:  Adam Lindgren, City Attorney

1782552.

RESOLUTION NO. 2012-0045

**APPROVE QUARRY TRUCK MANAGEMENT PLAN OPERATIONAL AGREEMENT
WITH THE CITY OF RANCHO CORDOVA AND
DELEGATE AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF
TRANSPORTATION TO APPROVE AND SIGN A QUARRY TRUCK MANAGEMENT
PLAN OPERATIONAL AGREEMENT WITH THE CITY OF FOLSOM**

WHEREAS, on December 14, 2011, the Board of Supervisors of the County of Sacramento adopted Resolution No. 2011-0938 establishing a Quarry Truck Management Plan (TMP); and

WHEREAS, the Quarry TMP requires local jurisdictions to enter into Quarry TMP Operational Agreements with the County to allow the participation in and receipt of revenue from the Quarry TMP; and

WHEREAS, a draft Quarry TMP Operational Agreement with the City of Rancho Cordova has been presented to the Board in the form attached hereto; and

WHEREAS, Department of Transportation is in the process of preparing a similar Quarry TMP Operational Agreement with the City of Folsom; and

WHEREAS, the proposed Quarry TMP Operational Agreements will establish agreements in compliance with specifically delineated provisions of the adopted Quarry TMP.

BE IT RESOLVED AND ORDERED that the Quarry TMP Operational Agreement with the City of Rancho Cordova in substantially the form attached hereto is hereby approved, and the Director of the Department of Transportation is hereby authorized to execute said Agreement on behalf of the COUNTY OF SACRAMENTO, a political subdivision of the State of California, and to do and perform everything necessary to carry out the purpose of this Resolution; and

BE IT RESOLVED AND ORDERED FURTHER that the Director of the Department of Transportation is hereby authorized to approve and execute a similar Quarry TMP Operational Agreement with the City of Folsom in compliance with the Quarry TMP as adopted by Resolution No. 2011-0938, subject to approval of the Agreement by County Counsel.

Approve Quarry Truck Management Plan Operational Agreement With The City Of Rancho Cordova And Delegate Authority To The Director Of The Department Of Transportation To Approve And Sign A Quarry Truck Management Plan Operational Agreement With The City Of Folsom

Page 2

On a motion by Supervisor Peters, seconded by Supervisor Serna, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento this 24th day of January, 2012, by the following vote, to wit:

AYES:	Supervisors,	Peters, Serna, Yee, MacGlashan, Nottoli
NOES:	Supervisors,	None
ABSENT:	Supervisors,	None
ABSTAIN:	Supervisors,	None



Don Nottoli
Chair of the Board of Supervisors
of Sacramento County, California

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, County Of Sacramento on: 1/24/12

By: V. Roberts
Deputy Clerk, Board of Supervisors

ATTEST: Florence Evans
Asst. Clerk, Board of Supervisors

FILED
BOARD OF SUPERVISORS

JAN 24 2012
BY Cyndi Lee
CLERK OF THE BOARD

Agenda Date: January 24, 2012

Attachment I

Revised
December 15, 2011**RESOLUTION NO. 2011-0938****RESOLUTION OF THE BOARD OF SUPERVISORS, OF THE COUNTY OF
SACRAMENTO, STATE OF CALIFORNIA, ESTABLISHING A QUARRY TRUCK
MANAGEMENT PLAN FUNDING MECHANISM PROGRAM FOR QUALITY OF
LIFE IMPROVEMENTS FOR EASTERN SACRAMENTO COUNTY**

WHEREAS, since 2002, Sacramento County (County) has received three separate applications for aggregate quarries to be located in the eastern sector of the County;

WHEREAS, Teichert Quarry was approved by the Board of Supervisors (Board) on November 30, 2010, and Stoneridge Quarry was heard by the Board on December 7, 2011 and final Board action is tentatively scheduled in January of 2012;

WHEREAS, the third remaining application, Milgate Quarry, has yet to be heard by the Board;

WHEREAS, other quarrying proposals to be located in the eastern sector of the County may be advanced in the future;

WHEREAS, the Teichert and Stoneridge Quarries and these other various quarries will, if approved, generate considerable truck related traffic;

WHEREAS, each quarry when approved either has been or will be required to analyze and mitigate its California Environmental Quality Act ("CEQA") identified traffic capacity, air quality and noise impacts;

WHEREAS, in addition to such CEQA identified impacts, the Board recognizes that there may be various perceived "quality of life" concerns, stemming from said truck traffic, which are not subject to analysis and mitigation as required under CEQA;

WHEREAS, the Board desires to establish a voluntary non-CEQA based funding mechanism whereby aggregate quarry operations in eastern Sacramento County can commit to providing partial funding for the implementation of various roadway related improvements to help address perceived "quality of life" concerns stemming from said aggregate truck traffic;

WHEREAS, said aggregate truck related quality of life concerns will be to land uses located in an area of concern which includes the area south of the City of Folsom consisting of the City's south of U.S. Highway 50 sphere of influence area, a portion of the City of Rancho Cordova and a portion of unincorporated Sacramento County;

WHEREAS, said area of concern is depicted, jurisdiction by jurisdiction, in Exhibit A;
and

WHEREAS, the Board desires to enhance comity between the three affected jurisdictions and settle existing and avoid future litigation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Sacramento does hereby establish the Quarry Truck Management Plan (TMP) Funding Mechanism Program, attached hereto as Exhibit B:

1. Section 2.4.5.B of the Development Agreement by and between the County of Sacramento and Teichert & Sons, Inc., dated 30 November, 2010, requiring the adoption of a TMP program, is hereby deemed satisfied by the adoption of this Resolution.
2. In order for the City of Rancho Cordova to receive funds from this Quarry TMP Funding Mechanism, the City must dismiss with prejudice its lawsuit against the County and Real Party in Interest Teichert regarding the Teichert Quarry (Sacramento Superior Court Case Number 34-2010-80000747) within 45 days of the adoption of this Resolution. If a final judgment has been entered by the Superior Court prior to the lapse of said 45 days, Rancho Cordova must enter into an agreement with the County before receipt of funds from the TMP Funding Mechanism which provides: (1) that Rancho Cordova will not appeal any decision rendered by the Superior Court

(2) that Rancho Cordova waives any claim for an award of attorneys' fees stemming from said case from either the County or Real Party in Interest Teichert and (3) pledges that Rancho Cordova will not, in the event it has prevailed before the Superior Court, file a subsequent action challenging the Teichert Quarry EIR. Said agreement must be executed within 60 days of the adoption of this Resolution.

3. Section 2.4.4 of the Development Agreement by and between the County of Sacramento and Angelo G. Tsakopoulos and Katherine Tsakopoulos, requiring the adoption of a TMP program, will be deemed satisfied by the adoption of this Resolution, upon approval of the Development Agreement by the Board of Supervisors.

BE IT FURTHER RESOLVED that Exhibits "A" through "B" are hereby incorporated into and made a part of this resolution establishing a Quarry Truck Management Plan Funding Mechanism Program.

On a motion by Supervisor MacGlashan Seconded by Supervisor Nottoli, the foregoing resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 14th day of December, 2011, by the following vote, to wit:

AYES:	Nottoli, Peters, Serna, Yee, MacGlashan
NOES:	None
ABSENT:	None
	None



Cyndi Lee
Clerk, Board of Supervisors

Roberta MacGlashan
Chair, Board of Supervisors
of Sacramento County, California

In accordance with Section 25103 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County Of Sacramento on: 12/15/11

By V. Cholas
Deputy Clerk, Board of Supervisors

FILED
BOARD OF SUPERVISORS

DEC 15 2011

BY

Cyndi Lee
CLERK OF THE BOARD

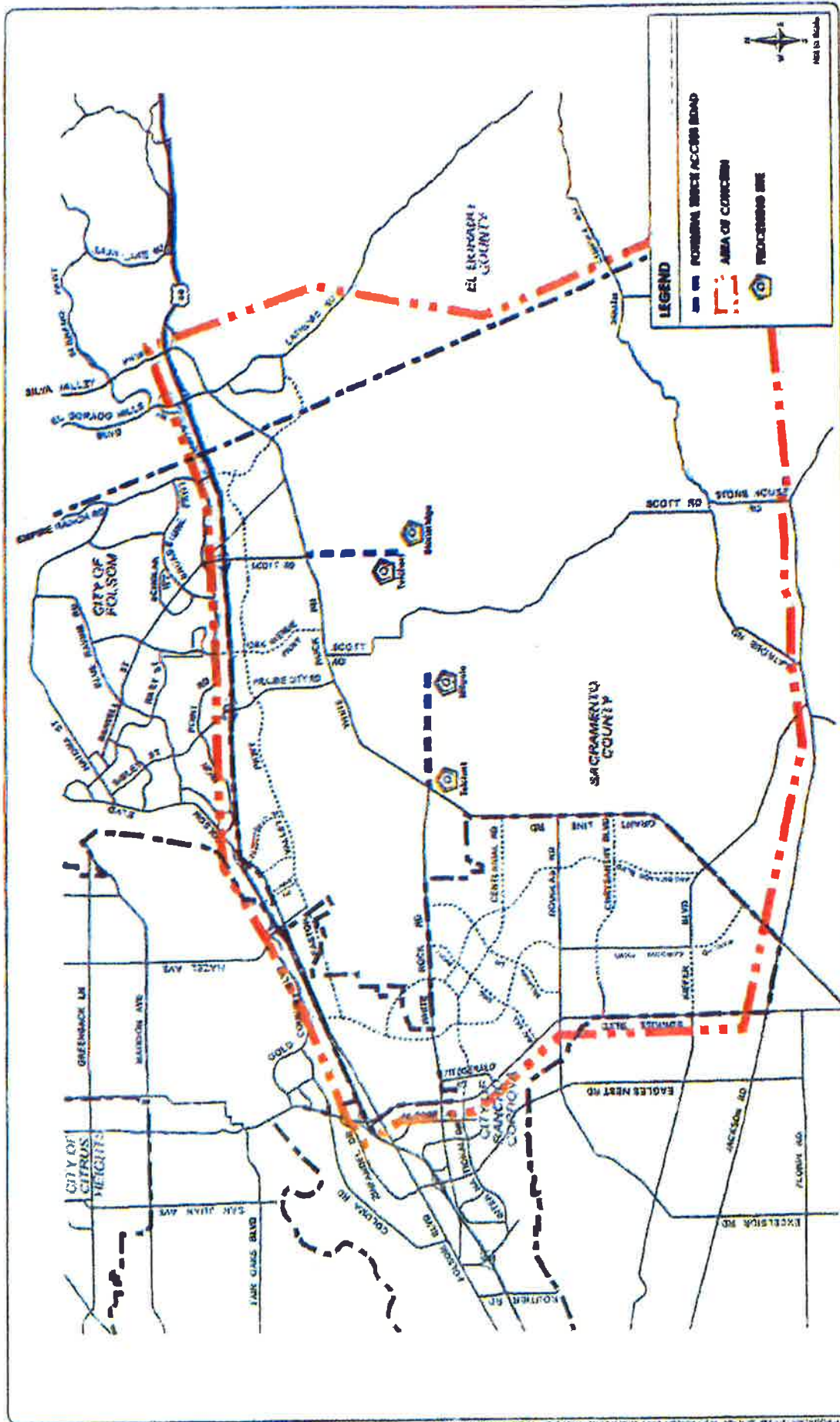


EXHIBIT A
AREA OF CONCERN
TRUCK MANAGEMENT PLAN

DKS Associates
TRANSPORTATION SOLUTIONS

Revised
December 15, 2011

EXHIBIT B
Eastern Sacramento County
Quarry Truck Management Plan Funding Mechanism Program

1. All new quarry or other mining proposals and renewals of existing quarry or other mining permits (quarry or quarries), located within the Quarry TMP Participation Area (Participation Area), as depicted in Figure I, may elect to participate in the Quarry TMP Funding Mechanism Program.
2. Those jurisdictions located within the Participation Area may similarly elect to participate in the Quarry TMP Funding Mechanism Program.
3. The Quarry TMP Funding Mechanism Program shall consist of a twelve (12) cents per ton contribution on all aggregate material produced and sold from the participating quarries. Aggregate material shall include raw materials sold or transferred to affiliates or subsidiaries for the production of concrete, asphalt or other products. Asphalt oil, water, cement or other ingredients from outside sources shall not be included in the tonnage measured, although, the sale of recycled materials shall be included.
4. A quarry operator electing to participate in the Quarry TMP Funding Mechanism Program shall execute a development agreement, or other similar binding obligation, with the County which mandates payment of the twelve (12) cents per ton contribution specified in Paragraph 3. In the event a quarry is approved by a participating jurisdiction other than the County, a quarry electing to participate in this program shall execute a similar agreement with that jurisdiction.
5. The Quarry TMP Funding Mechanism Program contribution (contribution) shall be collected for the term of each quarry use permit and any extensions thereto granted up to a total of one hundred (100) years, subject to modification as provided in Paragraphs 6 and 7 below.
6. In recognition of the fact that the value of a ton of aggregate may fluctuate, the twelve (12) cents per ton contribution will be adjusted every eight (8) years for the first twenty four (24) years that the contribution is in place (year 8, year 16, and year 24) by applying an Adjustment Factor to the contribution, provided that, in no event will the adjustment be more than one half (1/2) cent per year (e.g. four (4) cents in any adjustment period), and in no event shall the adjustment reduce the cents per ton contribution to less than twelve (12) cents per ton during the same twenty four (24) year period. The Adjustment Factor shall be defined as the proportion of the value of a ton of aggregate material as of one year from the date of the first aggregate material sale from the first quarry

participating in this program to the value of a ton of aggregate material as of the date eight (8) years after the first aggregate material sale from the first quarry participating in this program. The value of a ton of aggregate for purposes of the eight (8) year review shall be the annual gross revenue received for aggregate material (aggregate material as defined in paragraph 3) from all participating quarries divided by the annual total tons of aggregate material sold from all participating quarries. The participating quarries shall provide a report with this information to the County within ninety (90) days of the triggering dates outlined above. The County will maintain this information as confidential and calculate the Adjustment Factor to be applied to the cents per ton contribution by averaging the data provided by participating quarries. The adjusted contribution shall apply to all of the participating quarries located in the Participation Area.

Beginning on the twenty fourth (24th) year that the contribution is in place, there shall be an evaluation of the amount of the contribution every ten (10) years thereafter. The evaluation of the contribution shall be considered by the County Board of Supervisors and shall be based on the following factors:

- a. The total amount of the contribution collected to date;
- b. The total amount of contributions that have been expended to date;
- c. The quality of life improvements that have been constructed to date;
- d. The quality of life improvements that still need to be constructed;
- e. The maintenance costs associated with the quality of life improvements;
- f. The total amount of funding and adjustments to that funding collected and expended toward quality of life improvements by non-quarry contributors; and
- g. Whether the participating quarry operations will be competitive in the regional market given the contribution.

The Board's evaluation may result in a reduction to the per ton fee. In the event that the quality of life improvements have not been completed by the fiftieth (50th) year that the contribution is in place, the contribution will be reduced to an amount necessary to provide for ongoing maintenance of the quality of life improvements that were previously constructed and shall extend for the balance of the permitted life or extended permit life up to a total of one hundred (100) years of each quarry operation.

7. If a jurisdiction approves a new quarry or renews an existing quarry that is located within the Participation Area and that quarry elects to not participate in the Quarry TMP Funding Mechanism Program or provides a cents per ton contribution that is less than the amount established in Paragraphs 3 and 6 above, then the contribution amount applicable to all quarry operators shall be adjusted to reflect the lowest contribution amount and the jurisdiction that approved such quarry shall not be entitled to receive any of the benefits of the Quarry TMP Funding Mechanism Program including the cents per ton contribution. Additionally, a quarry approved or renewed by a jurisdiction other than Sacramento County will not require any subsequent approvals from Sacramento County prior to commencing operations.
8. The County shall be responsible for the collection of the Quarry TMP contributions, which shall occur as described in Figure II.
9. The County shall also be responsible for distributing the collected contributions to the participating jurisdictions. The distribution of contributions shall be based upon the relative distribution of through (not local delivery) quarry truck traffic established as part of the project approval for each quarry relative to each jurisdiction that elects to participate in the Quarry TMP Funding Mechanism Program. Local quarry trucks are defined as those quarry trucks with a delivery destination located within the Participation Area. Through quarry trucks are defined as those quarry trucks with a delivery destination located outside of the Participation Area. For quarry truck distribution routes that share a jurisdictional boundary, the affected jurisdictions shall share in the contributions for that route. Distribution of contributions for Teichert Quarry and for Stroneridge Quarry shall be as depicted in Figures III and IV, respectively.
10. As additional quarries are approved and elect to participate, distribution figures shall be added to this program for those quarries. Said distribution figures shall be based upon the anticipated distribution of quarry truck traffic as established at the time of the project approval.
11. The County shall review and revise the figures referenced in Paragraphs 9 and 10 to represent changes that may occur over time to the trip distribution patterns associated with each participating quarry or changes in jurisdiction boundaries. Said review and revision shall occur every four (4) years from the effective date of the Resolution creating this program or sooner should a significant changed condition occur. Participatory

quarries shall be responsible for ensuring that their through quarry trucks utilize the through truck haul routes established on the distribution exhibits.

12. Participating jurisdictions shall share those contributions intended for quarry truck routes which straddle jurisdictional boundaries. However, the County will assign any contributions it receives for Prairie City Road or Scott Road (east) towards quality of life improvements on Prairie City Road. The County shall also assign any contributions it receives for White Rock Road toward quality of life improvements to White Rock Road.
13. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, jurisdictions must enter into an operational agreement with the County. All such operational agreements shall contain the following:
 - a. That distribution of contributions for quality of life improvements shall be made by the County on an annual basis consistent with Paragraphs 9 through 12.
 - b. That contributions shall only be used for the purpose of designing, approving, financing, constructing and maintaining quality of life roadway improvements related to quarry truck traffic from participating quarries. Such roadway related improvements may include, but are not limited to, any of the following: special quarry truck lanes (including grade separation) and associated improvements, rubberized asphalt, sound wall extensions, and landscaping enhancements as well as right of way acquisition for any such improvements.
 - c. That contributions shall not be used in lieu of nexus based traffic mitigation fees and/or CEQA based mitigations for road capacity improvements or for normal road maintenance, with the exception of maintenance of quality of life improvements identified in this TMP.
 - d. That, prior to commencement of construction of quality of life improvement projects pursuant to this program, appropriate CEQA review shall be conducted by the jurisdiction proposing such improvements. Where the quality of life improvements are located within more than one jurisdiction, the jurisdictions may review such improvements jointly.
 - e. That an annual report shall be provided to the County by any jurisdiction receiving contributions which accounts for the use of those contributions during the prior year.

- f. That contributions shall be held in a separate account, specifically identified for Quarry TMP quality of life improvements, and shall not be available to the general fund of the receiving jurisdiction.
 - g. That the County shall provide guaranteed, reasonable and continuous direct access for all aggregate trucks from quarries participating in this program and traveling along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway. Except as stated in paragraph 14 below, there shall be no limit set on the volume of such quarry truck trips that is permitted to travel along Prairie City Road, Scott Road (east), White Rock Road, Grant Line Road and Jackson Highway within the unincorporated County.
- 14. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, the operational agreement with the City of Folsom shall be consistent with the provisions of the agreement between the County and the City of Folsom relating to transportation, adopted by both jurisdictions on December 6, 2011, which provisions are incorporated herein by reference as well as the provisions of this Quarry TMP Funding Mechanism Program and shall contain, in addition to the provisions of Paragraph 13, the following:
 - a. That the City will set no limit, following annexation, on the volume of participating quarry truck traffic which is allowed to pass through the Folsom SOI area for quarry trucks that have agreed to pay a baseline cents per ton contribution of \$0.12 as provided in Sections 3 and 4
 - b. That the City, following annexation, shall provide guaranteed, reasonable and continuous direct access through the Folsom SOI area for participating quarry truck traffic traveling to and from U. S. Highway 50. The City may, however, assign such traffic to Scott Road (east), Prairie City Road and any future extension of Oak Avenue, or any combination thereof, provided that at all times participating quarry truck traffic is provided with said guaranteed, reasonable and continuous access. Said assignment of traffic shall include the ability to limit hours trucks may traverse a particular road so long as guaranteed 24 hour per day access is provided along one of the enumerated routes.

- c. That the City quality of life improvements shall generally be the improvements depicted in Figure V, as well as (1) improvements to the Prairie City Road/Highway 50 interchange as determined by or negotiated with the California Department of Transportation, (2) improvements to the Prairie City Road and White Rock Road intersection as determined by the County and the City in consultation with the Sacramento Southeast Connector Joint Powers Authority.
 - d. That contributions for the City will begin to accrue upon annexation of the Folsom SOI area.
15. In order to participate in this Quarry TMP Funding Mechanism Program and receive contributions for quality of life improvements, the operational agreement with the City of Rancho Cordova shall be consistent with the provisions of this Quarry TMP Funding Mechanism Program and shall contain, in addition to the provisions of Paragraph 13, the following:
- a. That the City shall provide guaranteed, reasonable and continuous direct access for aggregate trucks from quarries participating in this program which travel along Grant Line Road and Jackson Highway. There shall be no limit set on the volume of such quarry truck trips permitted to travel along Grant Line Road and Jackson Highway.
 - b. That the City shall provide guaranteed, reasonable and continuous direct access on White Rock Road in the City for Granite and Milgate aggregate trucks resulting from an annual aggregate production level equivalent to four (4) million tons. Unless otherwise revised through an amendment to this agreement and subject to the consensus by the City, Granite, and Milgate, the four (4) million tons per year aggregate production shall be apportioned as follows:
 - 1) Three (3) million tons of aggregate production shall be assigned to Granite Construction Company via an aggregate production site that would directly access White Rock Road.
 - 2) One (1) million tons of aggregate production shall be assigned to Milgate quarry.

- c. The four (4) million ton limitation stated above shall not be reduced by either local aggregate truck trips using White Rock Road in the City of Rancho Cordova or by any temporary access allowed by the City to other participating quarry operators due to construction activities on Grant Line Road or Jackson Highway.
16. In the event that a participating jurisdiction initiates a legal action based upon quarry truck traffic challenging an application for a new quarry, or the renewal of an existing quarry located within the Participation Area, then that jurisdiction shall automatically be terminated from participating in this program and no longer be eligible to receive any contributions pursuant to it. This provision shall, however, only be applicable where a quarry project has entered into a development agreement, or other similar binding obligation, wherein it becomes obligated to make the contribution payments established in Paragraph 3.
17. In order to participate in this program, Teichert must first amend its development agreement with the County so that the Construction Market Equalizer in Section 2.5 of the agreement shall only apply to Sections 2.4.1 through Section 2.4.4.3 and is rendered inapplicable to Sections 2.4.5.A, 2.4.5 B and 2.4.6. In addition, Teichert shall commit, in its amended development agreement, not to route Teichert Quarry and Teichert Grantline Plant trucks, moving to and from U.S. Highway 50, via White Rock Road and Sunrise Boulevard, White Rock Road and Zinfandel Drive and/or White Rock Road and a future Rancho Cordova Parkway.
18. No participating quarry trucks will utilize White Rock Road or any other roadways within the current jurisdictional boundaries of the City of Rancho Cordova except for quarry trips identified in Paragraph 15b above and quarry truck trips making local deliveries, or if temporarily necessary due to construction along either Grant Line Road or Jackson Highway. Any said temporary use of City of Rancho Cordova roadways shall be subject to review and approval by the City of Rancho Cordova prior to use of those roadways.
19. If the City of Rancho Cordova or the City of Folsom initiates any legal action against the Stoneridge Project, then the City(s) that brought forward that legal action shall not receive any Quarry TMP funding contribution from the Stoneridge quarry. If the Folsom SOI landowners initiate any legal action against the Stoneridge Project, then the City of Folsom shall not receive any Quarry TMP funding contribution from the Stoneridge quarry.

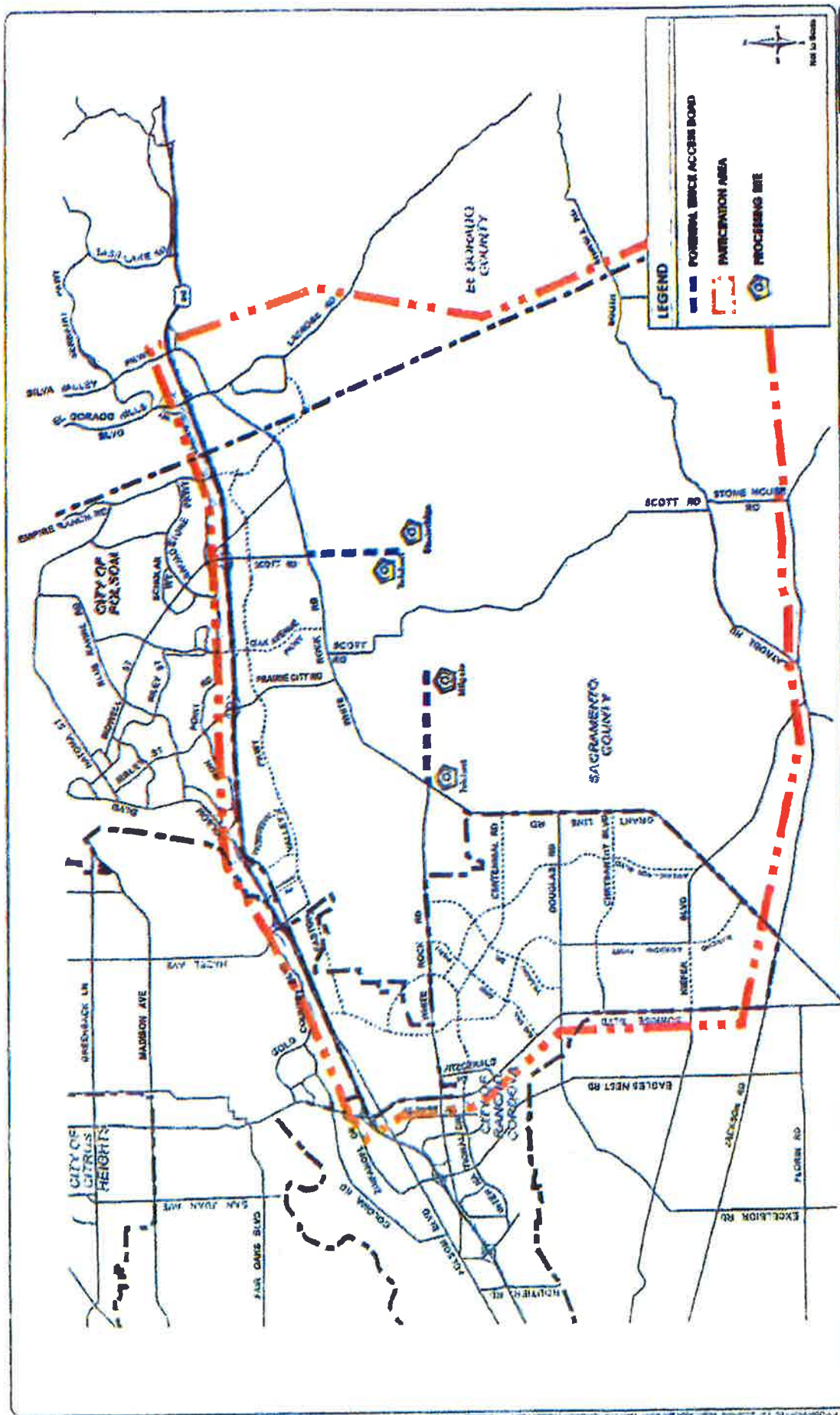


FIGURE 1
PARTICIPATION AREA
TRUCK MANAGEMENT PLAN

DKS Associates
TRANSPORTATION SOLUTIONS

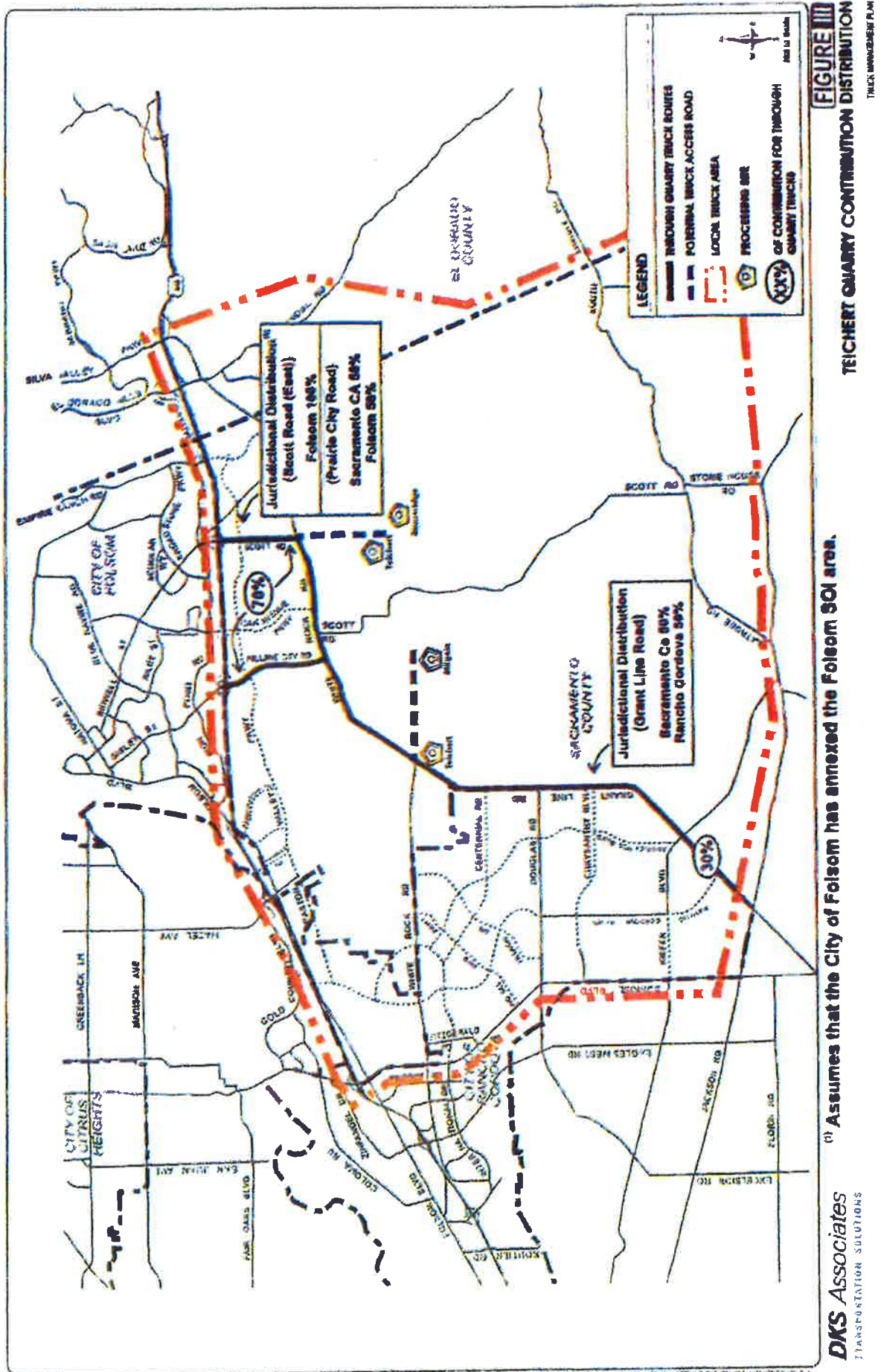
Figure II

Calculation, Payment and Verification of Aggregate Funds Cents per Ton Contributions.

Payments required by the TMP Resolution shall be made within 30 days of the following quarterly dates each year: March 31, June 30, September 30, and December 31. The first quarterly contribution shall be due at the end of the first quarter during which quarry makes its first sale. Together with each payment, quarry shall provide County with a statement indicating the tons of Aggregate Material sold and the calculation of the contribution being made. Quarterly payments shall be based upon the tonnage produced and sold from the Project site and the rates provided pursuant to the TMP Resolution. Payments to County shall be made to County of Sacramento TMP Fund account and delivered to the County CEO Office, or such address as County may designate in writing. All transmittals of payments shall be copied to the Sacramento County Planning Division and the Sacramento County Department of Transportation.

The County may audit, as it determines necessary, the tonnage of Aggregate Material being produced and sold at the Project site and the contributions paid to County to verify that the amount of payment correctly reflects actual tonnage sold.

The County shall provide all participating jurisdictions with appropriate documentary support for the calculation and distribution of the cents per ton contributions. Any participating jurisdiction may request the County to perform an audit of material produced and funds distributed. Such audits shall not be requested more frequently than every other year.



(1) Assumes that the City of Folsom has annexed the Folsom SOI area.

DKS Associates
TRANSPORTATION SOLUTIONS

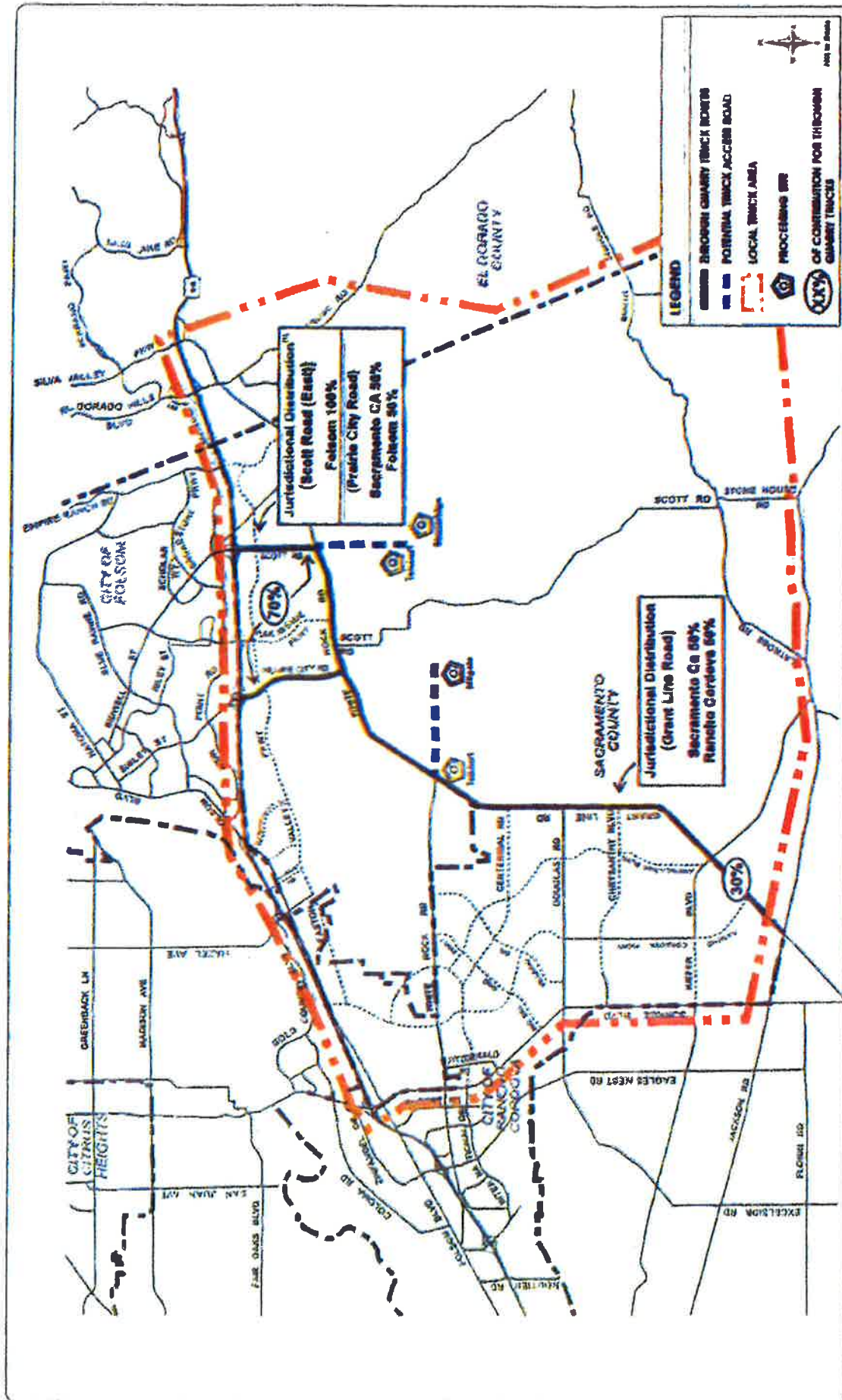


FIGURE IV
STONERIDGE QUARRY CONTRIBUTION DISTRIBUTION
 (1) Assumes that the City of Folsom has annexed the Folsom SOI area.

DKS Associates
 TRANSPORTATION SOLUTIONS

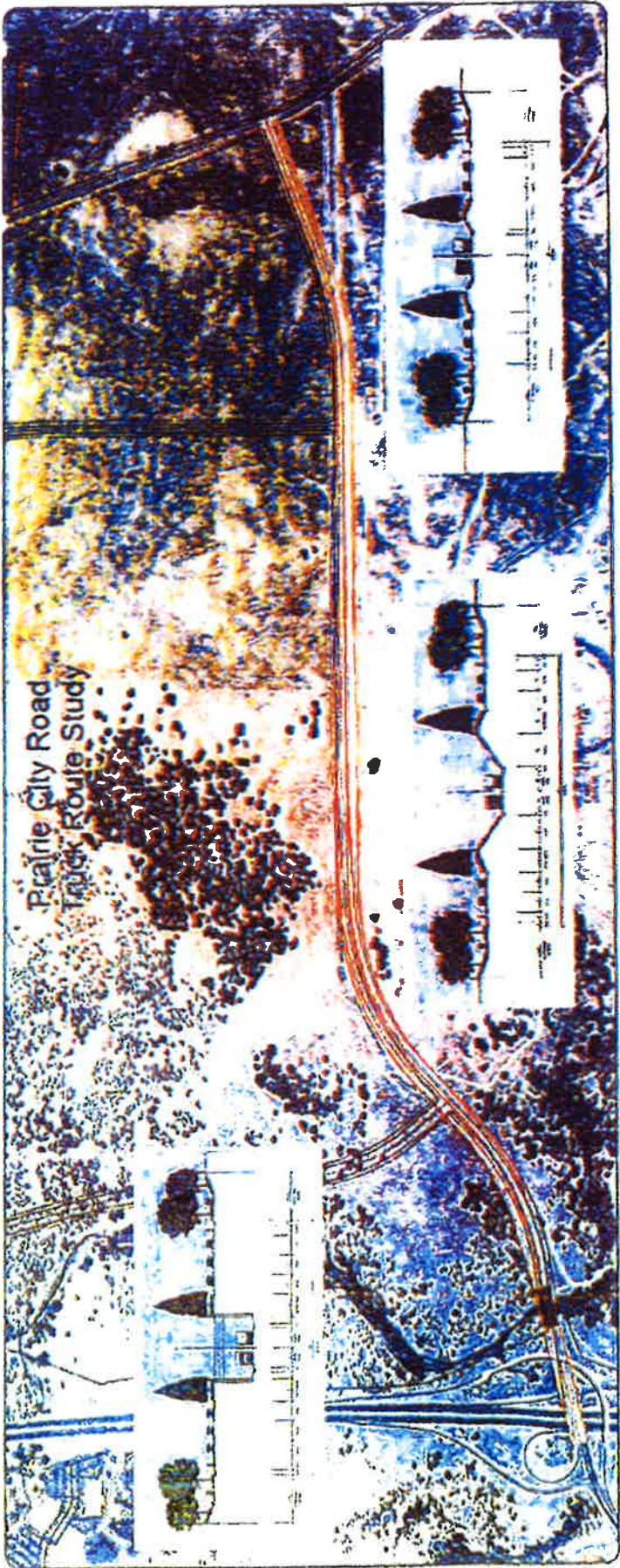


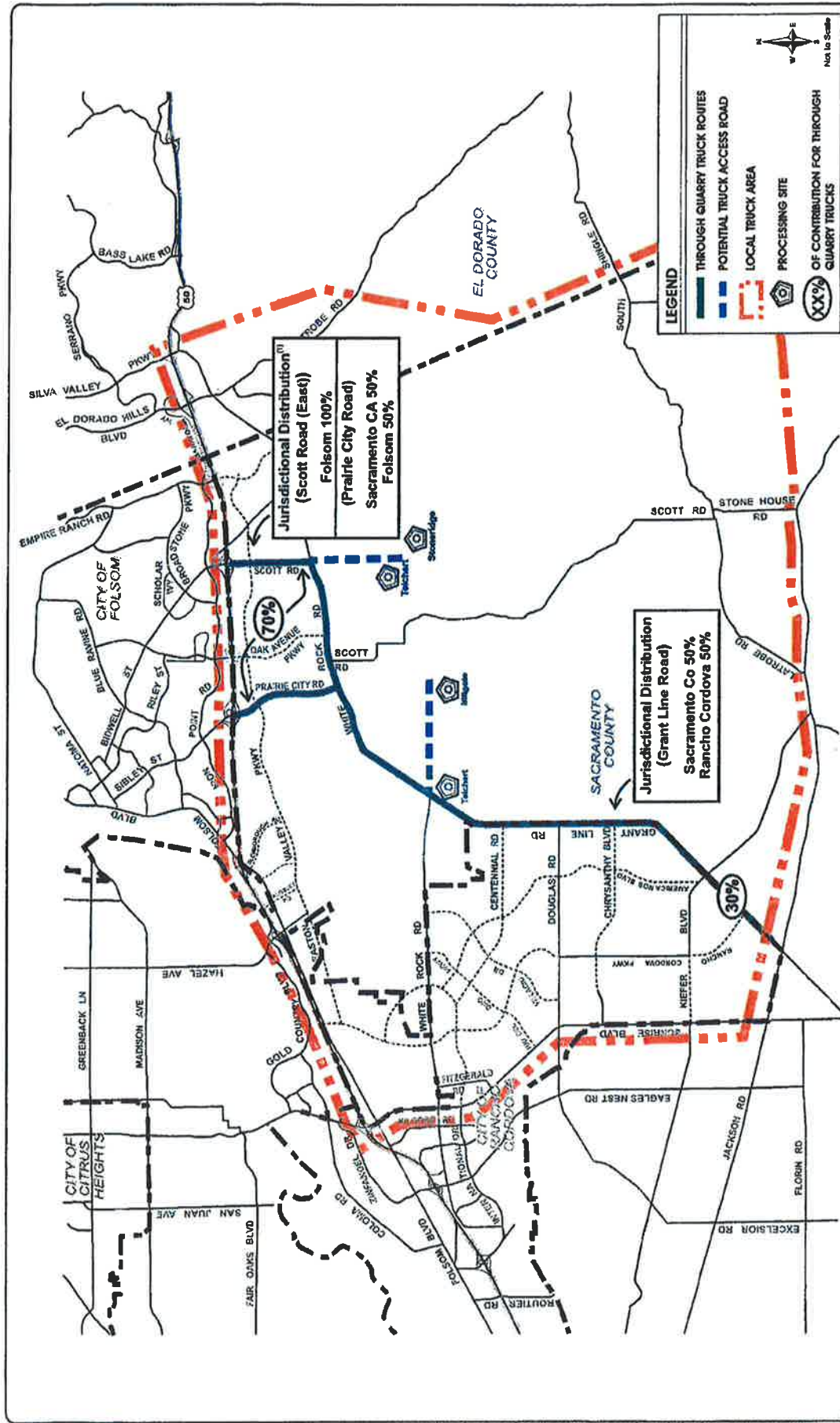
Figure V
Prairie City Road Special Design

Intersection X
Prairie City Road - Easton Valley Parkway

Intersection C
Prairie City Road - Street A

EXHIBIT D

TMP GRANTLINE DISTRIBUTION



⁽¹⁾ Assumes that the City of Folsom has annexed the Folsom SOI area.

EXHIBIT E

TMP GRANTLINE WEST OPERATION DISTRIBUTION

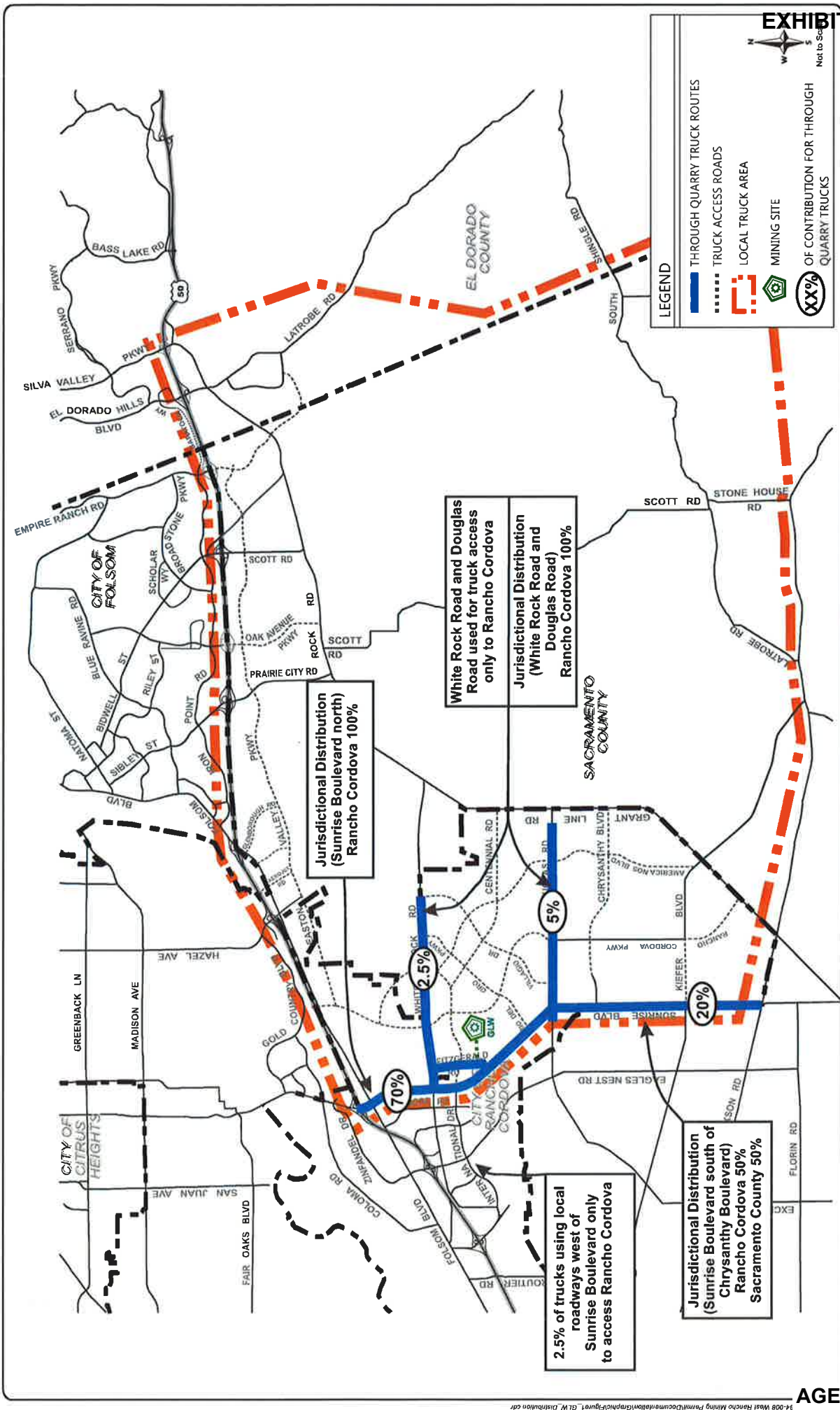


EXHIBIT 4
FIGURE 4
GRANTLINE WEST MINING CONTRIBUTION DISTRIBUTION

JKS Associates
TRANSPORTATION SOLUTIONS

EXHIBIT F

TRUCK ROUTE ENFORCEMENT PLAN

With the exception of local deliveries, aggregate trucks going to or from the project site will use the Truck Routes depicted on Exhibit E. Except for local deliveries that require the use of Zinfandel Blvd., truck traffic to and from the site shall not use Zinfandel Blvd to access Highway 50, and will either use Sunrise Blvd. or Prairie City Road or other eastern access point to Highway 50. Truck traffic heading south of White Rock Road shall be directed to either Sunrise Blvd. or Grant Line Road. The Operator shall provide signage at the exit of the load out area regarding the Truck Routes. The Operator shall implement a program to provide drivers with notice of, and to ensure compliance with, designated haul routes. The program shall include the following provisions to bar drivers who are found to have violated these restrictions from being served at the site:

- First violation – driver is given a warning;
- Second violation – driver is barred from the facility for one month; and
- Third violation—driver is permanently barred from the facility.

The Operator shall submit to the Planning Department an annual summary of any violations and actions taken.

EXHIBIT G

FUTURE AMENDMENT TO DISTRIBUTION OF TMP FEES

(IF APPLICABLE, SEE SECTION 2.2.3 OF AGREEMENT)

EXHIBIT H

INSURANCE REQUIREMENTS

Pursuant to Section 8.3 of the Agreement to which this Exhibit E is attached, Granite shall procure, maintain, and keep in force at all times during the Term of this Agreement, at Granite's sole expense, the following insurance:

3-9.01 General Liability.

General Liability insurance including, but not limited to, protection for claims of bodily injury and property damage liability, personal and advertising injury liability, contractual and products and completed operations liability. Coverage shall be at least as broad as "Insurance Services Office Commercial General Liability Coverage Form CG 0001" (occurrence). The limits of liability shall be not less than:

Each Occurrence	One Million Dollars (\$1,000,000)
Personal & Advertising Injury	One Million Dollars (\$1,000,000)
Products and Completed Operations	Two Million Dollars (\$2,000,000)
Aggregate	
General Aggregate	Two Million Dollars (\$2,000,000)
Fire Damage	One Hundred Thousand Dollars (\$100,000)

The Products and Completed Operations coverage shall be maintained for at least two years after termination of the Agreement.

3-9.02 Automobile Liability.

Automobile Liability insurance providing protection against claims of bodily injury and property damage arising out of ownership, operation, maintenance, or use of owned, hired, and non-owned automobiles. Coverage shall be at least as broad as "Insurance Services Office Business Auto Coverage Form CA 0001," symbol 1 (any auto). Use of any symbols other than symbol 1 for liability for corporate/business owned vehicles must be declared to and approved by the City. If there are no owned or leased vehicles, symbols 8 and 9 for non-owned and hired autos shall apply. Personal automobile insurance shall apply if vehicles are individually owned.

The limits of liability shall not be less than:

Corporate/business owned or commercially insured vehicles, including non-owned and hired, \$1,000,000 Combined Single Limit. Individually owned vehicles, \$500,000 Combined Single Limit or, if split limits are used, \$250,000 per person, \$500,000 each accident, \$100,000 property damage.

3-9.03 Workers' Compensation.

Workers' Compensation insurance, with coverage as required by the State of California (unless Granite is a qualified self-insurer with the State of California), and Employers' Liability coverage. The limits of Employers' Liability shall not be less than:

Each Accident	One Million Dollars (\$1,000,000)
Disease Each Employee	One Million Dollars (\$1,000,000)
Disease Policy Limit	One Million Dollars (\$1,000,000)

The Workers' Compensation policy required hereunder shall be endorsed to state that the Workers' Compensation carrier waives its right of subrogation against the City, its officials, directors, agents, employees and volunteers.

In the event Granite is self-insured, Granite shall furnish a Certificate of Permission to Self-Insure by the Department of Industrial Relations Administration of Self-Insurance, Sacramento.

3-9.04 Granite's Equipment.

Granite, and each of its subcontractors, shall separately insure its own equipment for loss and damage. Such policies shall include, or be endorsed to include, a waiver of subrogation against the City, its City Council, officers, directors, agents, employees and volunteers which might arise by reason of damage to the Granite's property or equipment (owned, leased, hired or borrowed) in connection with work performed under this Agreement by Granite.

3-9.04.E Other Provisions.

1. Granite's General Liability policy shall contain the following provisions:
 - a. The City, its City Council, officers, directors, agents, employees, and volunteers shall be covered as additional insureds as respects liability arising out of the acts or omissions by or on behalf of Granite, or premises owned, occupied, or used by Granite. The policy shall contain no special limitations on the scope of coverage afforded to the City, its City Council, officers, directors, agents, employees and volunteers.
 - b. Granite's General Liability policy shall be specifically endorsed to name the City, its City Council, officers, directors, agents, employees and volunteers as additional insureds utilizing ISO form CG 20 10 11/85 or its equivalent to provide additional insured coverage, including completed operations. If the additional insured form does not include completed operations, the General Liability policy shall be endorsed to add completed operations using ISO form CG 20 37 07/04 or its equivalent - if commercially available and at a reasonable cost. If Granite's General Liability policy utilizes blanket or automatic additional insured coverage, the coverage shall include or be endorsed to include completed operations.
 - c. Granite's General Liability policy shall be endorsed to include a waiver of subrogation in favor of the City as named on the "Additional Insured" endorsement. Such waiver of subrogation shall be on ISO Form CG 24 04 10/93 "Waiver of Transfer of Rights of Recovery Against Others to Us" or its equivalent.
 - d. For any claims related to this Agreement, Granite's insurance coverage shall be primary insurance as respects the City, its City Council, officers, directors, agents, employees and volunteers. Any insurance or self-insurance maintained by the City, its City Council, officers, officials, employees, agents, or volunteers shall be excess of Granite's insurance and shall not contribute with it.
 - e. Granite's General Liability insurance policies shall contain an endorsement stating that any aggregate limits shall apply separately to the construction obligations set forth in this Agreement.
 - f. Granite's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
2. Granite's Automobile Liability policy shall name the City, its City Council, officers, directors, agents, employees and volunteers as additional insureds utilizing ISO form CA 20 48 02/99 Designated Insured, or its equivalent.
3. Each insurance policy shall state that coverage shall not be cancelled by Granite or the City, reduced in scope of coverage or in limits, non-renewed, or otherwise materially changed unless the insurer(s) provide thirty (30) days written notice to the City, prior to such change. Ten (10) days prior written notice shall be given to the City in the event of cancellation due to nonpayment of premium.

4. All of Granite's insurance coverage, except as noted below, shall be placed with insurance companies with a current A.M. Best rating of at least A-:VII.

Exceptions:

- a. Underwriters at Lloyd's of London, which are not rated by A.M. Best.
 - b. Workers' Compensation which is provided through a State Compensation Insurance Fund or a qualified self-insurer for Workers' Compensation under California law.
5. Granite shall sign and file with the City the following certification prior to commencing performance of any construction under the Agreement:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of the Code, and I will comply with such provisions before commencing the performance of the Work of this Agreement."

Said certification is hereby deemed included in this Agreement, and signature and return of this Agreement shall constitute signing and filing of the said certification.

6. The City, at its discretion, may require new types of insurance coverage or increase the limits of insurance coverage required hereunder at any time during the Term of the Agreement by giving thirty (30) days written notice to Granite. Granite shall immediately procure such insurance or increase the limits of coverage and provide certificates of insurance, including copies of all required endorsements, to the City within thirty (30) days of receipt of the City's request.
7. The required insurance coverage shall be subject to the approval of the City, but any acceptance of insurance certificates by the City shall in no way limit or relieve Granite of its duties and responsibilities in this Agreement.
8. If Granite fails to procure or maintain insurance as required by this Exhibit E, or fails to furnish the City with proof of such insurance, then the City, at its discretion, may procure any or all such insurance and all City's election premiums for such insurance shall be promptly reimbursed to the City by Granite and/or shall be deducted and retained from any sums due Granite under the Agreement. Failure of the City to obtain such insurance shall in no way relieve Granite from any of Granite's responsibilities under the Agreement. Any failure of Granite to maintain any item of the required insurance (if such failure is not cured in accordance with Section 7.1 of the Agreement) is sufficient cause for termination of the Agreement.
9. The City is authorized to execute amendments and waivers, with or without conditions, to the insurance requirements of this Agreement. The City will provide such amendments or waivers in writing to Granite.
10. Granite shall require all its subcontractors to maintain adequate insurance.

The failure of the City to enforce in a timely manner any of the provisions of this Exhibit E shall not act as a waiver to enforcement of any of these provisions at any time during the term of the Agreement.

3-9.04.F Deductibles and Self-Insured Retention

Any deductible or self-insured retention that applies to Commercial General Liability or Automobile Liability must be declared to and approved by the City.

**PAYMENT AGREEMENT
FOR GRANTLINE WEST MINING PROJECT
BETWEEN THE CITY OF RANCHO CORDOVA AND
GRANT LINE ROAD PROPERTIES, L.L.C.**

This Payment Agreement (hereinafter called “**Agreement**”) is made and entered into this ____ day of _____, 2017, by and among the CITY OF RANCHO CORDOVA, a Municipal Corporation of the State of California (hereinafter referred to as the “**City**”) and GRANT LINE ROAD PROPERTIES, L.L.C., a Delaware Limited Liability Company (hereinafter referred to as “**Operator**”) (the City and Operator being collectively referred to herein as “**the Parties**”). This Agreement is made and entered into in accordance with Condition ____ to the renewal of the Permit for the Grantline West Mining Operation (hereinafter referred to as “**Project**” or “**Permit Renewal**”) by the City Council on the 6th day of February, 2017. Terms with initial capitalization used but not defined in this Agreement shall have the meanings given to them in the Project Approvals, as defined below.

RECITALS

A. Operator intends to continue to remove aggregate resources from portions of the Rio Del Oro site, which is located within the City limits, pursuant to the approval by the City Council by Resolution No. XX-2016 (the “**Permit Renewal**”), which has an effective date of July 18, 2017 (the “**Permit Renewal Date**”). The area approved for mining operations in the Permit Renewal (the “**Mining Site**”) is more precisely described in the Permit Renewal and is depicted on Exhibit A to this Agreement, which is incorporated herein by reference. As set forth in the Permit Renewal and Mining and Reclamation Plan, Operator may remove aggregate material within the specified areas depicted in Exhibit A for a period of up to ten (10) years.

B. The Mining Site is an important source of aggregate for the City and the Sacramento metropolitan area. Aggregate material that is extracted from the Rio Del Oro site will be used in local and regional projects and sales within the City of Rancho Cordova are expected to generate certain tax revenues. In addition, the City desires to receive a portion of the retail sales of aggregate materials which are removed from the City of Rancho Cordova and for which the point of sale is outside the City of Rancho Cordova, all as set forth in this Agreement.

C. On the 6th day of February 2017 (the “**Project Approval Date**”), the City Council approved the renewal of the permit for the Project, which shall become effective on July 18, 2017 (hereafter the “**Permit Renewal**” and the “**Permit Renewal Date**”). There are limited modifications to the Mining and Reclamation Plan, and the renewal of the permit for the Project did not require subsequent or supplemental environmental review under the California Environmental Quality Act (“CEQA”). Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 - 15164, the City prepared and on the 6th day of February 2017, the City Council adopted an addendum to the original 2005 Grantline West Mitigated Negative Declaration (RC 04-145). The Permit Renewal, the Mining and Reclamation Plan and all conditions of approval related thereto constitute the “**Project Approvals**” for purposes of this Agreement.

D. Condition No. 21 of the original permit states:

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 outside the City's boundaries.

E. Condition No. 36 of the Permit Renewal states:

Prior to operations under the permit renewal, the applicant shall execute a Payment Agreement that will replace and satisfy Condition No. 21 of the original permit.

NOW THEREFORE, in satisfaction of Condition No. 21 of the original permit and Condition No. 36 of the Permit Renewal, the City and Operator do hereby agree as follows:

DEFINITIONS

For purposes of this Agreement, the following terms shall be deemed to have the following definitions:

1. GROSS CONTRIBUTION

The Term "**Gross Contribution**" shall mean one percent (1%) of the Gross Sales, as that term is defined in this Agreement.

2. GROSS SALES

The term "**Gross Sales**" shall be defined to apply only to retail sales of Mined Materials, as that term is defined in this Agreement, and to other goods and materials that are recovered from the Mining Site and removed from and sold outside the City of Rancho Cordova and are subject to sales tax under California law ("California Sales Tax").

3. MINED MATERIALS

The term "**Mined Materials**" shall mean and include sand, gravel, rock, granite, and other aggregate and/or construction materials and/or precious metals and gemstone mined, recovered and removed from the Mining Site.

4. OPERATOR FACILITY

The term "**Operator Facility**" shall mean and include any facility or plant owned or controlled by Operator that processes or sells Mined Materials removed from the Mining Site.

5. STATEMENT OF QUANTITIES

The term “**Statement of Quantities**” shall mean a quarterly statement indicating the total tonnage of Mined Materials permanently removed from the Mining Site during a subject fiscal quarter with the intent to process the materials outside the City of Rancho Cordova and/or to generate Gross Sales from the subject materials.

6. STATEMENT OF SALES

The term “**Statement of Sales**” shall be mean a quarterly statement of Gross Sales subject to this Agreement, the purpose of which statement shall be to reconcile for any given fiscal quarter the Statement of Quantities for such quarter with the Gross Sales generated from the Mined Material removed from the Mining Site during such quarter. Without limitation, each Statement of Sales (a) shall include the total retail sales of Mined Materials by Operator or an Operator Facility, that are subject to California Sales Tax and which have been made by Operator or Operator Facility (“Operator Facility”) outside the City of Rancho Cordova that processes or sells Mined Materials, subject to and as defined in this Agreement, and (b) shall include an adjustment factor to account for the ratio of total Operator Facility sales attributable to the Mined Materials, as well as a waste adjustment factor, if any, for each Operator Facility to account for any waste generated while processing mined material from the site.

7. TRANSACTION RECORD

The term “**Transaction Record**” shall mean a written record of invoices and/or receipts for retail sales of Mined Materials during the Term of this Agreement to the extent that the point of sale of said Mined Materials is outside of the City of Rancho Cordova and said Mined Materials are removed from the City of Rancho Cordova.

AGREEMENT

1. TERMS

Operator hereby agrees to pay the Gross Contribution to the City on a quarterly basis pursuant to the terms and conditions set forth in this Agreement. Execution of this Agreement by Operator shall fully satisfy Condition No. 21 of the original permit and Condition No. 36 of the Permit Renewal.

2. DURATION

This Agreement and Operator’s obligation hereunder shall remain in effect for a period of ten (10) years, beginning on the Project Renewal Date, and ending ten (10) years thereafter (the “**Term**”), unless the Permit Renewal is otherwise extended by approval of the City Council, in which case this Agreement and Operator’s obligation hereunder shall automatically and without further action by the Parties be extended by the same period by which the Permit Renewal is extended.

3. COMPUTATION METHOD AND INSPECTION RIGHTS

Operator shall keep and maintain an appropriate Transaction Record. Within 72 hours after receipt by Operator of written notice from the City to do so, Operator shall provide to the City a computation of the Gross Contribution to be paid by Operator from time to time hereunder, which shall be computed directly from said Transaction Record. Transaction Records shall be maintained by Operator and available for inspection for a period of at least three (3) years.

4. STATEMENT

Each payment of Gross Contribution made by Operator under this Agreement shall be accompanied by the following: (a) a Statement of Quantities; (b) a Statement of Sales; (c) a calculation of the payment due based upon the foregoing; and (d) a record of truck tickets for the weighmaster (example attached as **Exhibit 1**).

5. CONFIDENTIALITY AGREEMENT

Except to the extent required by the California Public Records Act (California Government Code Section 6250 *et seq.*) (“**CPRA**”) or other applicable laws, the City, in order to protect Operator’s financial and commercial interests, shall not cause or permit any Transaction Record, Statement of Quantities, Statement of Sales, records of payments, payment amounts made under this Agreement or other related documents, information, statements or materials to be disclosed to, or made accessible to, any person, firm or entity than those officers, directors and key employees of the parties hereto, attorneys and accountants of the parties hereto, or consultants or vendors who are immediately and directly involved in the process of performing, assisting or cooperating with Project activities, including permitting and entitlement activities, or mining and processing activities as the case may be. If City receives a request for disclosure of any of the documents identified above (“**Document Request**”), then City shall immediately notify Operator of the Document Request as well as the identity of the individual or entity making the Document Request and shall also provide a written copy of the Document Request to Operator by the most expedient means (e.g., facsimile, e-mail, etc.). If City believes that this is obligated to disclose any or all of the documents identified in the Document Request pursuant to the CPRA or other applicable laws, then at least five (5) business days prior to making any disclosure under or pursuant to the Document Request, City shall provide written notice to Operator of City’s intention to make the disclosure, which notice shall include, without limitation, a written description of (a) each and all of the documents that City intends and believes it is obligated to disclose, and (b) the legal basis requiring such disclosure. Operator shall then have the option to request that the City decline such disclosure and to advise the City of any after grounds or same; Operator shall provide City with such request no later than three (3) business days after receiving notice from the City. If Operator timely requests that the City decline such disclosure, and the City Attorney determines that Operator has provided legally sufficient ground to decline the request, then the City shall respond to the Document Request declining to make the disclosure and providing the appropriate grounds or exemption. Operator, at Operator’s sole cost, shall then defend and indemnify the City from any action related to such response. If the City Attorney disagrees with Operator’s position, then the City shall notify Operator within one (1) business day of the fact, providing Operator with the opportunity, as Operator’s sole cost, to file a declaratory relief action to determine whether the documents must be disclosed. Such declaratory relief action must be filed no later than five (5) business days after the City notifies Operator that the City Attorney disagrees with Operator’s position. The City shall also notify the party making the Document Request that Operator has requested the opportunity to file a declaratory relief action to determine if the documents are exempt from disclosure.

6. PAYMENT STRUCTURE

Operator shall make and deposit payments of Gross Contribution due under this Agreement on a quarterly basis coinciding with the City's fiscal year, which runs from July 1 to June 30, with each payment of Gross Contribution for the subject quarter due to the City within forty-five (45) calendar days after the end of the subject fiscal quarter. Operator shall deposit these statements with the City Finance Department. Operator shall pay a late fee of two and one-half percent (2.5%) per month on a prorated basis for any payment not made within ten (10) days after the date due.

7. DISPUTES

Prior to filing suit for any claim under this Agreement for any alleged breach, the aggrieved Party shall first give the other Party an opportunity to cure the alleged breach by sending written notice to the breaching Party and giving the breaching Party a minimum of thirty (30) days from the receipt of notice to cure the alleged violation. Either Party may request that the Parties meet and confer to discuss the alleged breach within the thirty (30) day period after the notice to cure the alleged violation is received.

8. INDEMNIFICATION AND INSURANCE

To the fullest extent permitted by law, Operator shall indemnify, defend (with counsel acceptable to City) and hold harmless City (including its officers, agents, members, employees, affiliates, and representatives) from and against any and all claims, demands, actions, losses, liabilities, damages, expenses, liabilities and all costs incidental thereto, including cost of defense, settlement, arbitration and reasonable attorneys' fees ("**Claims**") arising out of, pertaining to, or resulting from (a) the negligent, reckless or willful acts of omissions of Operator, its offices, agents or employees, or the acts of omissions of anyone else directly or indirectly acting on behalf of Operator or for which Operator is legally liable under law, of (b) Operator's performance of its obligations under this Agreement. Without limitation, such obligations to defend, hold harmless and indemnify the City under this Section 6.1 shall not apply to the extent that such Claims are caused by the sole negligence, active negligence, or willful misconduct of the City, and shall exclude punitive and consequential damages of any kind.

9. NOTICES

All notices required or permitted to be given hereunder shall be in writing and shall be delivered in person, sent by overnight delivery service (such as Federal Express) or sent by certified mail, return receipt requested, postage fully prepaid thereon, addressed as follows:

City: City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Attn: Public Works Director

Operator: Grant Line Road Properties, LLC
3500 American River Drive
P.O. Box 13308
Sacramento, CA 95813
Attn: President

And to: Taylor &Wiley
500 Capitol Mall, Suite 1150
Sacramento, CA 95814
Attn: James Wiley

No party shall refuse or evade delivery of any notice.

10. INTERPRETATION It is agreed and acknowledged by the Parties hereto that the provisions of this Agreement have been arrived at through negotiation, and that each Party has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

11. COUNTERPARTS

This Agreement may be signed in several counterparts and all so signed shall constitute one and the same agreement, binding on all of the parties hereto, notwithstanding that all of the parties are not signatory to the original or same counterparts.

12. SUCCESSORS AND ASSIGNS

Each and every position of this Agreement shall bind and inure to the successors in interest of the parties hereto, in the same manner as if such parties had been expressly named herein.

13. GOVERNING LAW

This Agreement and the rights and duties of the parties hereunder shall be governed by the laws of the State of California, without giving effect to such state's conflict of law principles. Any legal action filed by the parties with respect to this Agreement shall be filed in Sacramento County, California.

14. ATTORNEY FEES

If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, then the prevailing party in any such

action shall be entitled to reasonable attorney's fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for the purpose. For purposes hereof, the "prevailing party" shall be the party that recovers substantially the relief sought by said party, whether by judgment, settlement, dismissal or otherwise.

15. EFFECT OF INVALIDITY

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term or provision of this Agreement shall continue to be valid and shall be enforced to the fullest extent permitted by law.

16. EFFECT OF WAIVER

No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, except those of the waiving party, which shall be extended by a period of time equal to the period of delay.

17. NO AGENCY, PARTNERSHIP OR JOINT VENTURE

Nothing in this Agreement shall be deemed or construed to create the relationship of principal and agent, a partnership, joint venture or any other association between the parties.

18. ENTIRE AGREEMENT; EFFECT OF PRIOR AGREEMENT

This Agreement (including any exhibits hereto) is the final expression of and contains the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. In particular, this Agreement is intended to supersede and replace the provisions of the Payment Agreement for the Rio del Oro Mining Project between the City of Rancho Cordova and Granite Construction Company dated March 28, 2008. This Agreement may not be modified, changed, supplemented, superseded, canceled or terminated, nor may any obligations hereunder be waived, except by a written instrument signed both Parties hereto or by a party's agent duly authorized in writing or as otherwise expressly permitted herein. The parties do not intend to confer any benefit hereunder or any other person, firm or corporation other than the parties hereto and their lawful successors and assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as the date first set forth above.

CITY OF RANCHO CORDOVA,
A Municipal Corporation of the State of
California

GRANT LINE ROAD PROPERTIES,
L.L.C., a Delaware LLC.

By: _____
Cyrus Abhar, City Manager

By: _____
Name: _____

Date: _____

Date: _____

ATTEST:

Mindy Cuppy, MMC, City Clerk

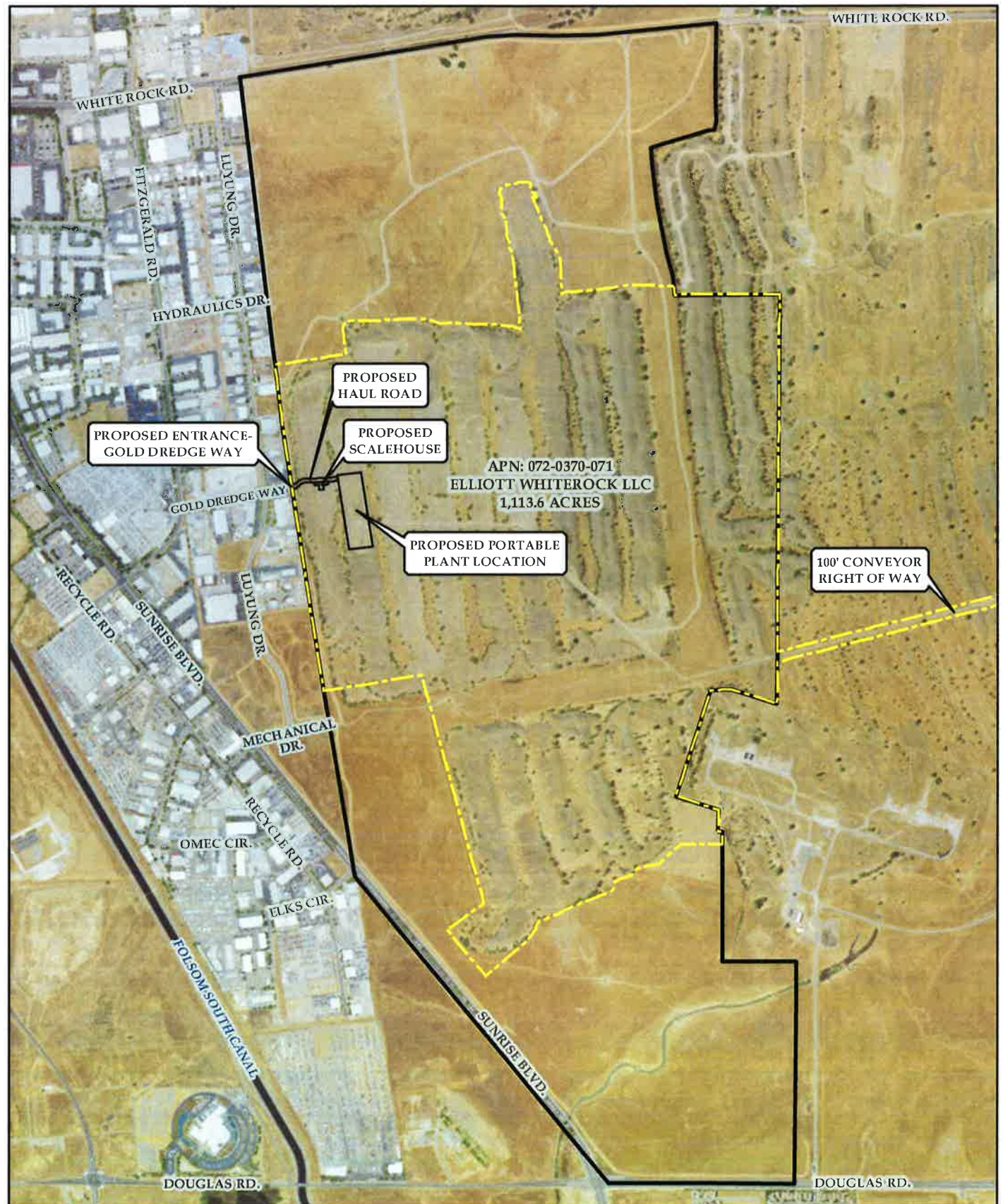
APPROVED AS TO FORM:

Adam U. Lindgren, City Attorney

Date: _____
2768854.1

EXHIBIT A

GRANTLINE WEST SITE PLAN



LEGEND:

-  Existing CUP Boundary RC-04-145
-  Project Parcel Boundary

SOURCE:

Aerial Photography Provided
by ESRI Basemaps &
Affiliates (June 2014)



0 700 1,400 Feet

DISCLAIMERS:

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

SITE MAP
GRANTLINE WEST
MINING OPERATION
SACRAMENTO COUNTY,
CALIFORNIA

Exhibit B Scale Ticket Example



BRADSHAW AGGREGATE
4291 BRADSHAW RD.
SACRAMENTO, CA 95827
916-855-4495

COPY

Ticket No. **34682462**

1/3/2017 6:23:57AM

Customer: ELITE READY MIX
310452

Order ID: 102556
Job/PO#: YARD

Cost Code

Location: BRADSHAW RD SAC YARD ELITE READY MIX

Vehicle: 53797 BAL TRUCKING

License: 6Y22884 | |

Carrier:

Product: 2364 1" X #4 W D AGG

	Metric Tons	Tons
Gross 95827		34.84
Tare 13.04		13.04
Net 43,600	19.78	21.80
3		

Comments:

PICK-UP

Weighmaster: Granite Construction Company

Deputy: ANGIE THOMPSON

Driver In Vehicle

This Load:	21.80	TONS
Load No:	1	
Shipped:	21.80	TONS

WEIGHMASTER

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Accepted by: _____

WARNING: THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM.

WARNING: THIS PRODUCT CONTAINS CRYSTALLINE SILICA (QUARTZ). CRYSTALLINE SILICA IS A COMMON NATURALLY OCCURRING MINERAL FOUND IN SAND AND ROCK. PROLONGED AND REPEATED BREATHING OF CRYSTALLINE SILICA DUST MAY CAUSE RESPIRATORY AND OTHER HEALTH PROBLEMS, INCLUDING LUNG DISEASE, SILICOSIS AND CANCER, WHICH MAY RESULT IN PERMANENT INJURY OR DEATH. BEFORE USING OR HANDLING THIS PRODUCT READ THE MATERIAL SAFETY DATA SHEET FOR MORE DETAILED INFORMATION INCLUDING INFORMATION ON APPROPRIATE RESPIRATORY PROTECTION. MSDS SHEETS AVAILABLE AT WWW.GRANITECONSTRUCTION.COM/MSDS OR BY CONTACTING YOUR LOCAL OFFICE.

gc: rev. 01/10

Grantline West Mining and Reclamation Plans

Project Description

Project Location: The project site consists of a 583-acre proposed mining area situated within 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 335 acres of the total mining area will be disturbed as part of the application. See Exhibit A of the Grantline West Reclamation Plan, which depicts the Project location.

2005 Approvals. In 2005, the City rezoned the 583-site to include a Surface Mining (SM) overlay and approved a Conditional Use Permit (CUP) and a reclamation plan (RC-04-145) for the mining and reclamation of the 583-acre Project site. The approved 2005 CUP and reclamation plan provided that the mined aggregate would be transported by electric conveyor to Teichert's Grantline Plant, located east of the project site within unincorporated Sacramento County, for processing and sale.

Description of Proposed Project: Due to the recent extended economic downturn, development and thus mining has not occurred at the level anticipated in 2005 when CUP RC-05-145 was approved. The proposed Project involves the continuation of the removal of tailings, which were created by gold dredge mining operations approximately 70-110 years ago. These tailings consist of cobbles intermixed with sand and gravel, vary from 10 to 50 feet in height with the typical base widths in the range of 100 to 300 feet. Approximately 2.4 tons of material has been removed from the site, however there is still approximately 3 million tons left to be removed to bring the property back to elevations similar to the natural elevation prior to gold dredging operations. Teichert seeks to extend the term of mining and reclamation to allow for the completion of the originally proposed mining and reclamation of the site. Teichert also seeks to allow for the onsite processing of mined materials as an option to the previously approved use of the conveyor to transport mined materials to the Grantline Plant for processing.

It is our understanding that, due to subsequent changes to the City's Zoning Code, surface mining operations under the site's Surface Mining overlay now require mining site approval and a reclamation plan pursuant to Zoning Code § 23.325.080. The City's mining site approval is analogous to the CUP previously obtained in 2005 and satisfies the "permit" requirement under the Surface Mining Reclamation Act. (Pub. Resources Code § 2770(a)). Accordingly, the approval of Mining and Reclamation Plans is requested to include the following:

- Extend the term of mining for 10 years until July 18, 2027.
- Extend the term of reclamation until July 18, 2029.

ATTACHMENT 3

- Update the Financial Assurance Cost Estimate.
- A new Air Pollution Control Plan and air permits.
- Modify the operation to allow for onsite processing including the use of the following equipment:
 - a portable plant
 - scale for sales from the site
 - loaders (feed loader and loadout loader)
 - dozer
 - auxiliary equipment, e.g., skip loader, manlift, forklift, mechanics truck and foreman pickup.
- Continue to use existing line power for electricity at the site.
- Allow for stockpiling of materials at the site.
- Allow for trucking of materials from the site to the market up to approximately 500,000 tons per year as an option to the approved conveyor transport of mined materials to the existing Teichert Grantline Plant.
- Provide for the participation in the Sacramento County Quarry Truck Management Plan (TMP).
- Maintain the current hours of operation (up to 24 hours a day, 7 days a week, as needed to meet market demand)
- Allow for the Point of Sale to be from the Project site for aggregate processed and sold onsite.

The removal of material from the site by trucks will be from an access point on Gold Dredge Way via Fitzgerald Road and Sunrise Boulevard to the market. The anticipated truck distribution is as follows:

75% North on Sunrise Boulevard from Fitzgerald Road:

5% east or west on White Rock Road to serve local projects

63% east on Highway 50

2% west on Highway 50

ATTACHMENT 3

5% north of Highway 50 on Sunrise Boulevard

25% South on Sunrise Boulevard from Fitzgerald Road:

5% to local projects

8% east on Jackson Highway

12% south to Grantline Road

After the mining is complete, the land will be undeveloped open space. The site is planned and approved for future urban uses under the Rio Del Oro Specific Plan. The removal of the tailings will better prepare the land for such development.

Request: Approval of Mining and Reclamation Plans to allow the continuance of surface mining on the property as described above.

Project Justification

In 2005, the City recognized the significant value of the aggregate resources on the property and the need to reclaim the property by removing the tailing pilings. The City thus rezoned the property to include the Surface Mining overlay. The City also approved the Grantline West CUP to allow for the removal of tailings from the property over a 12-year period. Unfortunately, due to the extended economic downturn, the market for aggregate products was limited and approximately 3 million tons of this valuable aggregate material has not been removed from the site.

This application has been submitted to continue the original intent of the CUP and to update the mining processing methodology to a more efficient process, by allowing for the onsite processing of aggregate materials in addition to the approved use of the conveyor to transport mined materials to Teichert's Grantline Plant for processing. Onsite processing would result in the point of sale being within the City of Rancho Cordova for materials sold onsite.

Furthermore, the proposed Mining and Reclamation Plans will extend the term of reclamation and result in an updated Financial Assurance Cost Estimate and a new Air Pollution Control Plan. As was the case with the original CUP approval, there are no residences currently existing in the vicinity of the proposed project. The Project site is adjacent to an industrial business park to the west, industrial and open space to the north, industrial and mining to the east and industrial and open space to the south, so the proposed operations are compatible with its surroundings.

The Project will also comply with all State and local surface mining laws and regulations.

Finally, the Project will result in bringing the land back to a more natural contour and elevation that supports the ultimate ability to develop the site for urban uses consistent with the City's General Plan and the approved Rio Del Oro Specific Plan.

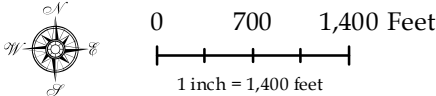
ATTACHMENT 3

For the foregoing reasons, the proposed Project is justified.

MAP 1 OF 2
NOTIFICATION PARCELS
GRANTLINE WEST
MINING OPERATION
SACRAMENTO COUNTY, CALIFORNIA

LEGEND:

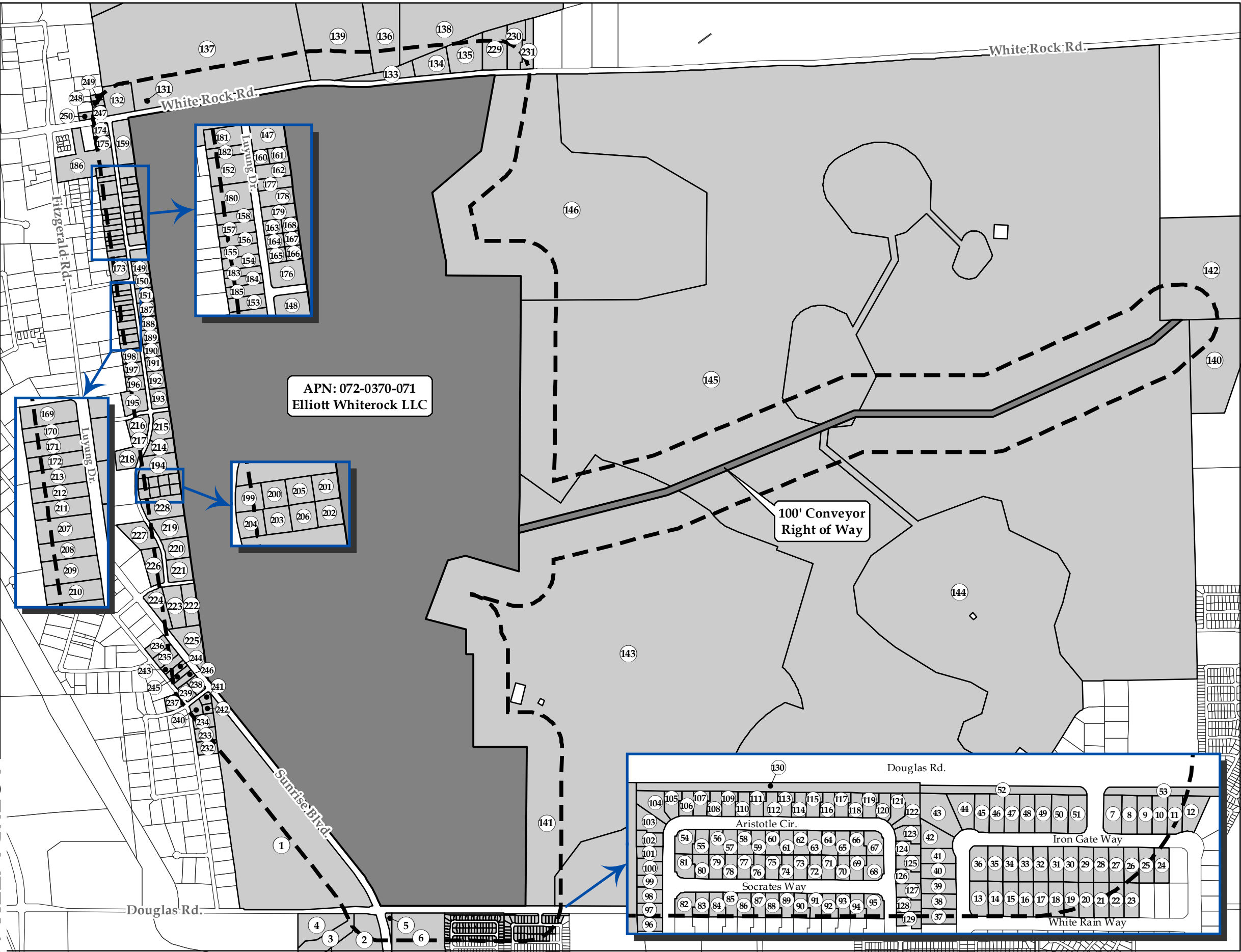
-  500' Buffer of Project Parcel Boundary & 100' Conveyor Right of Way
-  Project Parcel Boundary & 100' Conveyor Right of Way
-  Notification Parcels
-  Surrounding Parcels



SOURCE:
Parcel Boundaries Provided by
Sacramento County GIS (Feb. 2016)

Parcel Ownership Provided by
RealQuest (Feb. 19, 2016)

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



MAP ID	APN	OWNERSHIP	MAILING ADDRESS
1	067-0030-002	Cordova Recreation & Park Dist	2729 Prospect Park Dr #230, Rancho Cordova CA 95670-6291
2	067-0030-038	Donahue Schriber Rlty Group	5694 Mission Ctr Road 602 800, San Diego CA 92108 C/o Paradigm Tax Group
3	067-0030-051	CSS Properties LLC	950 Glenn Dr #250, Folsom CA 95630-3191
4	067-0030-052	CSS Properties LLC	950 Glenn Dr #250, Folsom CA 95630-3191
5	067-0030-071	City Of Rancho Cordova	2729 Prospect Park Dr, Rancho Cordova CA 95670-6025
6	067-0430-001	Anatolia LLC	7700 College Town Dr #101, Sacramento CA 95826-2303 C/o Akt Development
7	067-0440-001	Gameng, Marlon	3931 Riley Anton Way, Rancho Cordova CA 95742-8001
8	067-0440-002	Muthennagari, Naveen	3935 Riley Anton Way, Rancho Cordova CA 95742-8001
9	067-0440-003	La Forgia, Dominic	157 Bayline Cir, Folsom CA 95630-8077
10	067-0440-004	Arellano, Maria & Danilo	3943 Riley Anton Way, Rancho Cordova CA 95742-8001
11	067-0440-005	Baugh	4000 Pineakyo Ct, Rescue CA 95672-9626
12	067-0440-006	Galstyan, Kristine/ Nalbandyan, Maro	3951 Riley Anton Way, Rancho Cordova CA 95742-8001
13	067-0440-064	Poppe, Alan & Laurie	3919 Iron Gate Way, Rancho Cordova CA 95742-8002
14	067-0440-065	King, Gloria	11841 White Rain Way, Rancho Cordova CA 95742-8003
15	067-0440-066	Dean, Jessica & Joanne/Hicks, Frank	11845 White Rain Way, Rancho Cordova CA 95742-8003
16	067-0440-067	Delos, Angeles Almario	11849 White Rain Way, Rancho Cordova CA 95742-8003
17	067-0440-068	Lenehan, Kyle & Krisla	11853 White Rain Way, Rancho Cordova CA 95742-8003
18	067-0440-069	Castro, Donna & Delmar Jr	11857 White Rain Way, Rancho Cordova CA 95742-8003
19	067-0440-070	Guibord, Jonathan	11861 White Rain Way, Rancho Cordova CA 95742-8003
20	067-0440-071	Soria, Javier & Victoria	11865 White Rain Way, Rancho Cordova CA 95742-8003
21	067-0440-072	Atoulleh, Fadi & Julia	11869 White Rain Way, Rancho Cordova CA 95742-8003
22	067-0440-073	Hauptman, David	11873 White Rain Way, Rancho Cordova CA 95742-8003
23	067-0440-074	Yu	1780 Summer Cloud Ct, Folsom CA 95630-6249
24	067-0440-079	Anatolia Investments LLC	11833 Spring Walk Way, Rancho Cordova CA 95742-8012
25	067-0440-080	Li Zhu & Bo Agm	14607 Aloha Ave, Saratoga CA 95070-6003
26	067-0440-081	Kovalyov, Nina & Dmitry	3934 Riley Anton Way, Rancho Cordova CA 95742-8001
27	067-0440-082	Lee, Mi/ Choi Won	3930 Riley Anton Way, Rancho Cordova CA 95742-8001
28	067-0440-083	2014 1 lh Borrower	901 Main St #4700, Dallas TX 75202-3733 C/o Invitation Homes
29	067-0440-084	Pitla, Priya/ Satish Kumar Chollanai	3919 Iron Gate Way, Rancho Cordova CA 95742-8002
30	067-0440-085	Siva, Rama K R M/ Tallapureddy, Chaitanya	200 Randoll Boulevard 3b18, Vestal NY 13850
31	067-0440-086	Singh, Sonal	3927 Iron Gate Way, Rancho Cordova CA 95742-8002
32	067-0440-087	Astorga, Edward & Hui Wen	3931 Iron Gate Way, Rancho Cordova CA 95742-8002
33	067-0440-088	Kim, Kwang & Soon	1013 Pintail Cir, Folsom CA 95630
34	067-0440-089	Arcineda, Victor & Delia	3939 Iron Gate Way, Rancho Cordova CA 95742-8002
35	067-0440-090	Chintala Suresh	3943 Iron Gate Way, Rancho Cordova CA 95742-8002
36	067-0440-091	Jennings, Markus & Brenda Ramirez	3947 Iron Gate Way, Rancho Cordova CA 95742-8002
37	067-0440-097	Ross, Frederick D III/ Sieng, Ram	3978 Iron Gate Way, Rancho Cordova CA 95742-8002
38	067-0440-098	Brusuelas, Selena & Michael	3974 Iron Gate Way, Rancho Cordova CA 95742-8002
39	067-0440-099	Platon, Mario & Carmela	3970 Iron Gate Way, Rancho Cordova CA 95742-8002
40	067-0440-100	Baugh	4000 Pineakyo Ct, Rescue CA 95672-9626
41	067-0440-101	Mau C Nguyen & Hong T M	1607 Cape Cod Ct, Davis CA 95616-7329
42	067-0440-102	Morelli, Amber	3958 Iron Gate Way, Rancho Cordova CA 95742-8002
43	067-0440-103	Clark, Michael & Ariane	3954 Iron Gate Way, Rancho Cordova CA 95742-8002
44	067-0440-104	Iverson, Kelly & Eric	3950 Iron Gate Way, Rancho Cordova CA 95742-8002
45	067-0440-105	Bogdan, Flavia/ Cristian Jabelean	3946 Iron Gate Way, Rancho Cordova CA 95742-8002
46	067-0440-106	Le, Phuong/ Ly, Tuan	3942 Iron Gate Way, Rancho Cordova CA 95742-8002
47	067-0440-107	Fichtner, Ryan & Heather	3938 Iron Gate Way, Rancho Cordova CA 95742-8002
48	067-0440-108	Wilson, Christopher & Brittny	3934 Iron Gate Way, Rancho Cordova CA 95742-8002
49	067-0440-109	Huynh, Vivian/ Mong, Minh	3930 Iron Gate Way, Rancho Cordova CA 95742-8002
50	067-0440-110	Pineda, Alida & Jorge	3926 Iron Gate Way, Rancho Cordova CA 95742-8002
51	067-0440-111	Leroy, Joanne	3922 Iron Gate Way, Rancho Cordova CA 95742-8002
52	067-0440-112	Cordova Park & Recreation District	2729 Prospect Park Dr #230, Rancho Cordova CA 95670-6291
53	067-0440-113	Cordova Park & Recreation District	2729 Prospect Park Dr #230, Rancho Cordova CA 95670-6291
54	067-0920-001	Sabbaghian ,Shahin & Delaram	3930 Aristotle Cir, Rancho Cordova CA 95742-8105
55	067-0920-002	Kumar, Sanil	3932 Aristotle Cir, Rancho Cordova CA 95742-8105
56	067-0920-003	Ganesh, Rajkumar/ Vasudevan, Kirtana	3934 Aristotle Cir, Rancho Cordova CA 95742-8105
57	067-0920-004	Johnson, Chad & Brandy	3936 Aristotle Cir, Rancho Cordova CA 95742-8105
58	067-0920-005	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
59	067-0920-006	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
60	067-0920-007	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
61	067-0920-008	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
62	067-0920-009	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
63	067-0920-010	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
64	067-0920-011	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
65	067-0920-012	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
66	067-0920-013	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
67	067-0920-014	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
68	067-0920-015	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
69	067-0920-016	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
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73	067-0920-020	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
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75	067-0920-022	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
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78	067-0920-025	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
79	067-0920-026	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
80	067-0920-027	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
81	067-0920-028	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
82	067-0920-029	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
83	067-0920-030	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
84	067-0920-031	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
85	067-0920-032	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
86	067-0920-033	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
87	067-0920-034	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
88	067-0920-035	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
89	067-0920-036	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
90	067-0920-037	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514

MAP ID	APN	OWNERSHIP	MAILING ADDRESS
91	067-0920-038	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
92	067-0920-039	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
93	067-0920-040	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
94	067-0920-041	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
95	067-0920-042	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
96	067-0920-080	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
97	067-0920-081	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
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102	067-0920-086	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
103	067-0920-087	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
104	067-0920-088	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
105	067-0920-089	Koehler, Michele	3929 Aristotle Cir, Rancho Cordova CA 95742-8105
106	067-0920-090	Attieh, Tohtomoss	3931 Aristotle Cir, Rancho Cordova CA 95742-8105
107	067-0920-091	Serva, Timothy & Jennifer	3933 Aristotle Cir, Rancho Cordova CA 95742-8105
108	067-0920-092	Mcmillan, Dorinda/ Tamatoa, Thomas	11430 White Rock Rd, Rancho Cordova CA 95742-6600
109	067-0920-093	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
110	067-0920-094	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
111	067-0920-095	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
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128	067-0920-112	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
129	067-0920-113	Mohamed, Joseph Sr & Shirley	4405 College Oak Dr, Sacramento CA 95841-4514
130	067-0920-121	Cordova Recreation & Park Dist	2197 Chase Dr, Rancho Cordova CA 95670-2037
131	072-0231-031	Sacramento Municipal Utility District	Po Box 15830, Sacramento CA 95852-0830 C/o Real Estate Serv
132	072-0231-045	C R & R Inc	Po Box 125, Stanton CA 90680-0125
133	072-0231-108	Aerojet Gen Corp	Po Box 13222, Sacramento CA 95813-3222
134	072-0231-109	Aerojet Gen Corp	Po Box 13222, Sacramento CA 95813-3222
135	072-0231-110	Aerojet Gen Corp	Po Box 13222, Sacramento CA 95813-3222
136	072-0231-118	Aerojet Rocketdyne Inc	1180 Iron Point Rd #350, Folsom CA 95630-8340 C/o Michael Lafortune
137	072-0231-133	Easton Development Company LLC	Po Box 13222, Sacramento CA 95813-3222
138	072-0231-134	Aerojet Rocketdyne Inc	1180 Iron Point Rd #350, Folsom CA 95630-8340 C/o Michael Lafortune
139	072-0231-135	Aerojet General Corp	Po Box 13222, Sacramento CA 95813-3222 C/o Tax Departmen
140	072-0300-009	Grant Line Road Properties	3500 American River Dr, Sacramento CA 95864-5802
141	072-0370-048	Stonemcreek Indstl LLC	340 Palladio Pkwy #521, Folsom CA 95630-8832 C/o Stephen Hemington
142	072-0370-069	Grant Line Road Properties	3500 American River Dr, Sacramento CA 95864-5802
143	072-0370-102	Stonemcreek Industrial LLC	340 Palladio Pkwy #521, Folsom CA 95630-8832 C/o Harry C Elliott II
144	072-0370-103	Aerojet General Corp	Po Box 13222, Sacramento CA 95813-3222 C/o M W Hursey
145	072-0370-104	Aerojet General Corp	Po Box 13222, Sacramento CA 95813-3222 C/o M W Hursey
146	072-0370-105	Aerojet General Corp	Po Box 13222, Sacramento CA 95813-3222 C/o M W Hursey
147	072-0450-015	Auto & Boat Store Incorporated	2007 Vail Ave #4, Redondo Beach CA 90278-3150
148	072-0450-021	Estacio-Rawles Properties LLC	Po Box 5, Folsom CA 95763-0005
149	072-0450-022	Baugh	4000 Pineoakyo Ct, Rescue CA 95672-9626
150	072-0450-023	Baugh	4000 Pineoakyo Ct, Rescue CA 95672-9626
151	072-0450-024	Saviotti Trust	1143 Blumenfeld Dr, Sacramento CA 95815-3919
152	072-0450-032-0001	Czaja	8362 Hillgrove St, Granite Bay CA 95746-6091 C/o Karin Czaja
	072-0450-032-0002	Gasch, Jerrie	143 Oak Mill Rd, Folsom CA 95630-4604
	072-0450-032-0003	Vella Enterprises G P	Po Box 28010, San Jose CA 95159-8010
	072-0450-032-0004	Edwards, John	458 Mitchell Ct, Folsom CA 95630-9577
	072-0450-032-0005	Koonce, Stephen & Lesley	11008 Faber Way Rancho Cordova CA 95670
	072-0450-032-0006	Welch	212 Powers Dr, El Dorado Hills CA 95762-4457
153	072-0450-062	Fann/ Roberts, Kimberly & Randy	6560 Asher Ln, Sacramento CA 95828-1832
154	072-0450-065	Electric Lightwave Inc	8100 Ne Parkway Dr, Vancouver WA 98662-6742
155	072-0450-066	Balbachas, Luiz Alfredo	11390 Gold Dredge Way, Rancho Cordova CA 95742-6867 C/o ACM Machining Inc
156	072-0450-067	Lobley, Earl	10170 Croydon Way #d, Sacramento CA 95827-2104
157	072-0450-068	Carl Golf LLC	Po Box 2059, Folsom CA 95763-2059 C/o Richard Cavanagh
158	072-0450-069	Giovannetti	2021 Hickok Rd, El Dorado Hills CA 95762-9748
159	072-0450-072	Mcmillan Properties LLC	11430 White Rock Rd, Rancho Cordova CA 95742-6600 C/o Tom Mcmillan
160	072-0450-073	3181 Luyung Drive LLC	2882 Prospect Park Dr #250, Rancho Cordova CA 95670-6059
161	072-0450-074	3181 Luyung Drive LLC	2882 Prospect Park Dr #250, Rancho Cordova CA 95670-6059
162	072-0450-075	3181 Luyung Drive LLC	2882 Prospect Park Dr #250, Rancho Cordova CA 95670-6059
163	072-0450-079	Bissell, David & Debra	3207 Luyung Dr, Rancho Cordova CA 95742
164	072-0450-080	Mills, Jeremy David	4062 Redondo Dr, El Dorado Hills CA 95762-7554
165	072-0450-081	Tarigo, John	7841 E Hidden Lakes Dr, Granite Bay CA 95746-6938
166	072-0450-084	Stanton Props LLC	Po Box 4258, El Dorado Hills CA 95762-0015
167	072-0450-085	Stanton, Thomas James/John Thomas & Eleanor	Po Box 4754, El Dorado Hills CA 95762-0023
168	072-0450-086	Andre, Robert & April	8231 Country Lake Dr, Orangevale CA 95662-2145
169	072-0450-090	Mak, Lin & Yuet C Trust	229-11th Ave, San Francisco CA 94118
170	072-0450-091	Mukhtar, Farooq & Belgis	5351 Ridgevale Way, Fair Oaks CA 95628-3616
171	072-0450-092	Red Car LLC	3294 Luyung Dr, Rancho Cordova CA 95742-6846 C/o English Gardn Care
172	072-0450-093	Marion 2002 Revocable Trust	6839 Ebony Oaks Pl, Granite Bay CA 95746-8610
173	072-0450-094	RCJ LLC	11455 Hydraulics Dr, Rancho Cordova CA 95742-6870
174	072-0450-095	SFC Leasing LP	3430 Luyung Dr, Rancho Cordova CA 95742-6871
175	072-0450-096	SFC Leasing LP	3430 Luyung Dr, Rancho Cordova CA 95742-6871

MEMORANDUM

DATE: February 6, 2017

TO: Honorable Mayor and Council Members

FROM: Nicholas Sosa, Assistant Planner



SUBJECT: ZONING TEXT AMENDMENT TO ALLOW CARDROOMS IN THE CONVENTION OVERLAY DISTRICT AND CONDITIONAL USE PERMIT; PROJECT NO. DD9675 – LOCATED AT 11275 FOLSOM BOULEVARD, FOR A CARDROOM USE AT THIS LOCATION, CONTINGENT UPON THE ADOPTION AND EFFECTIVE DATE OF THE ZONING CODE TEXT AMENDMENT ALLOWING THE USE.

PROPERTY OWNER: Capital City Development Mr. David Miry 11275 Folsom Boulevard Rancho Cordova, CA 95670	APPLICANT/DEVELOPER: BIMtech Inc. Mr. Abraxis Spera 3225 Serra Way Sacramento, CA 95816
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PROJECT: FILE: LOCATION: APN: PLANNER:	Applicant is requesting a zoning text amendment to RCMC 23.325.20, Land Use Table 23.325-1 to allow for a cardroom use within the Convention Overlay (CO) zone with the approval of a Conditional Use Permit (CUP). The applicant is also requesting a CUP, contingent upon approval of the zoning text amendment. DD9675 11275 Folsom Boulevard 058-0270-061-0000 Nicholas Sosa, Assistant Planner
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RECOMMENDED ACTION

Introduce and waive the first reading of Ordinance 1-2017 and adopt Resolution 19-2017.

RESULT OF RECOMMENDED ACTION

Approval of Ordinance 1-2017 would amend Land Use Table 23.325-1 to add “Card Room” to the Land Use Category and allow said use with the approval of a Conditional Use Permit throughout the Convention Overlay (CO) district. Adoption of Resolution 19-2017 would approve a Conditional Use Permit for the Rancho’s Club Casino at 11275 Folsom Boulevard contingent upon the final approval of the zoning text amendment. The Ordinance would come back to Council for second reading and adoption at the next regular meeting.

BACKGROUND

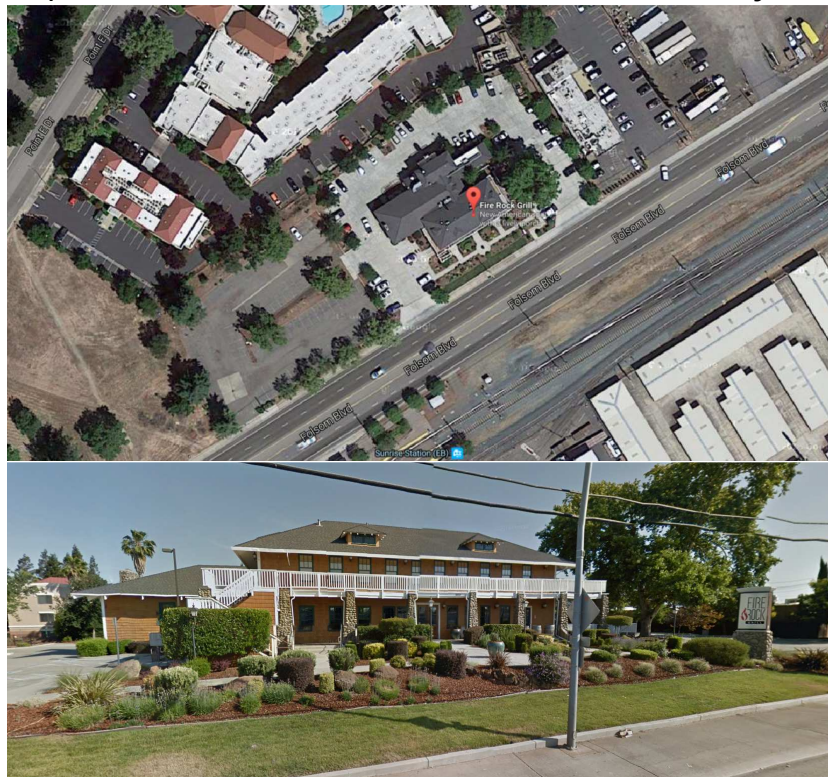
The Rancho’s Club Casino’s current location is at 2740 Mills Park Drive within the Folsom Boulevard Specific Plan (FBSP) within a Commercial Mixed Use (CMU) zone and is a legal non-conforming use.

The applicant contacted staff regarding relocating to the Fire Rock Grill restaurant at 11275 Folsom Boulevard which is within the Convention Overlay (CO) district and within the General Commercial (GC) zone (**Figure 1**) which lists card rooms as not permitted. Staff presented the potential card room relocation to Council on August 1, 2016 for discussion and direction on how to proceed. Council responded to the potential project and provided direction for staff to process the project through the zoning text amendment process. The applicant received the Council's responses and has submitted for a zoning text amendment and a CUP contingent on approval of the zoning text amendment.

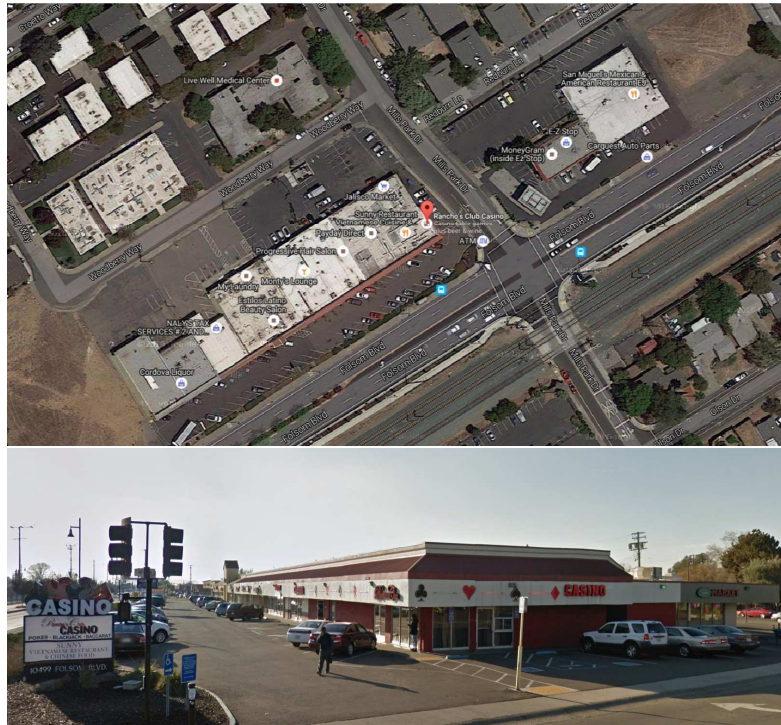
PROJECT DESCRIPTION

Rancho's Club Casino has requested to re-locate from their 2740 Mills Park Drive location into a space in conjunction with the Fire Rock Grill located at 11275 Folsom Boulevard. The applicant is not proposing an additional cardroom license that would exceed the maximum allowed under Chapter 4.22 of the City's Municipal Code. The cardroom will operate 24 hours a day, 7 days a week and will provide additional on-site security throughout business hours. The overall facility will contain approximately 25 gaming employees and 12 restaurant employees at peak hours. Once the current lease on the second floor expires, the Rancho Club Casino intends to occupy the second floor of the building with executive offices necessary for business operations.

**FIGURE 1: Proposed Cardroom Location -
Zoned GC/CO (General Commercial within the Convention Overlay Zoning District)**



**Figure 2: Existing Cardroom Location -
Zoned FB-CMU (Folsom Boulevard Specific Planning Area - Commercial Mixed Use)**



REQUIRED PERMITS AND REGULATORY BASIS

The project request includes the following entitlements:

- A. Zoning Text Amendment – Chapter 23.146 of the Zoning Code establishes the process for amending the Zoning Text and the findings to support such request.
- B. Conditional Use Permit - Chapter 23.134 of the Zoning Code establishes the process for acquiring a Conditional Use Permit and the findings to support such a request.

The following permits may be required subsequent to the approval of this permit:

- Building Permit review for interior work and occupancy
- Standard and Special Business License review and approval

ANALYSIS

Zoning Text Amendment

The City of Rancho Cordova Municipal Code Chapter 4.22 restricts the number of special business licenses to a maximum of 2 cardrooms in the entire City. The applicant is not proposing a new cardroom, but is proposing to relocate and share the building with the Fire Rock Grill Restaurant. The proposed location at 11275 Folsom Boulevard is located within the Convention Overlay district which currently does not allow card rooms.

General Plan

The Convention Overlay (CO) district is an area surrounding the intersection of Sunrise Boulevard and Folsom Boulevard as shown in **Figure 3**. The CO district is intended to be a place in the City that is entertaining, vibrant, and inviting to tourists, visitors, and residents alike that fosters and supports a convention center district. The City's General Plan designates this area as a prime location for hotels, restaurants and meeting spaces as well as for performing arts and entertainment uses. The proposed card room use would fit with the intentions of the Convention Overlay and would provide a great source of entertainment for visitors to the City.

Figure 3: Convention Overlay



Zoning Code

Zoning Text Amendment

The current use table for this zoning district lists card rooms as not permitted. The applicant is requesting to amend the table to list cardrooms as permitted with approval of a Conditional Use Permit (CUP). This use would still be required to adhere to the development standards listed in the City Zoning Code under Section 23.919.020 "Special Regulated Uses".

The current allowed use provisions of the Convention Overlay district shown in Zoning Code land use table 23.325-1 do not permit a cardroom. The applicant is requesting a Zoning Text Amendment to add the cardroom use to land use table 23.325-1 to allow the cardroom to re-locate from its existing location to a proposed location at 11275 Folsom Boulevard with approval of a Conditional Use Permit (**Figure 4**).

Figure 4: Table 23.325-1 with changes**Table 23.325-1: Allowed Use Provisions in the Convention Overlay Zoning District (Excerpt)**

Land Use Category	Convention Overlay Zoning District	Special Use Regulations
Industrial, Manufacturing, and Processing Uses		
Manufacturing – Small Scale	AUP	
Printing and Publishing	AUP	
Research and Development	AUP	
Special Regulated Uses		
Card Rooms	C	RCMC 23.919.020

Zoning Text Amendment Findings:

Zoning Code section 23.146.040 states that the City Council must make all of the following findings to approve the zoning text amendment. The following are each of the required findings and evidence to support them:

- A. **Finding:** The proposed amendment is consistent with the General Plan

Evidence: The proposed Zoning Text Amendment ("Amendment") is consistent with the General Plan as required by Government Code Section 65454. The Amendment is consistent with and implements the following provisions of the City's adopted General Plan:

General Plan Goals, Policies, and Actions:

§ Land Use Action.1.1.1 – Regularly evaluate the mix of land uses as the City grows to analyze build out conditions, market conditions, etc.

The proposed Zoning Text Amendment would allow for card rooms use to be located within the Convention Overlay (CO) district with the requirement of a Conditional Use Permit (CUP). The amendment to allow a Card Room use, which is an entertainment use, would support the intentions of the CO district, which is intended to be a place in the City that is entertaining, vibrant, and inviting to tourists, visitors, and residents alike that fosters and supports a convention center district.

- B. **Finding:** The proposed Amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City

Evidence: The proposed Amendment to allow a card room with a CUP has been reviewed by the Rancho Cordova Police Department (RCPD). RCPD did not identify any concerns regarding the proposal and did not recommend any changes to the proposed Zoning Text Amendment. The applicant will be subject to all required State regulations, Conditions of Approval, as well as Section 23.939.020 (Special Regulated Uses) and Title 4.22 "card rooms"

in the Rancho Cordova Zoning Code. This Amendment will not be detrimental to the public interest or welfare of the City because the number of cardrooms is limited to 2 citywide and the Convention Overlay district is an appropriate area for such a use.

- C. Finding: The amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA)

Evidence: The Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Chapter 3, Division 6 (State CEQA Guidelines) Section 15061 (General Rule). The proposed Zoning Text Amendment is to allow a card room with a required CUP within the CO district. The proposed Amendment is consistent with the anticipated scope of the General Plan and requires no further environmental review. Furthermore, this is a procedural change in the Zoning Code that will not result in a direct, or reasonably foreseeable indirect, physical change in the environment. Therefore, adoption of the Ordinance is not subject to CEQA pursuant to Guidelines Section 15060(c)(2). Any individual project related to this text amendment would also be reviewed under CEQA.

- D. Finding: If a map amendment, the site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provisions of utilities) for the requested zoning designations and anticipated land uses/development

Evidence: This project does not include a map amendment.

- E. Finding: If a text amendment, the amendment is internally consistent with other applicable provisions of this zoning code.

Evidence: The proposed Amendment is to add cardroom use to the allowable uses with the requirement of a Conditional Use Permit, to the existing Land Use Category in Table 23.325-1 of the Convention Overlay (CO) district. This Amendment is consistent with the overall intentions of the CO zone and the use will still be held to the applicable provisions of Section 23.939.020 (Special Regulated Uses), Title 4.22 "card rooms" and all other appropriate development standards and regulations imposed by the City of Rancho Cordova Zoning Code.

The proposed Amendment to allow a cardroom use within the Convention Overlay district meets the required findings for a zoning text amendment approval.

Conditional Use Permit

Contingent upon the approval of the zoning text amendment, the applicant is requesting a Conditional Use Permit (CUP) for a cardroom at the proposed location of 11275 Folsom Boulevard in conjunction with the existing Fire Rock Grill Restaurant. The card room will occupy approximately 2,100 square feet of the first floor in conjunction with the existing restaurant. The business's intention is to also occupy the entire second floor for office space for an overall total of approximately 4,300 square feet of the building. The proposed cardroom will operate in a similar manner at the new location as it currently exists.

The card room use is defined as a "Special Regulated Use" under Zoning code Section 23.919.020 which establishes additional development and/or operating standards for particular uses that may have adverse impacts on adjacent parcels. Other uses within this category include check cashing businesses, pawnshops, recycling facilities (collection), sexually oriented businesses, smoke shops,

tattoo parlors, smokers/hookah lounges, and thrift stores. In addition to all other applicable zoning code standards, the additional requirements for card room uses are shown below:

Current Cardroom Regulations (RCMC 23.919.020)

1. All new cardrooms shall comply with the business license requirements of Chapter 4.22 RCMC, including the restriction that only two business license shall be issued within the City.
2. Location. All new cardrooms shall be located consistent with the following standards:
 - a) Located a minimum of 1,000 feet from another cardroom; and
 - b) Located a minimum of 500 feet from a public school, community center, or library.
3. Development Standards. In addition to the development standards of the underlying zoning district, if any, the following special standards apply to all new cardrooms:
 - a) Cardrooms shall maintain lighting consistent with the provisions of RCMC 23.725.070(D) (Level of Illumination).
 - b) Management shall be responsible for the removal of litter from adjacent property and streets that results from the cardroom (with adjacent property owner consent).

Parking

The project site provides adequate parking consistent with the requirements of Chapter 23.719 Table 23.719-1 of the Rancho Cordova Zoning Code. The proposed card room will utilize approximately 4,300 square feet of the building. The overall calculations are shown below.

Card room 4 spaces/1,000 SF	Restaurant 1 Space/3 Seats	Total Required	Parking Provided
Approx. 17 spaces	Approx. 47 Spaces	64 Spaces	65 Spaces

Findings

Zoning Code section 23.134.030 states that the City Council must make specific findings to approve the Conditional Use Permit (CUP). The required findings and the evidence to support them are provided below:

- a) Finding: The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/ emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.

Evidence: The current proposal for a Conditional Use Permit (CUP) would allow the use of a Card Room within an existing building in conjunction with an existing restaurant at 11275 Folsom Boulevard. The subject property is a typical commercial lot developed with a building, landscaping, appropriate lighting, and adequate access and parking for both the proposed and existing use. The proposed use will not result in an increase of adverse impacts on traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety or aesthetic considerations.

- b) Finding: The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards or other reasonable conditions of approval.

Evidence: The Rancho Cordova Police Department (RCPD) has reviewed the proposed card room and supports the proposal. RCPD did not identify any concerns regarding the proposal and did not recommend any changes to the proposed project. The applicant will be subject to all required State regulations, Conditions of Approval, as well as Section 23.919.020 (Special Regulated Uses) and Title 4.22 “Card Rooms” in the Rancho Cordova Municipal Code. No further mitigation is necessary.

- c) Finding: All required public facilities have adequate capacity to serve the proposal.

Evidence: The project site is an existing building and contains all necessary access to utilities and public facilities of the building. Minor interior improvements may take place in conjunction with the proposed use however the existing building provides adequate capacity to serve the proposal.

- d) Finding: The project meets the requirements of the zoning code including development standards, design guidelines, and special use provisions.

Evidence: This use will only be permitted once the zoning text amendment allowing the use with a CUP is adopted and becomes effective, and therefore the project would be permitted under the zoning code. There are no exterior modifications proposed with this application. Any future exterior improvements would require further permitting based on the scope of the project at the time. The project will be held to all required standards of Section 23.919.020 Special Regulated Uses and Title 4.22 “Card Rooms” in the Rancho Cordova Municipal Code.

- e) Finding: If structures and site plans are considered nonconforming, the elements of a project that are nonconforming have been brought into compliance with the zoning code, where feasible.

Evidence: The project does not involve any nonconforming uses or structures.

Rancho's Club Casino will meet the required location standards, once the Zoning Code text amendment is adopted and effective, and will be consistent with the conditions of approval and the special development standards shown in Title 23.919.020 and Title 4.22 of the Municipal Code for cardrooms.

FISCAL IMPACT

The City currently receives 3% of gross revenues from the card room, and with greater exposure and its association with the existing Fire Rock Grill Restaurant, Staff anticipates an increase in revenues at the new location.

ENVIRONMENTAL

The Zoning Code text amendment and the project are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines section 15301 (Existing Facilities), 15183 (Projects consistent with a Community Plan, General Plan, or Zoning) and 15061 (Review for Exemption).

RECOMMENDED MOTIONS

Staff recommends that the City Council find the Zoning text amendment and the project to be in compliance with the California Environmental Quality Act (CEQA) as exempt pursuant to CEQA guidelines Sections 15301, 15183, and 15061, introduce and waive the first reading of Ordinance 1-2017, and adopt Resolution 19-2017 approving the contingent Conditional Use Permit for a Card Room within the Convention Overlay district located at 11275 Folsom Boulevard subject to the findings and Conditions of Approval (**Exhibit A**).

ATTACHMENTS

1. Ordinance 1-2017
2. Resolution 19-2017, including Project Plans (**Exhibit A**) and Conditions of Approval (**Exhibit B**).
3. 500' Radius Map and Mailing Labels

ATTACHMENT 1

CITY OF RANCHO CORDOVA

ORDINANCE NO. 1-2017

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING
TABLE 23.325-1 IN SECTION 23.325.020, CONVENTION OVERLAY ZONING DISTRICT, OF
THE ZONING CODE TO ADD “CARD ROOM” TO THE ALLOWABLE LAND USE
CATEGORIES WITH APPROVAL OF A CONDITIONAL USE PERMIT**

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

Section 1. Purpose and Declarations.

WHEREAS, on October 20, 2016 the City of Rancho Cordova (“City”) received an application from BIMtech Inc. (“Applicant”) for a Zoning Code Amendment to allow a “Card Room” with the approval of a Conditional Use Permit in the Convention Overlay Zoning District; and

WHEREAS, Table 23.325-1 of Section 23.325.020 of the City’s Zoning Code currently regulates the allowed uses within the Convention Overlay District; and

WHEREAS, the proposed Zoning Code amendment would modify the land use table to add “Card Room” as a land use category and allow such uses with the approval of a Conditional Use Permit in the Convention Overlay Zoning District; and

WHEREAS, these amendments were analyzed and determined to be exempt from California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Chapter 3, Division 6 (State CEQA Guidelines) Section 15061 (General Rule); and

WHEREAS, on February 6, 2017 the City Council held a properly noticed public hearing at which it received a report from City staff, oral and written testimony from the public, and deliberated on the item.

Section 2. Findings: Pursuant to Zoning Code section 23.146.040, the City Council may approve or approve with conditions an application for a zoning amendment after finding all of the following:

A. Finding: The proposed amendment is consistent with the General Plan;

Evidence: The proposed Zoning Code Amendment (“Amendment” or “proposed Amendment”) is consistent with the General Plan as required by Government Code Section 65454. The Amendment is consistent with and implements the following provisions of the City’s adopted General Plan:

General Plan Goals, Policies, and Actions:

§ Land Use Action.1.1.1 – Regularly evaluate the mix of land uses as the City grows to analyze build out conditions, market conditions, etc.

The proposed Zoning Code Amendment would allow for Card Rooms to be located within the Convention Overlay with the requirement of a Conditional Use Permit (CUP). The amendment to allow a Card Room would support the intentions of the Convention Overlay (CO) district which is intended to be a place in the city that is entertaining, vibrant, and

ATTACHMENT 1

inviting to tourists, visitors, and residents alike that fosters and supports a convention center district.

- B. Finding: The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city;

Evidence: The proposed Amendment to allow a Card Room with a required CUP has been reviewed and approved by the Rancho Cordova Police Department (RCPD). RCPD did not identify any concerns regarding the proposal and did not recommend any changes to the proposed project. The applicant will be subject to all required State regulations, Conditions of Approval, as well as Section 23.939.020 (Special Regulated Uses) and Title 4.22 “Card Rooms” in the Rancho Cordova Municipal Code. This Amendment will not be detrimental to the public interest or welfare of the City.

- C. Finding: The amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA);

Evidence: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Chapter 3, Division 6 (State CEQA Guidelines) Section 15061 (General Rule). The proposed Zoning Code text amendment is to allow a Card Room with a required CUP within the Convention Overlay (CO) district. The proposed Amendment is consistent with anticipated scope of the General Plan and requires no further environmental review. Furthermore, this is a procedural change in the Zoning Code that will not result in a direct, or reasonably foreseeable indirect, physical change in the environment. Therefore, adoption of the Ordinance is not subject to CEQA pursuant to Guidelines Section 15060(c)(2).

- D. Finding: If a map amendment, the site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provisions of utilities) for the requested zoning designations and anticipated land uses/development;

Evidence: This project does not propose a map amendment but only proposes an amendment to add the Card Room use to the allowable land use category with an approved CUP within the existing boundaries of the Convention Overlay district.

- E. Finding: If a text amendment, the amendment is internally consistent with other applicable provisions of this zoning code;

Evidence: The proposed Amendment is to add Card Room to the allowable uses with the requirement of a Conditional Use Permit, to the existing Land Use Category in Table 23.325-1 of the Convention Overlay (CO). This Amendment is consistent with the overall intentions of the CO zone and the use will still be held to the applicable provisions of Section 23.939.020 (Special Regulated Uses), Title 4.22 “Card Rooms” and all other appropriate development standards and regulations imposed by the City of Rancho Cordova Municipal Code.

Section 3. Zoning Code Amendments. The City Council hereby adopts the amendments to Table 23.325-1: Allowed Use Provisions in the Convention Overlay Zoning District as follows (additions in red, bold text, below “Research and Development”):

ATTACHMENT 1

Table 23.325-1 (Excerpt)

Land Use Category	Convention Overlay Zoning District	Special Use Regulations
Industrial, Manufacturing, and Processing Uses		
Manufacturing – Small Scale	AUP	
Printing and Publishing	AUP	
Research and Development	AUP	
Special Regulated Uses		
Card Rooms	C	RCMC 23.919.020

Only those amendments in red are adopted herein.

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

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its inception.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Mindy Cuppy, MMC, City Clerk



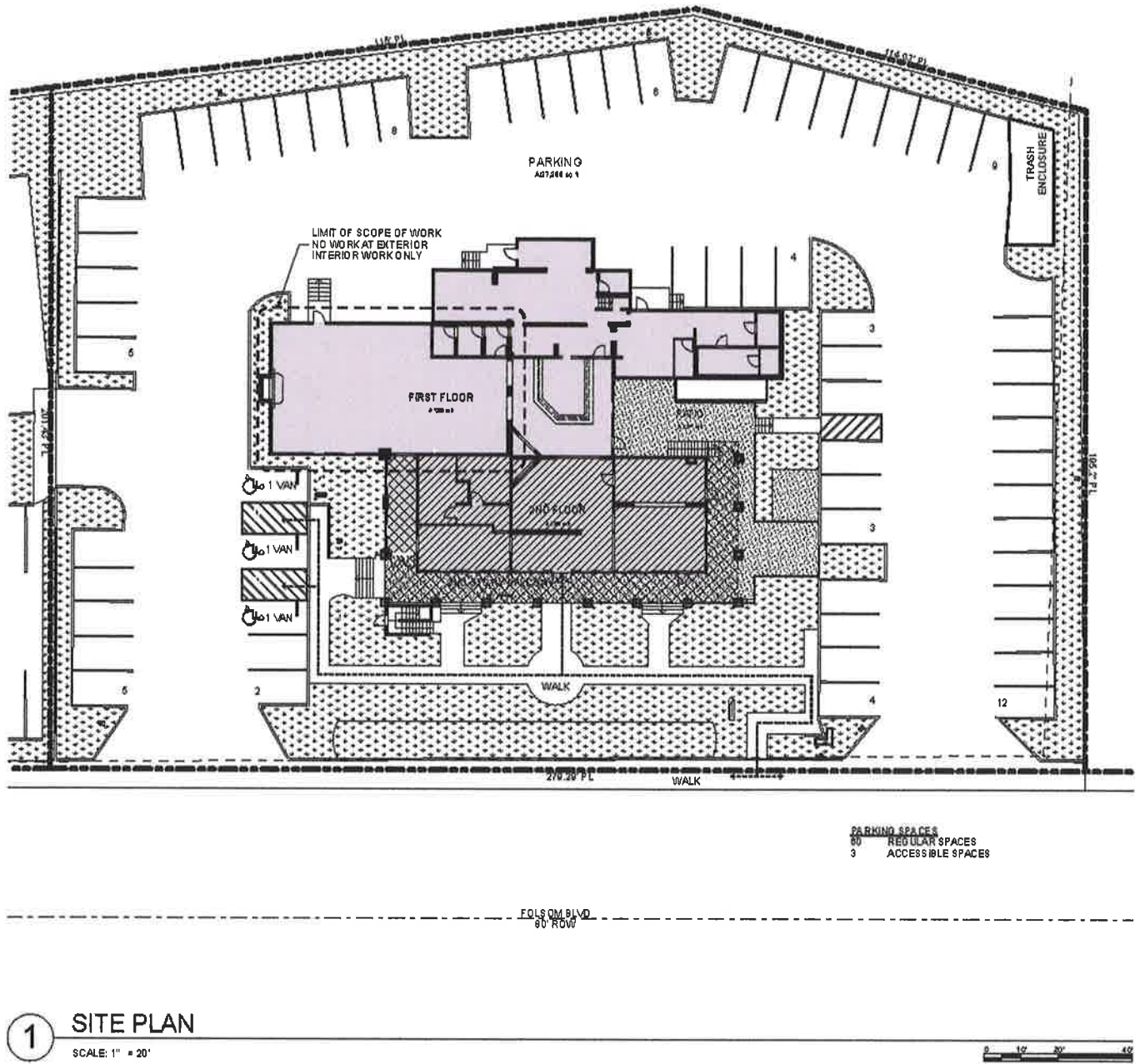
11275 FOLSOM ZONING AMENDMENT AND CUP
058-0270-061
11275 FOLSOM BLVD. RANCHO CORDOVA CA 95742

DATE: 10/20/16

REVISIONS:

SHEET TITLE:
SITE PLAN

SHEET NO.
AS101



RECEIVED
OCT 20 2016
RANCHO CORDOVA
PLANNING

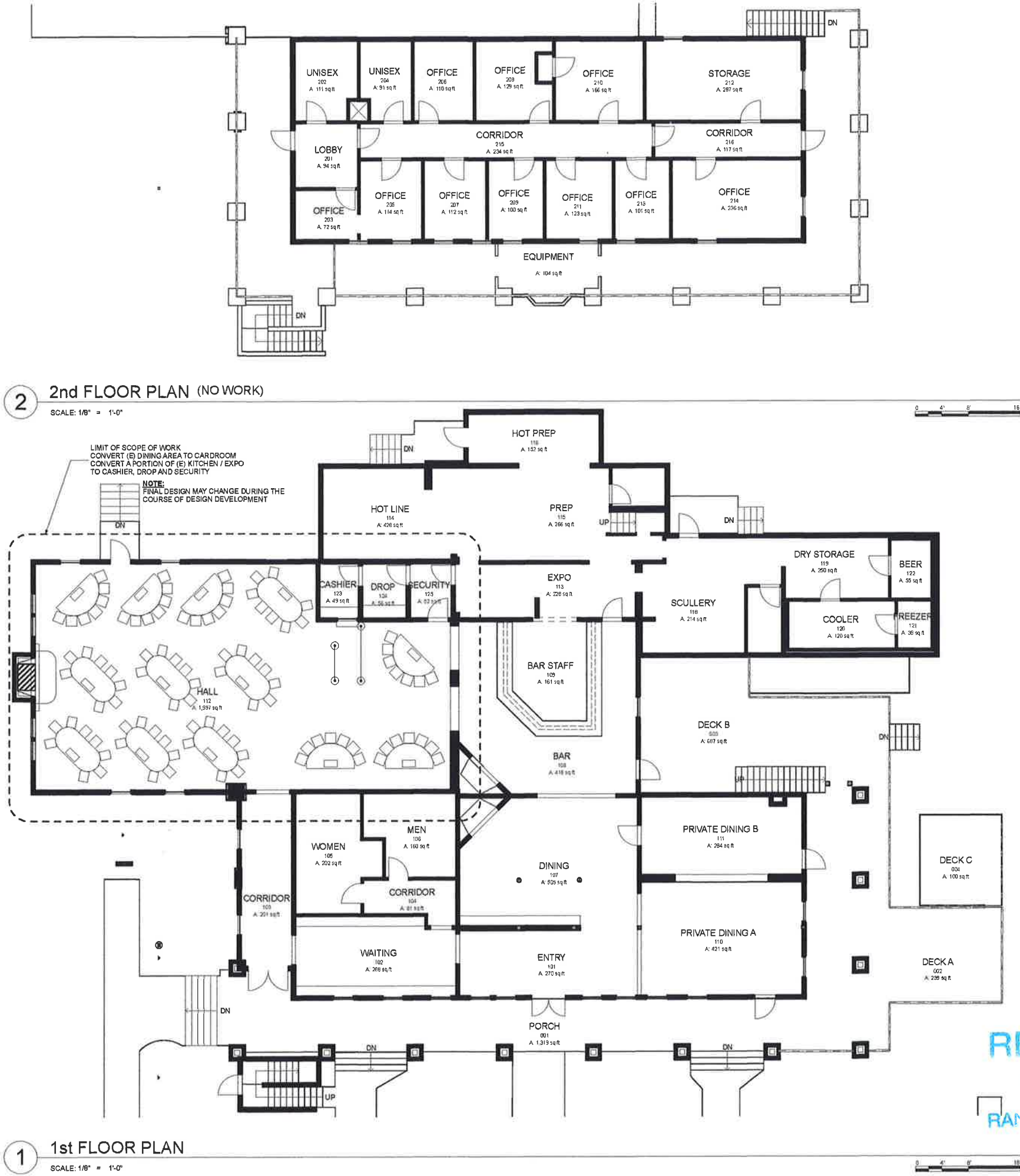


EXHIBIT A

BIMtech, Inc.

3226 Serra Way
Sacramento, CA 95816
(916) 519-6828
abraxie@mac.com

11275 FOLSOM ZONING AMENDMENT AND CUP

058-0270-061

11275 FOLSOM BLVD. RANCHO CORDOVA CA 95742

DATE: 10/20/16

REVISIONS:

SHEET TITLE: FLOOR PLAN

SHEET NO. A-101

RECEIVED

OCT 20 2016

RANCHO CORDOVA PLANNING

PLAN NORTH

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
General Conditions					
1.	The approved entitlement is for a Conditional Use Permit to allow a cardroom at 11275 Folsom Boulevard (APN 058-0270-061-0000), contingent upon the adoption and effective date of Ordinance 1-2017, amending the Convention Overlay district land use table 23.325-1 to allow cardrooms with a Conditional Use Permit, as described in the City Council Staff report dated February 6, 2017 and project plans (Exhibit A) dated stamped with the conditions herein, for project number DD9675. The project shall be implemented in substantial compliance with these conditions of approval and any project plans and descriptions submitted to the City. The Conditional Use Permit shall not be valid until the effective date of Ordinance 1-2017.	Project Description	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, 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.	General	On-Going	Planning	
3.	Any future alteration to the buildings, change in use, intensification of the site, or modification to the parking and landscaped area must be reviewed by the City to ensure compliance with all local, state, and federal regulations. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body.	General	On-Going	Planning/ Building /Public Works	
4.	Applicant/Developer shall not carry a negative account balance with the City for the processing of the project. If a negative account balance occurs, it will be the developer's responsibility to pay the balance due, in order to avoid delays in the processing of future	General	On-Going	Finance	

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
	permits or recordation of maps. Please email the Finance Department at billings@cityofranchocordova.org for the status of your account with the City.				
5.	Applicant shall obtain all required licensing from the City of Rancho Cordova Finance Department as well as any licensing required by State or Federal Agencies.	Finance	On-Going	Finance/ Planning	
6.	Applicant shall be consistent with Chapter 23.716.050 landscape design and planting requirements in the Rancho Cordova Zoning Code.	Landscape	On-Going	Planning	
7.	Applicant/Property Owner must follow all applicable standards and requirements of Title 4.22 of the City of Rancho Cordova Municipal Code, including but not limited to Section 4.22.125 "Protection of patrons," requiring the cardroom licensee to maintain and implement a security plan for in and around the establishment. Applicant shall submit such plan according to Section 4.22.125 for the new site prior to receiving a special business license.	General	On-Going	Planning	
8.	The proposed Card Room is subject to all development standards listed in Chapter 23.919.020 listed below: A. Business License: All new card rooms shall comply with the business license requirements of Chapter 4.22 RCMC. B. Location: All new card rooms shall be located consistent with the following standards; 1. Located a minimum of 1,000 feet from another card room 2. Located a minimum of 500 feet from a public school, community center, or library. C. Development Standards: In addition to the development standards of the underlying zoning district, the following special standards apply to all new card rooms; 1. Lighting: Card rooms shall maintain lighting consistent with the provisions of RCMC 23.725.070(D) (Level of Illumination).	Development Standards	On-Going	Planning	

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
	2. Site Maintenance: Management shall be responsible for the removal of litter from adjacent property and streets that results from the card room (with adjacent property owner consent).				
9.	The existing building is currently connected to the SASD sewer system. Any modification of on-site and off-site sewer construction shall be to the satisfaction of SASD Design Standards.	Sewer	On-Going	SASD	
10.	SASD and Regional Sanitation may require additional sewer impact fee payments in accordance with each District's Ordinances. Applicant should contact the Permit Services Unit at (916) 876-6100 for sewer impact fee information.	Sewer	On-Going	SASD	

ATTACHMENT 2

CITY OF RANCHO CORDOVA

RESOLUTION NO. 19-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT FOR A CARD ROOM USES
AT 11275 FOLSOM BOULEVARD PROJECT NO. DD9675**

WHEREAS, on October 20, 2016, the City of Rancho Cordova ("City") received an application from BIMtech Inc. ("Applicant") for a Conditional Use Permit to allow a Card Room use in the existing building at 11275 Folsom Boulevard; and

WHEREAS, the project was routed to all responsible agencies and no adverse comments or concerns were identified; and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the City Council of the City of Rancho Cordova 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.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize and adopt this Resolution 19-2017 approving a Conditional Use Permit (**Exhibit A**) for a Card Room at 11275 Folsom Boulevard, subject to the attached Conditions of Approval (**Exhibit B**), based on the following findings.

1. Determine that the project site was adequately analyzed according to the California Environmental Quality Act (CEQA) Guidelines and Categorically Exempt under Section 15301 (Existing Facilities). The proposed use will be conducted within an existing building, does not involve an expansion of the existing use and therefore will not result in a direct or reasonably foreseeable indirect, physical change in the environmental.
2. Conditional Use Permit: Zoning Code section 23.134.030 states that the City Council must make all of these findings to approve the Conditional Use Permit (CUP). The following are each of the required findings and evidence to support them:
 - a) Finding: The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/ emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.

Evidence: The current proposal for a Conditional Use Permit (CUP) would allow the use of a Card Room within an existing building in conjunction with an existing restaurant at 11275 Folsom Boulevard. The subject property is a typical commercial lot developed with a building, landscaping, appropriate lighting, and adequate access and parking for both the proposed and existing use. The proposed use will not result in an increase of adverse impacts on traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety or aesthetic considerations and, therefore the site is adequate for the needs of the proposed use.

ATTACHMENT 2

- b) Finding: The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other code standards or other reasonable conditions of approval.

Evidence: The proposed Card Room use has been reviewed and approved by the Rancho Cordova Police Department (RCPD). RCPD did not identify any negative impacts or concerns regarding the proposal and did not recommend any changes to the proposed project. The applicant will be subject to all required State regulations, Conditions of Approval, as well as Section 23.919.020 (Special Regulated Uses) and Title 4.22 “Card Rooms” in the Rancho Cordova Municipal Code. The business will provide adequate security and additional on-site security during its business hours. No further mitigation is necessary.

- c) Finding: All required public facilities have adequate capacity to serve the proposal.

Evidence: The project site is an existing building and contains all necessary access to utilities and public facilities of the building. Minor interior improvements may take place in conjunction with the proposed use however the existing building provides adequate capacity to serve the proposal.

- d) Finding: The project meets the requirements of the zoning code including development standards, design guidelines, and special use provisions.

Evidence: This use will only be permitted once the zoning code text amendment allowing the use with a CUP is adopted and becomes effective, and therefore the project would be permitted under the zoning code. There are no exterior modifications proposed with this application. Any future exterior improvements would require further permitting based on the scope of the project at the time. The project will be held to all required standards of Section 23.919.020 Special Regulated Uses and Title 4.22 “Card Rooms” in the Rancho Cordova Municipal Code.

- e) Finding: If structures and site plans are considered nonconforming, the elements of a project that are nonconforming have been brought into compliance with the zoning code, where feasible.

Evidence: The project does not involve any nonconforming uses or structures.

3. The Conditional Use Permit approved herein shall only become effective on the effective date of Ordinance 1-2017, amending Zoning Code land use table 23.325-1, “Allowed Use Provisions in the Convention Overlay Zoning District,” to allow cardrooms as a permitted use with a Conditional Use Permit. Such date shall be thirty (30) days after second reading and adoption of Ordinance 1-2017.

ATTACHMENT 2

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____ 2017 by the following vote:

AYES:

NOES:

ABSENT:

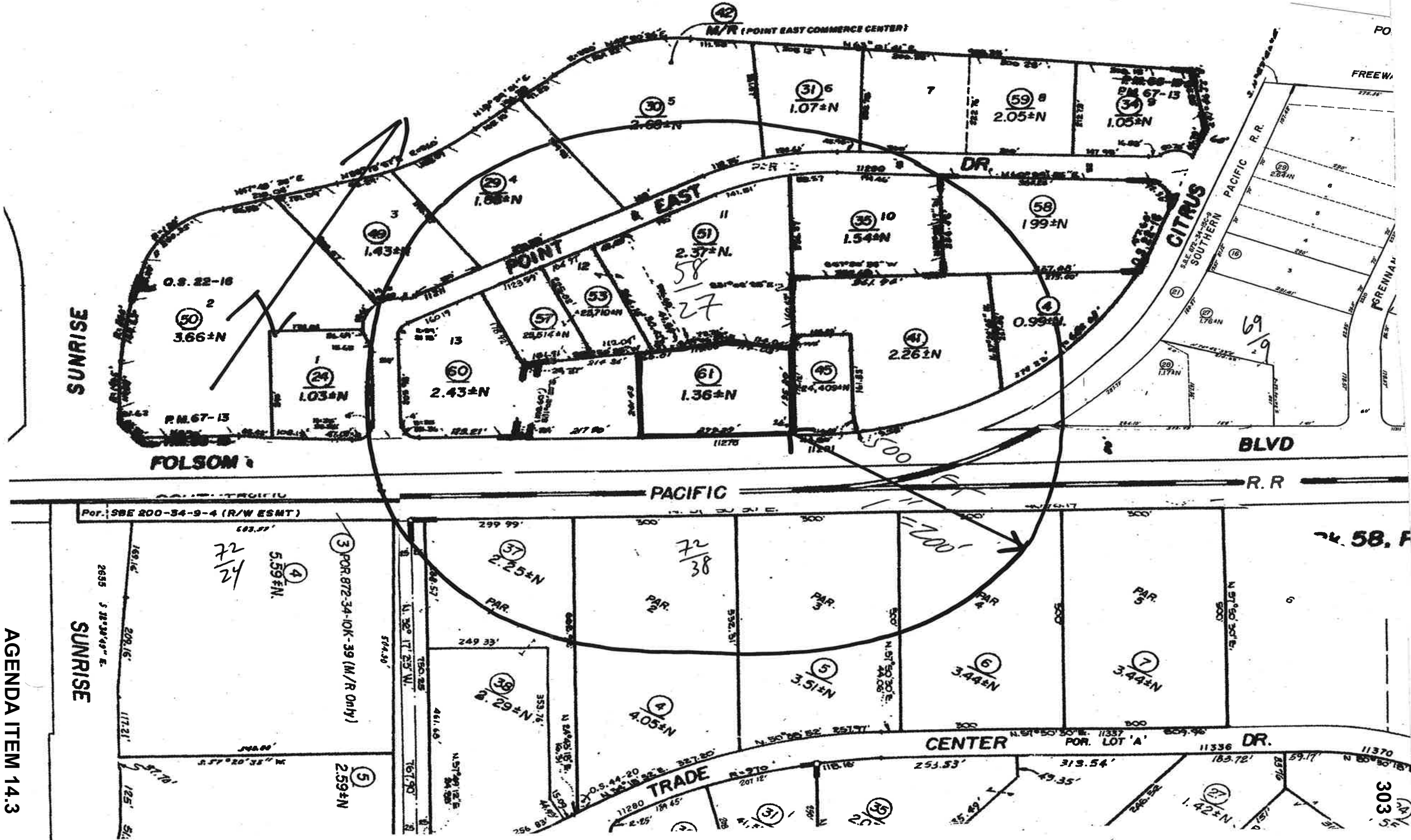
ABSTAIN:

ATTEST:

Donald Terry, Mayor

Mindy Cuppy, MMC, City Clerk

50



ATTACHMENT 3.

058-0270-061
CAPITAL CITY DEVELOPMENT
INCORPORATED
1725 CAPITOL AVE
SACRAMENTO CA 95811

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #101
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #201
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #202
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #203
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #204
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #205
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #206
RANCHO CORDOVA CA 95742

058-0270-061
OCCUPANT
11275 FOLSOM BLVD #207
RANCHO CORDOVA CA 95742

058-0270-004
SUBURBAN PROPANE L P
PO BOX 206
WHIPPANY NJ 7981

058-0270-004
OCCUPANT
2510 CITRUS RD
RANCHO CORDOVA CA 95742

058-0270-029,049
HV-HOUSTON DEVELOPMENT INC
433 CALIFORNIA ST
SAN FRANCISCO CA 94104

058-0270-029
OCCUPANT
11211 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-049
OCCUPANT
11211 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-030
RANCHO INVESTMENTS INC
220 HARDING BLVD
ROSEVILLE CA 95678

058-0270-030
OCCUPANT
11269 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-031
RAMESH PITAMBER
5151 WESTON WAY
GRANITE BAY CA 95746

058-0270-035
SAC LLC
11290 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-035
WRIGHT FAMILY TRUST
11290 POINT EAST DR #140
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #100
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #110
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #110B
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #120
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #135
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #130
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #205
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #215
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #220
RANCHO CORDOVA CA 95742

058-0270-035
OCCUPANT
11290 POINT EAST DR #225
RANCHO CORDOVA CA 95742

058-0270-041
RAYMONDE & GLORIA M ANTHONY
TRUST B
3942 OAK HURST CIR
FAIR OAKS CA 95628

ATTACHMENT 3.

058-0270-041
OCCUPANT
11295 FOLSOM BLVD
RANCHO CORDOVA CA 95742

058-0270-045
SUN M & DAE CHUNG
3012 WOODRAE CT
HAYWARD CA 94541

058-0270-045
OCCUPANT
11291 FOLSOM BLVD
RANCHO CORDOVA CA 95742

058-0270-058
GAMBOA FAMILY TRUST
5630 GRAZING HILL RD
SHINGLE SPRING CA 95682

058-0270-058
OCCUPANT
11324 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-059
DW CL V LLC
5847 SAN FELIPE ST #4650
HOUSTON TX 77057

058-0270-059
OCCUPANT
11299 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-060
SSL ENTERPRISE LLC
1725 CAPITOL AVE
SACRAMENTO CA 95811

058-0270-060
OCCUPANT
11212 POINT EAST DR
RANCHO CORDOVA CA 95742

058-0270-062
PR RANCHO HOTEL LLC
2850 BIRKHAM CT
FAIRFIELD CA 94534

058-0270-062
OCCUPANT
11260 POINT EAST DR
RANCHO CORDOVA CA 95742

069-0090-021
SOUTHERN PACIFIC TRANSPORTN CO
1400 DOUGLAS ST #1640
OMAHA NE 68179

069-0090-028
MACLAUGHLIN PROPERTIES
1401 SHORE ST
W SACRAMENTO CA 95691

069-0090-028
OCCUPANT
11301 FOLSOM BLVD
RANCHO CORDOVA CA 95742

072-0240-003/0350-011
SAC-PLCRVLE TRANSPORTATION CORR
JOINT POWERS AUTH
PO BOX 2110
SACRAMENTO CA 95812

072-0240-004
SACRAMENTO REGIONAL TRANSIT
DISTRICT
PO BOX 2110
SACRAMENTO CA 95812

072-0380-004
WAYSIDE LUMBER INCORPORATED
11277 TRADE CENTER DR
RANCHO CORDOVA CA 95742

072-0380-005
SUNRISE TRADE CENTER STORAGE LLC
508 NATOMA ST
FOLSOM CA 95630

072-0380-005
OCCUPANT
11297 TRADE CENTER DR
RANCHO CORDOVA CA 95742

072-0380-006
TRADE CENTER EIGHT LP
PO BOX 1188
ROSEVILLE CA 95678

072-0380-006
OCCUPANT
11327 TRADE CENTER DR
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11311 TRADE CENTER DR# 105
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11311 TRADE CENTER DR# 110
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11311 TRADE CENTER DR# 125
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11311 TRADE CENTER DR# 130a
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11311 TRADE CENTER DR# 130b
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 205
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 210
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 215
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 220
RANCHO CORDOVA CA 95742

ATTACHMENT 3.

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 225
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 230
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 235
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 240
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 245
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 250
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 255
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11321 TRADE CENTER DR# 260
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 305
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 315
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 320
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 325
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 345
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 330
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 350
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 335
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 340
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 355
RANCHO CORDOVA CA 95742

072-0380-006
OCCUPANT
11327 TRADE CENTER DR# 360
RANCHO CORDOVA CA 95742

072-0380-037
J&L HANCOCK PROPS LLC
6938 MERRYWOOD CT
GRANITE BAY CA 95746



ATTACHMENT 3

Invoice #: 1
Date: 8/23/16
Customer ID: BIMT

Ship To:

Abraxis Spera
3225 Serra Way
Sacramento, CA 95816

Your #	Our #	Sales Rep	FOB	SHIP VIA	Terms	Tax ID
	1	MH		overnight	Due on Receipt	

Qty	Item	Units	Description	Dsc %	T	Unit Pr	Total
1	Radius Map		500ft. radius searchAPN# 058 0270 061 11275 Folsom Blvd, Rancho Cordova County			\$390.00	\$390.00

Subtotal	\$390.00
Tax	0
Freight	0
Misc	0
Bal Due	\$390.00

