

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER R5-2017-0099

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2003-0116-01  
FOR  
TEICHERT AGGREGATES  
PERKINS FACILITY  
SACRAMENTO COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds:

1. On 11 July 2003, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2003-0116, prescribing requirements for Teichert Aggregates, Perkins Facility (Facility), in Sacramento County.
2. On 10 March 2017, the Discharger submitted a request and supporting information to revise WDRs Order R5-2003-0116. The Discharger requested to allow surface mining on two new areas, Aspen VIII and Aspen XI, and to include these mining areas as potential sediment and aggregate wash water disposal areas, as part of the Facility's Reclamation Plan.
3. Sacramento County Community Development Department Planning and Environmental Review Division adopted an Environmental Impact Report on 27 September 2016, approving the project known as the Aspen VIII and IX Mining Use Permit, Community Plan Amendment and Rezone, Reclamation Plant, and Development Agreement. The Use Permit allows surface mining on the additional requested parcels and allows the mined areas to receive sediments and aggregate wash water.
4. The Perkins Plant has been in its current location for over 50 years. Surface mining of sand and gravel aggregate material takes place on a number of parcels that extend along Jackson Highway from west of South Watt Avenue to Excelsior Road. The Discharger processes an estimated four million tons of aggregate per year. However, process rates are market driven and can vary from year to year.
5. The Discharger operates two series of settling ponds to recycle aggregate wash water. Sediments removed from the settling ponds are used as engineered fill to reclaim previously excavated areas.

**Proposed WDRs Amendment**

6. This amending Order will allow surface mining on the property known as Aspen VIII (APN 063-0160-005, 063-0180-006, and 063-0160-001) and Aspen XI (APN 066-0020-006, 066-0030-001, and 066-0050-003) and allow for disposal of sediment and aggregate wash water at these areas as part of the reclamation

activities. The property owned by the Discharger is located approximately 0.5 miles south of Jackson Highway and 0.5 miles east of Bradshaw Road. Approximately 353 acres of the 683-acre site will be surfaced mined. Typical mining depth is anticipated to be 30 to 50 feet below ground surface. Mined material will be conveyed via an electric conveyor system to the existing off-site Perkins processing plant. The fines and sediment are to be used as part of the reclamation of the site.

### **California Environment Quality Act**

7. On 27 September 2016, the County of Sacramento, acting as lead agency, certified an Environmental Impact Report (EIR) (State Clearinghouse No. 2015022062) in connection with the County's approval of use permits, a community plan amendment and rezone, a reclamation plan, and a development agreement for the Aspen VIII and IX project. The County subsequently filed a Notice of Determination on 30 September 2016. The Board, acting as a responsible agency, was consulted during the development of the EIR. The WDRs for the facility, as amended by this Order, will mitigate any potential impacts to water quality consistent with the findings in the EIR.

### **Public Notice**

8. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
9. The Central Valley Water Board, in a public meeting, heard, and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that, pursuant to sections 13263 and 13267 of the California Water Code, Order R5-2003-0116 is amended to allow surface mining and the discharge of sediment and aggregate wash water to areas known as Aspen VIII and XI. Teichert Aggregates, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with amended Order R5-2003-0116-01 as follows:

1. Finding 3 of Order R5-2003-0116-01 shall include Aspen VIII (APN 063-0160-005, 063-0180-006, and 063-0160-001) and Aspen XI (APN 066-0020-006, 066-0030-001, and 066-0050-003).
2. Finding 70.b of Order R5-2003-0116-01 shall be added as follows:  
*"The Sacramento County Board of Supervisors certified an Environmental Impact Report on 27 September 2016 in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) in connection with the County's approval of use permits, a community plan amendment and rezone, a reclamation*

*plan, and a development agreement for the Aspen VIII and IX project. Mitigation measures were made a condition of the approval of the project. Impacts associated with water quality are considered less than significant. Findings of Fact and a Statement of Overriding Considerations were adopted. A Mitigation Monitoring and Reporting Program for the project was prepared and adopted. The WDRs for the facility, as amended by Order R5-2017-0099, will mitigate any potential impacts to water quality consistent with the findings in the EIR.”*

3. Attachment A of Order R5-2003-0116-01, which is the site vicinity map, shall include the locations of Aspen VIII and Aspen XI.
4. Attachment D of Order R5-2003-0116-01, which is the process schematic drawing, shall include Aspen VIII and Aspen XI as slurry deposition areas.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

This Order is effective as of the date of adoption.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 11 August 2017.

*- original signed by -*

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PAMELA C. CREEDON, Executive Officer