

Appendix A

Public Comments

Appendix A-1

Notice of Preparation and Responses
to Notice of Preparation



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
(530) 265-1222 FAX (530) 265-9851 <http://new.nevadacounty.com>

Steven L. DeCamp
Community Development Agency Director

Brian Foss
Interim Planning Director

MEMORANDUM

DATE: February 6, 2012

TO: Interested Public/Private Agencies

FROM: Tod Herman, Senior Planner

RE: Notice of Preparation of an Environmental Impact Report (EIR) for the application of Teichert Aggregates for a Use Permit (U11-008) to expand their Boca Quarry operation from approximately 40 acres to approximately 158 acres, moving into the western region of the 230-acre site, and a Reclamation Plan (RP11-001) to restore the mined area to a safe, stable, and usable condition following the mining activities. The Boca Quarry is located north of Interstate 80, approximately one mile northeast of Hirschdale.

The Nevada County Planning Department will be the lead agency and will prepare an EIR for the project referenced above. Pursuant to Section 15082 of the CEQA Guidelines, we request that you provide comments which pertain to your agency's statutory responsibilities in response to the proposed project and its potential environmental effects. To assist your evaluation, please review the following project description, listing of possible environmental effects, and exhibits.

PROJECT LOCATION:

The Boca Quarry is located in eastern Nevada County, approximately one mile northeast of the Hirschdale community, east of the Town of Truckee. The project site is situated in portions of Sections 26 and 27 of Township 18 North and Range 17 East on the 7.5 minute Boca USGS topographic quadrangle. Figures 1 and 2 display the regional location as well as a recent aerial photograph of the project site, respectively. The project includes Assessor Parcel Numbers 48-090-12 and 48-200-03. Site elevations range from approximately 5,700 to 6,200 feet above mean sea level.

The Nevada County Assessors Office identifies the project site as Assessors Parcel Numbers (APN) 48-090-12 and 48-200-03. The project site is situated in portions of Sections 26 and 27 of Township 18 North and Range 17 East on the 7.5 minute Boca USGS topographic quadrangle.

PROJECT DESCRIPTION:

The proposed project plans to expand existing mining operations in the currently permitted Boca Quarry (U06-012). The application includes a Conditional Use Permit (U11-008) as well as a Reclamation Plan modification (RP11-001) to correspond with the proposed mine expansion and the importation of clean fill material for pit backfilling. The project will increase the existing extraction area of approximately 40 acres, to an extraction area of approximately 158 acres on the 230-acre site. The mining plan envisions removal of approximately 13 million cubic yards of material in three phases over a 30-year period.

The permit modification proposes to expand the site's extraction and production from 100,000 to 1,000,000 tons of aggregate per year, depending on local market demand. Blasting is also requested with this proposal. The proposed quarry expansion will continue to use, and eventually realign, the West Hinton Road haul route to Stampede Meadows Road for all of its aggregate transport and operating equipment access. The estimated life of the quarry will be 60 years. Until it is closed by the County, Hinton Road to the south will remain open for employee use, winter month site access, and emergency use. An amendment to the original Reclamation Plan is proposed to bring the new extraction area into compliance with Nevada County Codes and the California Surface Mining and Reclamation Act of 1975.

The proposed project area is subject to the General Plan Land Use designation of Forest (FR) and is zoned Forest (FR) with a Mineral Extraction (ME) combining district (FR-160-ME). The conditions of the Nevada County Zoning Code allow surface mining operations within this zone when an ME combining overlay is in place, along with an approved CUP and an approved Reclamation Plan.

Project Phasing

The project proposes to extend the quarrying activities into the western portion of the property in three phases. Phase I involves the conclusion of mining in the East Pit, which is largely complete. Phases II and III will involve mining of the West Pit. During Phase II, the lower (southern) portion of the West Pit will be mined to its maximum width and depth. The upper ridge of the West Pit will then be mined (Phase III), and the overburden from the ridge will be moved down to the lower area to be used as backfill in the lower pit, facilitating partially concurrent reclamation of the lowest bench (Phase II).

Mining activities in the expanded permit area will be initiated with salvage of the uppermost layer of soil using dozers and/or scrapers; the available soil will be stockpiled for use in future reclamation activities. The permit seeks to use blasting as a means to cut into the bedrock slope and to reduce the size of the rock product for ease of transport to the processing area and for further crushing to its required size (depending upon the market needs). All blasting activities will be performed by a licensed explosives contractor, who will bring the materials to the site for each blast. No storage of blasting materials will occur on site.

Processing

The rock processing area will remain in its present location, as permitted in U06-012, and will continue in this location throughout the three phases of the quarry mining operation. The processing site is situated behind a small knoll which provides a shield for both the sight and noise associated with the plant to the nearest resident over a mile away. This area will continue to be used for storing the raw product (unprocessed), processing the product into a series of stockpiles where each pile contains a different specification of aggregate, loading of the aggregate into trucks, and the scaling activities for each truck (before and after) the sale. The loaded trucks will then leave the site via the West Hinton Road haul route.

Operating Schedule

The plant generally operates on a single-shift basis during the period from May 1 through October 31, six days per week. Based upon market demand or emergency needs, such as flood response, the quarry might open earlier or continue operations later than the dates mentioned above, but would not exceed 180 operating days per year. Mining, processing, sales, and truck transport from the site would generally take place between 6 a.m. and 6 p.m. Monday through Friday, and between 7 a.m. and 4 p.m. on Saturday.

Reclamation

The goal of the reclamation plan is to return the site to a safe, stable, and usable condition after the mining activities have ceased. The intended end use for this site is an open space and timber woodland habitat. The reclamation process has several steps. Initially, as the extraction areas within the west pit are cleared, all of the topsoil that can be salvaged will be transported to an interim staging area where it will be kept and protected from erosion due to wind and rain. The soil storage areas will also be augmented with other material imported into the site (from offsite construction jobs). Once the mining activities have finished within an area (starting with the east pit), the benches and flattened areas will be backfilled as necessary (to achieve the final slope configuration) and then covered with the topsoil/soil mix. The soil areas will then be broadcast seeded with native shrubs and grasses. Revegetation of the final surfaces is intended to consist of vegetation types and species similar to the existing vegetation at the project site. Following the mining activities, all stationary and mobile equipment will be removed from the site. As required by the Surface Mining and Reclamation Act of 1975 (SMARA), a financial assurance for the total costs of reclaiming all of the disturbed areas will be required.

Mining Equipment

The proposed types of mobile equipment and machines to be employed at the quarry will remain the same as those that are currently in use. These include: a dozer, self-loading scraper, front-end wheel loader, portable water pump, motor grader, conveyers, haul trucks, and a hydraulic excavator. A water truck is used for the maintenance of the surfaces and dust control. The fixed equipment at the site includes screens, conveyors, an office building, and the scale.

PROJECT APPROVALS:

Conditional Use Permit (U11-008)
Reclamation Plan Modification (RP11-001)
Certification of Environmental Impact Report (EIR11-001)

PROBABLE ENVIRONMENTAL EFFECTS:

Nevada County, as Lead Agency under the California Environmental Quality Act (CEQA), has decided that the potential exists for significant environmental effects to occur with implementation of the proposed project and, therefore, will prepare an EIR. We need to know your views as to the scope and content of the EIR as well as any statutory responsibilities that your agency may have in conjunction with the subject project.

The following subject areas will be addressed in the EIR:

Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hydrology & Water Quality, and Transportation/Traffic.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but not later than thirty (30) days after receipt of this notice. Please send your response to my attention at the address shown below. We will also need the name of a contact person for your agency. If you have any questions regarding this notice, please do not hesitate to contact me at the office number above.

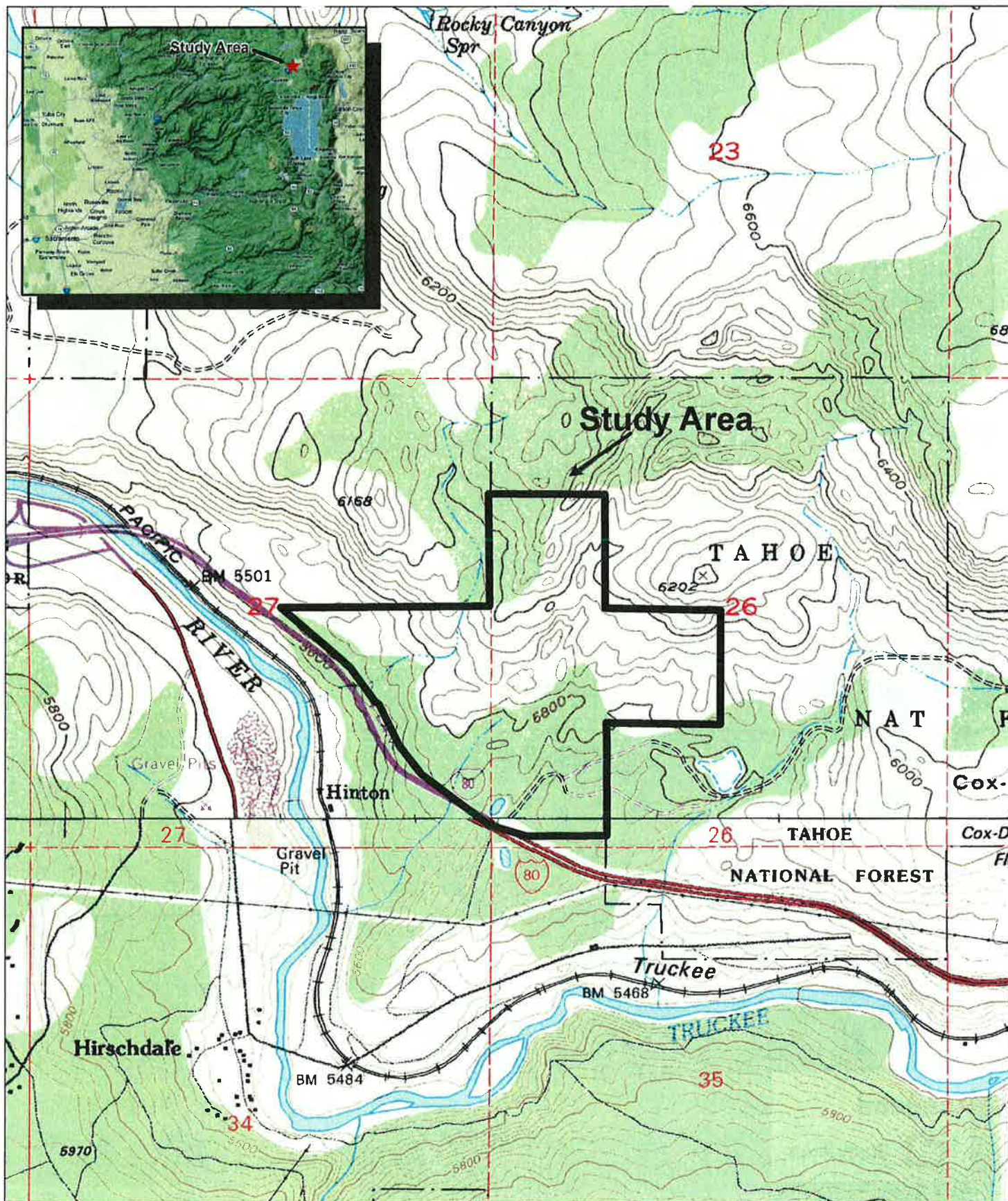
PUBLIC SCOPING MEETING:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments on the EIR. This meeting will be held on March 6, 2012 at Truckee Town Hall, 10183 Truckee Airport Road, Truckee, CA 96161 at 6:00 pm.

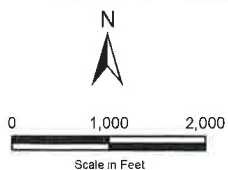
CONTACT:

Tod Herman, Senior Planner
Nevada County Community Development Agency
950 Maidu Avenue, Suite 170
Nevada City, CA 95959
Telephone: (530) 265-1257
Email: Tod.Herman@co.nevada.ca.us

Attachments:
Site and Vicinity Map
Aerial Photo
Mine Plan



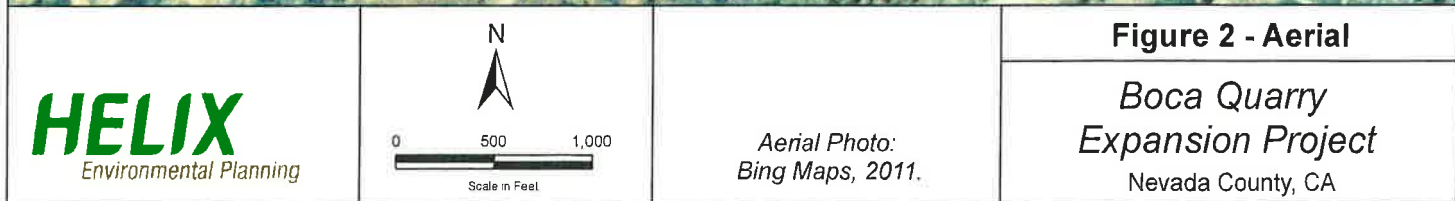
HELIX
Environmental Planning



Base map: Boca, CA, USGS
7.5 minute topographic quadrangle
Sections: 26 & 27
Township: 18N
Range: 17E

Figure 1 - Site & Vicinity Map

*Boca Quarry
Expansion Project*
Nevada County, CA





Facilities and boundaries are approximate, although total acreage to be disturbed and reclaimed will be similar to that depicted.

Legend

- West Pit Mining Area
- East Pit (Permitted)
- Ultimate Disturbed Area



Edmund G. Brown Jr.
Governor

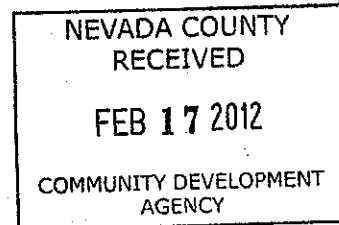
STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

Notice of Preparation

February 9, 2012



To: Reviewing Agencies

Re: Boca Quarry Expansion
SCH# 2012022024

Attached for your review and comment is the Notice of Preparation (NOP) for the Boca Quarry Expansion draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Tod Herman
Nevada County
950 Maidu Avenue, Suite 170
Nevada City, CA 95959

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012022024
Project Title Boca Quarry Expansion
Lead Agency Nevada County

Type NOP Notice of Preparation

Description The proposed project plans to expand existing mining operations in the currently permitted Boca Quarry (U06-012). The application includes a CUP (U11-008) as well as a Reclamation Plan modification (RP11-001) to correspond with the proposed mine expansion and the importation of clean fill material for pit backfilling. The project will increase the existing extraction area of approximately 40 acres, to an extraction area of approximately 158 acres on the 230-acre site. The mining plan envisions removal of approximately 13 million cubic yards of material in three phases over a 30-year period.

Lead Agency Contact

Name Tod Herman
Agency Nevada County
Phone 530 265 1257 **Fax**
email
Address 950 Maidu Avenue, Suite 170
City Nevada City **State** CA **Zip** 95959

Project Location

County Nevada
City Truckee
Region
Cross Streets West Hinton Road / Hinton Road
Lat / Long
Parcel No. 48-090-12 & 48-200-03
Township 18N **Range** 17E **Section** 26/27 **Base** MDB&M

Proximity to:

Highways I-80
Airports
Railways UPRR
Waterways Truckee River
Schools
Land Use Existing mining operation (proposed expansion), FR-160-ME (zoning), FOR-160 (General Plan)

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 2; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; California Highway Patrol; Caltrans, District 3; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Bd., Region 6 (So Lake Tahoe); Office of Historic Preservation

Date Received 02/08/2012 **Start of Review** 02/09/2012 **End of Review** 03/09/2012

NOP Distribution List

County: San Diego

SCH#

2012092024

Resources Agency

☒ Resources Agency
Nadell Gayou

☐ Dept. of Boating & Waterways
Nicole Wong

☐ California Coastal Commission
Elizabeth A. Fuchs

☐ Colorado River Board
Gerald R. Zimmerman

☒ Dept. of Conservation
Elizabeth Carpenter

☐ California Energy Commission
Eric Knight

☒ Cal Fire
Allen Robertson

☐ Central Valley Flood Protection Board
James Herola

☒ Office of Historic Preservation
Ron Parsons

☒ Dept of Parks & Recreation
Environmental Stewardship Section

☐ California Department of Resources, Recycling & Recovery
Sue O'Leary

☐ S.F. Bay Conservation & Dev't. Comm.
Steve McAdam

☒ Dept. of Water Resources Agency
Nadell Gayou

Fish and Game

☐ Dept. of Fish & Game
Scott Flint
Environmental Services Division

☐ Fish & Game Region 1
Donald Koch

☐ Fish & Game Region 1E
Laurie Harnsberger

☒ Fish & Game Region 2
Jeff Drongesen

☐ Fish & Game Region 3
Charles Armor

☐ Fish & Game Region 4
Julie Vance

☐ Fish & Game Region 5
Leslie Newton-Reed
Habitat Conservation Program

☐ Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program

☐ Fish & Game Region 6 I/M
Brad Henderson
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

☐ Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

☐ Dept. of General Services
Public School Construction

☐ Dept. of General Services
Anna Garbelf
Environmental Services Section

☐ Dept. of Public Health
Bridgette Binning
Dept. of Health/Drinking Water

☐ Delta Stewardship Council
Kevan Samsam

IndependentCommissions/Boards

☐ Delta Protection Commission
Linda Flack

☐ Cal EMA (Emergency Management Agency)
Dennis Castrillo

☒ Native American Heritage Comm.
Debbie Treadway

☒ Public Utilities Commission
Leo Wong

☐ Santa Monica Bay Restoration
Guangyu Wang

☒ State Lands Commission
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans. & Housing

☐ Caltrans - Division of Aeronautics
Philip Crimmins

☐ Caltrans - Planning
Terri Pencovic

☒ California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

☐ Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

☐ Caltrans, District 1
Rex Jackman

☐ Caltrans, District 2
Marcelino Gonzalez

☒ Caltrans, District 3
Bruce de Terra

☐ Caltrans, District 4
Lisa Carboni

☐ Caltrans, District 5
David Murray

☐ Caltrans, District 6
Michael Navarro

☐ Caltrans, District 7
Dianna Watson

☐ Caltrans, District 8
Dan Kopulsky

☐ Caltrans, District 9
Gayle Rosander

☐ Caltrans, District 10
Tom Dumas

☐ Caltrans, District 11
Jacob Armstrong

☐ Caltrans, District 12
Marlon Regisford

Cal EPAAir Resources Board

☐ Airport/Energy Projects
Jim Lerner

☐ Transportation Projects
Douglas Ito

☒ Industrial Projects
Mike Tollstrup

☐ State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

☐ State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

☐ State Water Resources Control Board
Phil Crader
Division of Water Rights

☐ Dept. of Toxic Substances Control
CEQA Tracking Center

☐ Department of Pesticide Regulation
CEQA Coordinator

☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)

☐ RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

☐ RWQCB 3
Central Coast Region (3)

☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

☐ RWQCB 5S
Central Valley Region (5)

☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office

☒ RWQCB 6
Lahontan Region (6)

☐ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

☐ RWQCB 7
Colorado River Basin Region (7)

☐ RWQCB 8
Santa Ana Region (8)

☐ RWQCB 9
San Diego Region (9)

☐ Other

☐ Conservancy



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

13760 Lincoln Way
AUBURN, CA 95603
(530) 889-0111
Website: www.fire.ca.gov



February 13, 2012

RECEIVED

TO: Todd Herman
Nevada County Community Development Agency
950 Maidu Avenue, Suite 170
Nevada City, CA 95959
RE: Bocca Quarry West Pit Expansion

FEB 15 2012

Nevada County Community
Development Agency

This project will require a Timberland Conversion and Timber Harvest Plan as per the following:

California Code of Regulations, per section 1103, and Public Resources Code 4581 requires a Timberland Conversion Permit and/or Timber Harvest Plan be filed with the California Department of Forestry and Fire Protection if the project involves the removal of a crop of trees of commercial species (regardless of size of trees or if trees are commercially harvested).

The Timberland Conversion Permit shall address the following:

- a. The decrease in timber base in the county as a result of the project.
- b. The cover type, including commercial species, density, age, and size composition affected by the project.
- c. The ground slopes and aspects of the area affected by the project.
- d. The soil types affected by the project.
- e. Any significant problems that may affect the conversion.

If you require further clarification, please contact Forester Jeff Dowling at (530) 587-8926.

Sincerely,

Brad Harris

CAL FIRE

Unit Chief

Jeff Dowling

Truckee Area Forester

jd

LAW OFFICES OF DONALD B. MOONEY

DONALD B. MOONEY

129 C Street, Suite 2
Davis, California 95616
Telephone (530) 758-2377
Facsimile (530) 758-7169
dbmooney@dcn.org

March 5, 2012

VIA EMAIL AND REGULAR MAIL

Tod.Herman@co.nevada.ca.us

Tod Herman, Senior Planner
Nevada County Community Development Agency
950 Maidu Avenue, Suite 170
Nevada City, CA 95959

RE: Comments on the Notice of Preparation of an Environmental Impact Report (EIR) for the Teichert Aggregates for a Use a Permit

Dear Mr. Herman:

This office represents Joe McGinity regarding the Teichert Aggregates proposed expansion of the Boca Quarry in Nevada County. On behalf of Mr. McGinity, I provide the following comments on the Notice of Preparation of an Environmental Impact Report for Teichert Aggregates' proposed use permit.

A. THE NOTICE OF PREPARATION CONTAINS AN INACCURATE AND UNSTABLE PROJECT DESCRIPTION

The Project Description in the NOP does not meet CEQA's requirements. "[A]n accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." CEQA requires an EIR to have an accurate and stable project description. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199.) The project description provides the analytical foundation for the entire EIR. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.3d 713, 722-723.) It is therefore essential that an EIR has an accurate, well-conceived, stable, and finite project description. Thus, if the description is inadequate because it fails to discuss an aspect of the project, the environmental analysis will probably reflect the same mistake. (*Ibid.*) The distorted project description truncates both the assessment of impacts and consideration of meaningful alternatives.

The Project Description states that the permit will expand the annual levels of extraction and production from 100,000 to 1,000,000 tons of aggregate per year. (IS at p. 1.) The project provides for a 10-fold increase in extraction and production. The project description does not indicate the amount of aggregate that may be extracted on a monthly or daily basis. The Project description also fails to identify the source of water for the expanded quarry operations. The Project Description also does not include any

information regarding the estimated number of daily truck trips associated with the expanded quarry operations.

The Project Description also fails to identify the maximum amount of aggregate that may be removed from the project site. It is 60-year permit with annual limit of 1,000,000 tons of aggregate. Under this scenario, the quarry expansion could result in the removal of 60,000,000 tons of aggregate. While the NOP states that the mining plan envisions the removal of 13,000,000 tons during three phases over a 30-year period, the Project description does not limit the Project to 30-years and/or 13,000,000 tons.

B. IMPACT ANALYSIS AND DISCUSSION

As indicated in the NOP, the EIR will address several subject areas. Mr. McGinity provides the following comments on aesthetics, air quality, greenhouse gas emissions, hydrology/water quality, and transportation and circulation.

1. Aesthetics

The Project will have aesthetic impacts to the existing neighborhood that the EIR must evaluate. It is inherent in the meaning of the word "aesthetic" that any substantial, negative effect of a project on view and other features of beauty could constitute a "significant" environmental impact under CEQA. (*Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1605.) The expanded quarry will be visible from the eastbound lanes of Interstate 80. Additionally, the expanded quarry area will be visible from approximately 200 feet of roadway. Thus, the expanded quarry will result in aesthetic impacts to travelers on Interstate 80 as well as to the community around in the Glenshire Drive area. There will be aesthetic impacts to views from nearby homes. Even though there is already some aesthetic impacts from the existing quarry operations, the expanded quarry will add to the impact. Those impacts will result from the clearing of the trees and the extraction of materials. The EIR must fully address these impacts associated with expansion by arguing that some impact for 40-acre site already exists. The EIR must contain a viewshed study to evaluate the aesthetic impacts.

2. Air Quality

The project will significantly increase production and truck traffic and associated air emissions. The EIR must address whether the current air permit would apply to the expanded quarry operations. The EIR must evaluate whether the expanded project meets the local standards for ozone and PM10. The EIR must also address all sources of emissions such as fugitive dust and road haul emissions. As the Project Description provides no lifetime limit on the production, the air quality analysis must assume production of 1,000,000 tons of aggregate a year for the life of the Project.

3. **Greenhouse Gas Emissions**

The greenhouse gas emissions ("GHG") must include truck traffic associated with the importation of fill for the reclamation of the project site. It must also include other heavy equipment used in the reclamation and restoration activities. As the Project places no such limit on the lifetime production, the GHG analysis must assume production of 1,000,000 tons of aggregate a year for the life of the Project.

4. **Hydrology/Water Quality**

The EIR must identify the source of water for the Project. Additionally, the EIR must provide any quantification of the water needs for the existing quarry activities and for the proposed expanded project.

5. **Transportation/Circulation**

The EIR must contain a traffic analysis based upon a traffic study. The applicant proposes a 10-fold increase in extraction and production. The EIR must provide an estimate in the amount of increased truck traffic and the impacts associated with increasing truck traffic by 10 times the previous rate. The EIR needs to provide an estimate on the amount of daily and monthly truck traffic based upon an extraction rate of 1,000,000 tons per year. Such analysis must also identify the carrying capacity of the trucks in order to determine the amount of daily trips. The traffic analysis must also provide an estimate on the number of truck trips to the project site associated with importing fill material and reclamation activities that may be done concurrently with extraction activities.

Sincerely,


Donald B. Mooney
Attorney for Joe McGinity

cc: Joe McGinity

Nevada County Community Development Agency
950 Maidu Avenue Suite 170
Nevada City, CA 95959



February 21, 2012

ATTENTION: Tod Herman, Senior Planner,

RE: MEMORANDUM DATED FEBRUARY 6, 2012

Notice of Preparation of an Environmental Impact Report (EIR) for the application of Teichert Aggregates for a Use Permit (U11-008) to expand their Boca Quarry operation from approximately 40 acres to approximately 158 acres.

The Hirschdale Community is writing in response to the above captioned NOP related to the use permit application U11-008 pending a public scoping meeting on March 6, 2012. It is our understanding that Teichert Aggregates is currently operating the Boca Quarry per terms allowed by Conditional Use Permit U06-012. The more recent Teichert application (U10-001) was appealed after a February, 2011, public hearing and it was deemed necessary to have an EIR report completed, this application has been withdrawn.

The Hirschdale Community has for many years diligently pursued working with Teichert Aggregate representatives and Nevada County officials to achieve workable solutions concerning a new permit. Since 2006 we have attended many meetings and presented detailed community response documents detailing our environmental concerns. All of our concerns regarding Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology and Water Quality, Transportation/Traffic and Fire Protection are incorporated throughout all of our community responses to date and should be read in their entirety as each describes our concerns regarding environmental impacts to the Hirschdale Community. We are therefore, resubmitting copies of all of the community response documents at this time to be presented in response to this NOP, in order to make sure our concerns are incorporated in the DRAFT/FINAL EIR. After reviewing all of our responses, these concerns should be clearly understood.

The Teichert Aggregate Boca Quarry permit application (U11-008) dated July 29, 2011 appears to have addressed most of our concerns with the appropriate studies included in their permit document. Permit (U11-008) states that Teichert will not use Hirschdale Road to access their operations. You have told us that the Hirschdale Road/bridges use is a separate issue from the Boca Quarry permit process, however, we do wish to clarify our concerns related to the Hirschdale area road/bridges use. The fact remains, at the present time, the Hirschdale Road and bridges are being used while the new quarry permit is being processed and use of the public section of the Stampede access road around the quarry is negotiated/accomplished. The Hirschdale bridges are still considered open for use and are being maintained by the County. From our riverfront homes/yards we observe traffic using Hirschdale Road on a daily basis both day and night.

HIRSCHDALE COMMUNITY RESPONSE
Nevada County NOP EIR Dated February 6, 2012
February 21, 2012

In the past, the County has presented many different ideas regarding the two Hirschdale area bridges. We are left to assume the environmental impacts to our community are a separate issue if use of Hirschdale Road is excluded from the Teichert permit. It appears that concerns of the Hirschdale residents and public recreational users of the adjacent Truckee river corridor are being negated, while the quarry project moves ahead with plans for their operation. Considerable monies have been allocated/paid for a feasible study (Res 02-616) and design plans (Res 08-043) for replacement of the Hirschdale road bridges. A contract renewal (Res10-250) authorized Wood Rodgers to produce plans for demolition of the Hirschdale bridges and modification of the access points to the Quarry and the adjacent areas. We are unaware of when, where, and how the decision was made to demolish and not replace the Hirschdale bridges as well as terminate the Hirschdale Road access points to the river. We are not aware of a documented plan regarding the outcome of the bridges/road issues. Without knowing the outcome of the Hirschdale Road/bridges, it is unfair to assume they will be removed and not replaced and impose no impacts to the Hirschdale residents and the public recreational use of this pristine river corridor.

Separate detailed impact studies must be conducted while the issues affecting the future of the Hirschdale Road/bridges are addressed. It could take many years before the funds are available to the County to demolish or replace the Hirschdale bridges and abandon use of Hirschdale Road access points. Attached are current (September 2011) reports showing funds are still being processed and available to both bridge projects. If funding remains in place, it appears the County may still be pursuing the possibility of replacing the bridges in the future. Resolve of the Hirschdale Road use and related environmental issues remain a high priority of concern for the Hirschdale Community.

We realize the new permit application (U11-008) is focused on use of West Hinton Road, but Hinton Road South also should be considered in this EIR. Under the **NOP PROJECT DESCRIPTION** it is stated "Until it is closed by the County, Hinton Road to the south will remain open for employee use, winter month site access and emergency use." South Hinton is clearly mentioned in this project description access to and use of the existing Hirschdale Road and bridges is implied. We are requesting, therefore, that the following conditions should be included on any permits related to the Boca Quarry operations:

1. Hirschdale Road via Hinton Road shall not be an accepted gravel hauling truck route from or to the quarry site.
2. In the event that the Stampede Road access to the Quarry operations is unavailable due to extenuating emergency circumstances, or this access is needed for emergency use at any time in the future, then the use of Hirschdale Road shall be limited to access as determined by State, County, local public, and/or Office of Emergency Service agencies only. Emergency use shall be defined as periods when weather related acts of nature or hazardous conditions require the aggregate material to protect property or public resources.

HIRSCHDALE COMMUNITY RESPONSE
Nevada County NOP EIR Dated February 6, 2012
February 21, 2012

These conditions shall remain in all future permits for the lifetime of the quarry operations to clearly protect the Hirschdale community from possible negative environmental impacts related to quarry traffic and address the concerns we have stressed in all of our previous responses regarding Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology & Water Quality, Transportation/Traffic, Fire Protection, Noise, Emergency Access, Real Estate Values, Truck Traffic, Quality of Life, Animal Habitat and Recreational use by the public.

The Teichert application states that Hirschdale Road will not be used for routine access to quarry operations or for hauling therefore, Teichert should have no objection to the imposition of the referenced conditions on the new permit.

The signs showing the direction to the Boca Quarry are no longer present and if not placed once again, will cause traffic to possibly come down Hirschdale Road. The Hirschdale Community would like to see these signs placed at the stop sign at Hirschdale Road and at the East and West off ramps from I-80. This was once an agreed upon stipulation and will help direct hauling truck traffic to the established Stampede Road access to quarry operations and detour truck traffic from coming into the Hirschdale Community.

We are a community that borders the Truckee River Corridor, which is a protected River. Our community wants to keep that perspective in the minds of all when considering any issues related to our environment and we all have a deep respect for all efforts to protect this Truckee River Corridor, and access through, our community. We appreciate your mutual respect in this regard and see the importance of addressing our concerns in the contents of the pending EIR as well as your assurance that appropriate conditions will be specified in future permits regarding the Boca Quarry operations adjacent to our Hirschdale neighborhood.

Thank you for your consideration of the Hirschdale Community concerns. Please review all of the following attachments.

Respectfully Submitted,

The Hirschdale Community

Attachments: Total Pages attached 189
Community Response January 31, 2011 and attachments
Community Response March 25, 2010 and attachments
Community Response July 3, 2007 and attachments
Community Response February 4, 2007 with attachments
Conditions of Conditional Use Permit U06-012 and appealed conditions of permit U10-001
Bond Accountability Reports dated September 30, 2011