2. EXECUTIVE SUMMARY

2.1 INTRODUCTION

The Executive Summary chapter of the EIR provides an overview of the proposed project (see Chapter 3, Project Description, for further details) and provides a table summary of the conclusions of the environmental analysis provided in Chapters 4.1 through 4.13. This chapter also summarizes the alternatives to the proposed project that are described in Chapter 6, Alternatives Analysis, and identifies the Environmentally Superior Alternative. Table 2-1 contains the environmental impacts associated with the proposed project, the significance of the impacts, the proposed mitigation measures for the impacts, and the significance of the impacts after implementation of the mitigation measures.

2.2 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

The proposed project's surface components would be located on approximately 175.64 acres consisting of: the Brunswick Industrial Site, the Centennial Industrial Site, and a portion of East Bennett Road where a new potable water line would be installed. The project would also involve underground mining within an approximately 2,585-acre mineral rights boundary owned by the applicant. The potable water pipeline easement would be located within the existing right-of-way (ROW) of East Bennett Road.

The Centennial and Brunswick Industrial Sites are located within unincorporated western Nevada County and are owned by Rise Grass Valley (Rise). The 119-acre Brunswick Industrial Site (Assessor's Parcel Numbers [APNs] 006-441-003, -004, -005, -034; and 009-630-037, -039) is located southwest of the intersection of East Bennett Road and Brunswick Road, and is accessible from Brunswick Road or East Bennett Road). The 56.41-acre Centennial Industrial Site (APNs 009-550-032, -037, -038, -039, -040; and 009-560-036) is located southwest of the intersection of Idaho Maryland Road and Centennial Drive.

The much larger mineral rights boundary encompasses approximately 2,585 acres and generally contains properties surrounding the Brunswick and Centennial Industrial Sites, with the majority of additional land area located north of the Brunswick Industrial Site and east of the Centennial Industrial Site. This generally includes most of the Nevada County Airport and surrounding Air Park, as well as property along both sides of Brunswick Road, Greenhorn Road, and Idaho Maryland Road.

The project sites contain the historic Idaho-Maryland Mine underground gold mine. The mine produced 2,414,000 ounces of gold between 1866 and 1956. The mine has been inactive since closure in 1956, and was inactive for several periods during the 1866-1956 production period.

The proposed project would reinitiate underground mining and gold mineralization processing for the Idaho-Maryland Mine over an 80-year permit period. Following completion of mining and processing activities, the project sites would be reclaimed to open space and industrial uses. The following sections provide an overview of these general project components:

- Dewatering the existing underground mine workings;
- Construction and operation of aboveground processing and water treatment facilities at the Brunswick Industrial Site;
- Engineered fill placement for industrial pad development at the Centennial and Brunswick Industrial Sites;
- Installation of a potable water pipeline for residential potable water supply; and
- Reclamation of the project sites in accordance with the proposed Reclamation Plan.

The majority of aboveground facilities, the access to the underground mining, the treated-water outfall structure, and a portion of the engineered fill would be located on the Brunswick Industrial Site. The approximately 29-acre aboveground area would provide all the facilities and infrastructure necessary to support dewatering, water treatment, underground mining, gold mineralization and rock processing, and loading and transport off-site. An aboveground pipe would convey treated water from the water treatment facility along an existing road to the planned discharge point at South Fork Wolf Creek. The pipe and discharge point would be located entirely within the property boundaries. Engineered fill would be placed on approximately 31 acres of the Brunswick Industrial Site to create a level pad of approximately 21 acres for future industrial use. In total, up to approximately 60 acres of the 119-acre site could be subject to surface disturbance and/or development for the aboveground facilities and fill placement. The remaining 59 acres would remain as open space and would not be subject to surface disturbance or infrastructure improvements.

Engineered fill would also be placed on the Centennial Industrial Site, provided that the separate DTSC cleanup project has been approved and completed on the Centennial Industrial Site. Engineered fill would be transported by truck from the Brunswick Industrial Site and placed on approximately 44 acres of the Centennial Industrial Site to create approximately 37 acres for future industrial use. The remaining approximately 12 acres would remain as a private driveway for site access and open space. The open space area will include Wolf Creek, a 100-foot setback for riparian area on Wolf Creek, and an undisturbed area providing protection for identified special-status plant species. If the separate DTSC cleanup project is not approved and completed within the term of the Idaho Maryland Mine Project use permit, engineered fill would be placed on the Brunswick Industrial Site, but not the Centennial Industrial Site, and the remainder would be hauled to local and regional markets.

After full placement of fill at the Centennial and Brunswick Industrial Sites to the pad design elevations, engineered fill produced during ongoing mining over the remaining period of mining would be delivered to local and regional markets.

A buried potable water pipeline would be constructed as part of the proposed project to provide water to residences along a portion of East Bennett Road. The pipeline would extend an existing NID potable water pipeline along an approximately 1.25-mile segment of East Bennett Road to provide potable water service to residential properties currently on wells that may be affected by the project's dewatering of the mine.

Of the total 175 acres included in the project sites, approximately 104 acres would be disturbed as a result of construction of the facilities proposed to support dewatering, mining, and processing at the Idaho-Maryland Mine, as well as engineered fill placement. However, a substantial portion of the Centennial Industrial Site will be disturbed separately, during remediation activities pursuant to the Remedial Action Plan (RAP). The estimated area of disturbance due to remedial activities

is assumed to be 28 acres; however, this may be refined in coordination with California Department of Toxic Substances Control (DTSC) during the required pre-excavation sampling prior to onset of remediation.

The proposed project would require County approval of the following:

- **Rezone application** to rezone the parcels located at the Brunswick Industrial Site from M1-SP to Light Industrial with Mineral Extraction Combining District (M1-ME) to allow for surface mining facilities related to the underground mining operations, pursuant to the Nevada County Land Use and Development Code (LUDC), Section L-II 2.7.3;

- **Use Permit** for the following uses and facilities over the 80-year permit life:
    - Operation of pumps and a water treatment facility to dewater the underground mine workings;
    - Construction of a water pipeline to transport treated water to an outfall located in South Fork of Wolf Creek;
    - Construction of the necessary aboveground facilities at the Brunswick Industrial Site (to include but not limited to, headframes and hoists, surface structures, a mineral processing plant) to support underground mining and mineral processing;
    - Underground mining, including drilling, blasting, and gold mineralization removal;
    - Gold mineralization and rock processing at the Brunswick Industrial Site off-site transport of gold concentrate;
    - Transport of engineered fill from the Brunswick Industrial Site and placement at the Centennial Industrial Site;
    - Transport of engineered fill from the Brunswick Industrial Site to off-site construction project;
    - Placement of engineered fill at the Brunswick Industrial Site; and
    - Construction of a potable water pipeline to supply residences along a portion of East Bennet Road.

- **Reclamation Plan and Financial Assurance Cost Estimate** to reclaim project related surface disturbance to a condition suitable for industrial uses as allowed by Nevada County LUDC, Section L-II 2.5 – Industrial Uses, Table L-II 2.5 D – Light Industrial;

- **Variance to the Building Height Limits** to allow for the construction of several structures up to a height of 165 feet, where a maximum height of 45 feet is required, pursuant to the Light Industrial Zoning District (Nevada County LUDC, Section L-II 2.5 – Industrial Uses, Table L-II 2.5.E);

- **Management Plans** in order to accomplish the following:
    - Allow for development within the required 100-foot setback from the Riparian Area of a Perennial Watercourse, pursuant to the Nevada County LUDC, Section L-II 4.3.17, at the Brunswick and Centennial Industrial Sites;
    - Minimize the direct impact to special-status plant species, pursuant to the Nevada County LUDC, Section L-II 4.3.12, at the Centennial Industrial Site;
    - Allow development within locations of areas of steep slopes that are in excess of 30 percent and high erosion potential at both the Brunswick and Centennial Industrial Sites, pursuant to the Nevada County LUDC, Section L-II 4.3.13;

  - Allow for development within a building setback fault zone at the Brunswick Industrial Site, pursuant to the Nevada County LUDC, Section L-II 4.3.8; and
  - Allows limited grading within the County's 100-foot buffer from the Wolf Creek 100-year floodplain boundary, subject to mitigations and conditions that must be complied with to ensure that the operations at the Centennial Industrial Site would not result in adverse effects to the 100-year floodplain associated with Wolf Creek.

- **Amendment to the Final Map for Bet Acres** recorded in February 1987 in Book 7 of Subdivision Maps at Page 75 to remove the "200' Building Setback From Fault", as shown on Sheet 4 of Final Map #85-7. The geotechnical support for removing this setback is provided in Chapter 4.6, Geology, Soils, and Mineral Resources.

- **Boundary Line Adjustment** to transfer approximately 46.27 acres for three separate parcels (APN: 009-630-039, 006-441-034, 006-441-003) to reconfigure the property lines to resolve an issue of the proposed buildings crossing property lines at the Brunswick Industrial Site.

In addition, a number of other agency permits, beyond those required by the lead agency, would be required for the proposed project.

Please refer to Chapter 3, Project Description, of this EIR for a detailed description of the proposed project and entitlements, as well as a full list of the project objectives.

2.3 ENVIRONMENTAL IMPACTS AND PROPOSED AND RECOMMENDED MITIGATION

Under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, mineral, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Mitigation measures must be implemented as part of the proposed project to reduce potential adverse impacts to a less-than-significant level, when feasible. Such mitigation measures are noted in this EIR and are found in the following technical chapters: Aesthetics; Air Quality, Greenhouse Gas Emissions, and Energy; Biological Resources; Cultural and Tribal Cultural Resources; Geology, Soils, and Mineral Resources; Hazards and Hazardous Materials; Hydrology and Water Quality; Noise and Vibration; Transportation; and Wildfire. The mitigation measures required for the proposed project, as presented in this EIR, will form the basis of the Mitigation Monitoring and Reporting Program. Any impact that remains significant after implementation of mitigation measures is considered a significant and unavoidable impact.

In Table 2-1, provided at the end of this chapter, a summary of the proposed project's impacts are identified for each technical chapter (Chapters 4.1 through 4.13) of the EIR. In addition, Table 2-1 includes the level of significance of each impact, any mitigation measures required for each impact, and the resulting level of significance after implementation of mitigation measures for each impact.

2.4 SUMMARY OF PROJECT ALTERNATIVES

The following section presents a summary of the evaluation of the alternatives considered for the proposed project, which include the following:

- Alternative 1: No Project (No Build) Alternative;
- Alternative 2: Elimination of Centennial Industrial Site;
- Alternative 3: Expansion of Centennial Engineered Fill Pile and Elimination of Brunswick Engineered Fill Pile; and
- Alternative 4: Reduced Throughput.

For a more thorough discussion of project alternatives, please refer to Chapter 6, Alternatives Analysis.

Alternative 1: No Project (No Build) Alternative

The No Project (No Build) Alternative assumes that the Brunswick Industrial Site would remain in its current condition and would not be further developed. The Brunswick Industrial Site could be developed consistent with permitted and discretionary uses outlined in the properties land use and zoning designations. The alternative also assumes that the Centennial Industrial Site will be separately remediated under DTSC oversight, but otherwise remain undeveloped. The No Project (No Build) Alternative would not meet any of the project objectives.

Alternative 2: Elimination of Centennial Industrial Site

The project proposes to transport and place approximately 1,600,000 tons of engineered fill at the Centennial Industrial Site in order to create 31 acres of flat usable industrial land at that site. The Centennial Industrial Site could be excluded from the proposed project as the equivalent amount of engineered fill could be placed by increasing the height of the planned engineered fill area at the Brunswick Industrial Site.

This alternative would eliminate the Centennial Industrial Site, and any related impacts, entirely from the IMM Project. The indirect economic benefit from the creation of 52 acres of flat industrial land would be lost (31 acres of flat industrial land at the Centennial Industrial Site and 21 acres at the Brunswick Site – Brunswick acreage included here because the final pad configuration under this alternative would not be conducive to future development).

Project Objectives 1 through 7 and 10 would be achieved with this alternative and operating costs decreased due to the elimination of trucking from the Brunswick to Centennial Industrial Site. Project Objectives 8 and 9, related to increasing usable land for future industrial use at the Centennial and Brunswick Industrial Sites, respectively, would not be achieved.

The design of the engineered fill pad at Brunswick Industrial Site slopes from a final elevation of approximately 2,830 ft msl at the hillside to an elevation of 2,820 ft msl at the crest of the pad. The engineered fill pad at the Brunswick Industrial Site is designed to maximize usable area after construction. Alternative 2 would continue placing fill within the existing footprint to an elevation of ~2,880 ft msl. The placement of this additional fill would add additional volume of approximately 30 million ft^3, or approximately 1.7 million tons, and allow for the replacement of storage lost from the elimination of the Centennial Industrial Site. The additional fill would have an area at the base elevation at 2,830 ft msl of approximately 18.5 acres and at the top 2,880 ft msl elevation of approximately 6.5 acres. The fill pad may be more visible through the buffer of trees from nearby properties but would still be below the elevation of residences on neighboring properties. The trees screening public views of the property from Brunswick Road would remain and obscure the visibility of the expanded fill pile from the roadway. The intensity of activity related to construction of the larger engineered fill pad under this Alternative would not increase, but the duration of the

activity would be lengthened due to the increase in material volume. Other aspects of the proposed project would remain unchanged.

Alternative 3: Expansion of Centennial Engineered Fill Pile and Elimination of Brunswick Engineered Fill Pile

The proposed project includes the placement of approximately 2,200,000 tons of engineered fill at the Brunswick Industrial Site in order to create 21 acres of flat usable industrial land at that site. The equivalent amount of engineered fill could be placed by increasing the height of the planned engineered fill area at the Centennial Industrial Site.

Alternative 3 would eliminate the engineered fill pile at the Brunswick Industrial Site, and any related impacts, from the proposed project, while the Centennial engineered fill pile would be higher with reduced usable area. The indirect economic benefit from the creation of 19 acres of flat industrial land would be lost. (18 acres of flat industrial land in alternate plan versus 31 acres in base plan at the Centennial Industrial Site and 15 acres of flat industrial land in alternate plan versus 21 acres in base plan at the Brunswick Industrial Site).

This alternative would fully meet Project Objectives 1 through 7 and 10; however, operating costs would increase due to the additional trucking from the Brunswick to Centennial Industrial Site. Project Objectives 8 and 9, related to increasing usable land area at the Centennial and Brunswick Industrial Sites to allow future industrial use, while being met with this alternative, would be better met by the proposed project. This is because the proposed project would create 31 acres of land suitable for future industrial use at Centennial, whereas this alternative would create 18 acres. Similarly, the project would create 21 acres of land suitable for future industrial use at Brunswick, whereas this alternative would create 15 acres.

The design of the engineered fill pad at Centennial Industrial Site slopes from a final elevation of approximately 2,560 ft msl at the east side to an elevation of 2,520 ft msl at the west side. The engineered fill pad at the Centennial Industrial Site is designed to maximize usable area after construction. The Alterative 3 plan would continue placing fill within the existing footprint to an elevation of approximately 2,580 ft msl. The placement of this additional fill would add additional volume of approximately 41 million ft^3, or approximately 2.3 million tons, and allow for the replacement of storage lost from the elimination of the fill pile at Brunswick Industrial Site. The additional fill would have an area at the top 2,580 ft msl elevation of approximately 17.8 acres.

Alternative 4: Reduced Throughput

A reduced throughput alternative would reduce the proposed mine's production of 1,000 tons per day (365,000 tons per year) of gold mineralization to 500 tons per day (182,500 tons per year) of gold mineralization. The underground mining methods and aboveground production methods and facilities would remain substantially similar. Some reductions in equipment type, size, and numbers may occur but it would not result in a substantially different footprint than the proposed project. The life of the mine would be extended from 80 years to between 130-160 years to accommodate reduced daily and annual tonnage and still allow the underground resources to be fully developed. In addition, the proposed industrial pad development on both the Centennial and Brunswick Industrial Sites would still be constructed as proposed but it would take approximately double the amount of time, from 5-6 years to 10-12 years, for each stockpile area to reach the proposed design capacities and elevations.

This alternative may be inconsistent with several policies of the General Plan as identified below:

> **Policy 17.9:** Encourage the mining of previously mined land, if such land still contains economically mineable minerals, so the land can be reclaimed for alternative uses.
>
> As discussed above, this alternative delays how quickly the land can be reclaimed to a condition suitable for an "alternative use" of industrial by extending the construction of the industrial pads on both the Centennial and Brunswick Industrial Sites and extending the overall life of the project.
>
> **Policy 17.10:** Consider the socio-economic impacts associated with proposed mining operations.
>
> As discussed below, extending the life of the project affects the economics and ability to finance the project which may impact implementation of this project including the number of jobs, sales, property, and payroll taxes, and land value.

This alternative would fully meet Project Objectives 2 through 6, and 8 through 10. Project Objective 1 would not be met by this alternative. Based on the deposit, project's location and land use constraints, market conditions, and various other factors, the project's proposed 1,000 tons per day production level was identified as an optimum operating level. A substantial reduction in throughput would not meet Project Objective 1 and would change the project's economics and ability to be financed. This would impact the number of employees hired (Project Objective 7),[1] the speed at which capital improvements could be made, and extend the life of the project. In addition, this would significantly delay rehabilitating the Centennial Industrial Site and increasing the usability of the Brunswick Industrial Site to a future use of industrial.

Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states, "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." The No Project (No Build) Alternative would be considered the environmentally superior alternative, because the project site is assumed to remain in its current condition under the alternative. Consequently, the impacts resulting from the proposed project would not occur under the Alternative.

Based on the preceding alternatives analysis, the No Project (No Build) Alternative would be the environmentally superior alternative. Under this Alternative, the mine would not be operated at the Brunswick Industrial Site, and as a result, engineered fill would not be hauled to the Centennial Industrial Site. In general, no significant project-related impacts to the physical environment would occur under this Alternative. Given that the environmentally superior alternative would be the "no project" alternative, another alternative must be selected to be the environmentally superior alternative. Based on the preceding analysis, and a comparison of the alternatives in Table 6-1, it can be concluded that Alternative 2, Elimination of Centennial Industrial Site, would reduce the greatest number of project impacts. The EIR determined that the proposed project would result in

[1] Project Objective 7 reads as follows: "Provide jobs that provide a fair living wage for educated and skilled workers." This objective would be partially met by this alternative, given that it would still create provide jobs that provide a fair living wage.

significant environmental impacts to 10 CEQA resource categories/topics. Alternative 2 would reduce the project's significant environmental impacts in nine of the 10 categories. Alternatives 3 and 4 would not reduce as many impacts, and in two cases, impacts would be greater when compared to the proposed project. For these reasons, Alternative 2 would be considered the environmentally superior alternative. The main objectives of the project would be achieved with this alternative, as follows:

- Construct a commercially viable, financeable, major underground gold mine operation that will produce 1,000 tons per day (365,000 tons per year) of gold mineralization.
- Locate the project on property that Rise Grass Valley, Inc. owns that provides an existing access to the underground workings.
- Utilize existing underground access points to limit new aboveground and underground surface disturbance.
- Locate the facilities necessary to support dewatering, mining, and processing on land historically disturbed and zoned for similar industrial type uses.
- Locate the majority of project facilities within a large property holding to provide buffer areas and minimize the potential for adverse environmental effects on neighboring properties.
- Provide property owners along East Bennett Road, an area currently with no service from the Nevada Irrigation District (NID) and using groundwater from wells, a reliable and clean potable water source from the NID.
- Provide jobs that provide a fair living wage for educated and skilled workers.
- Minimize impacts to wetlands, vernal pools, and other special-status species habitat located on the property and, to the extent feasible, mitigate any such impacts identified.

2.5 AREAS OF KNOWN CONTROVERSY

Areas of controversy that were identified in NOP comment letters, and are otherwise known for the project area, include, but are not limited to, the following:

- Change in aesthetics, including effects associated with lighting, topography, vegetation, the scenic vista along Brunswick Road, and the height of development on the site;
- Effects of project operations on local agricultural operations;
- Increased air pollution and greenhouse gas emissions;
- Increased odors and dust;
- Explosion potential;
- Acid rain potential;
- Increase in electricity usage;
- Impacts to wildlife and wildlife habitat;
- Impacts to historical resources;
- Impacts to the local Native American tribes and their resources;
- Seismic stability concerns;
- Potential presence of naturally occurring asbestos;
- Landslides, settlement, and subsidence concerns;
- Dewatering impacts;
- Hazardous materials usage, transport, and storage associated with project operations;
- Potential soil and water contamination associated with project operations;
- Physical safety hazards associated with project operations;
- Impacts to groundwater quality and levels;

- Flooding risks;
- Increased noise and vibration;
- Increased demand for public services and utilities;
- Increased truck traffic on local roadways; and
- Fire safety hazards.

Table 2-1
Summary of Impacts and Mitigation Measures

Impact		Level of Significance Prior to Mitigation	Mitigation Measures		Level of Significance After Mitigation
4.1 Aesthetics					
4.1-1	**Have a substantial adverse effect on a scenic vista.**	LS	*None required.*		N/A
4.1-2	**Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway; in a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality.**	S	*4.1-2*	*In conjunction with submittal of Improvement Plans, the applicant shall submit a final Landscape Plan, prepared by a licensed landscape contractor, landscape architect, landscape designer, or horticulturist, for review and approval by the Nevada County Planning Department. The final Landscape Plan shall include the information identified in Nevada County Land Use and Development Code Sec L-II 4.2.7(E), such as:* • *all details depicted on the Preliminary plans and any modifications or additions included by conditions of approval;* • *location of all required plant materials, evenly dispersed within each required planting area;* • *legend listing the type, number, and size of plant materials, indicating both the required number and provided number, of each plant type;* • *irrigation plan;* • *if existing landscaping, including native vegetation, is to be retained, a note shall be provided on the plan stating that "any existing landscaping or native vegetation shown on the approved plan for retention, that is damaged or removed during construction,*	SU

NI = *No Impact*; N/A = *Not Applicable*; LS = *Less Than Significant*; LCC = *Less Than Cumulatively Considerable*; S = *Significant*; CC = *Cumulatively Considerable*; SU = *Significant and Unavoidable*

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		shall be repaired or replaced in kind with equivalent size"; • *A Note on the Plan, certified by a Licensed Landscape Architect, Landscape D esigner or Horticulturist, that trees are located on the Plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Section 4.2.7.2.g of the Nevada County LUDC;* • *Assurance that the property owner will be responsible for the replacement of landscaping that does not survive or that deteriorates due to neglect;* • *All required trees shall be a minimum 15-gallon container size, with the trunk diameter no less than 1.5 inches for canopy trees, and 1-1.5 inches for understory trees, with the following exception: trees planting along project frontages for screening purposes shall include a mix of 15-gallon and 24-gallon trees. Shrubs shall be a minimum 5-gallon container size, and live groundcover plants shall cover bare ground.* • *Varied tree and plant materials shall be used throughout the parking lot. No one species shall comprise more than 75% of the plantings within each of the following categories: canopy tree, understory tree and shrubs. Native vegetation shall be included in all*	

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact		Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
			required plantings unless confirmed by a licensed Landscape Architect that a native species will not satisfy a specific requirement; • *Planting areas within paved parking lots shall be separated from vehicular areas and street right-of-way by a permanently installed concrete or wooden perimeter curb at least 6" high and meet other requirements in Section 4.2.7.2.g.*	
4.1-3	**Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.**	LS	*None required.*	N/A
4.1-4	**Long-term changes in visual character associated with the proposed project in combination with cumulative development.**	CC	*Implement Mitigation Measure 4.1-2.*	SU
4.1-5	**Creation of new sources of light or glare associated with the proposed project in combination with cumulative development.**	LCC	*None required.*	N/A
4.2 Agriculture and Forestry Resources				
4.2-1	**Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as**	NI	*None required.*	N/A

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use, or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.			
4.2-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.	NI	*None required.*	N/A
4.2-3 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)), or result in the loss of forest land or conversion of forest land to non-forest use.	LS	*None required.*	N/A
4.2-4 Conflict with existing zoning for, or cause rezoning of, forest	LS	*None required.*	N/A

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Table 2-1
Summary of Impacts and Mitigation Measures

	Impact	Level of Significance Prior to Mitigation		Mitigation Measures	Level of Significance After Mitigation
	land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)), or result in the cumulative loss of forest land or conversion of forest land to non-forest use.				
4.3 Air Quality, Greenhouse Gas Emissions, and Energy					
4.3-1	**Conflict with or obstruct implementation of the applicable air quality plan.**	S	*4.3-1(a)*	*Prior to the initiation of construction, the following requirements shall be noted on project improvement plans. Improvements plans shall be submitted to the Nevada County Planning Department for review and approval.* ***Mitigations for Use During Construction:*** *The following measures are from the Northern Sierra Air Quality Management District and are based on the significance threshold level of emissions.* *For all Significance Level Thresholds (A, B, and C)* *a. Alternatives to open burning of vegetative material shall be used unless deemed infeasible by the Northern Sierra Air Quality Management District. Among suitable*	LS

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		alternatives are chipping, mulching, or conversion to biomass fuel. *b. Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.* ***Additional Measures for Emissions at Level B Thresholds:*** *c. All controls discussed above (a and b) shall be implemented.* *d. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by the local transportation agencies and/or the California Department of Transportation.* *e. Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable.* *4.3-1(b)* ***Construction Exhaust Emissions Minimization Plan.*** *Prior to the initiation of construction, Rise Grass Valley Inc. or its designee shall submit a Construction Exhaust Emissions Minimization Plan to Nevada County or its designated representative for review and approval. The Construction Exhaust Emissions Minimization Plan shall detail project compliance with the following requirements:*	

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *Where access to alternative sources of power and alternative-fueled equipment are available, portable diesel engines shall be prohibited.* • *All diesel-powered equipment with engines equal to or greater than 50 horsepower (hp) shall be powered by California Air Resources Board (CARB) certified Tier 4 Final engines. If 50 hp or greater engines that comply with Tier 4 Final emissions standards are not commercially available, then the project applicant shall ensure that all diesel-powered equipment equal to or greater than 25 hp shall have at least CARB-certified Tier 3 engines with the most effective Verified Diesel Emission Control Strategies available for the engine type, such as Level 3 Diesel Particulate Filters (Tier 4 engines automatically meet this requirement).* *a. For purposes of this mitigation measure, "commercially available" shall mean the availability of the Tier 4 Final equipment, taking into consideration factors such as critical path timing of construction and geographic proximity of the equipment location to the project sites.*	

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		b. The project applicant shall maintain and submit records to Nevada County concerning its efforts to comply with this requirement.	
4.3-2 Expose sensitive receptors to substantial pollutant concentrations.	S	*4.3-2* ***Asbestos Dust Mitigation Plan.*** *Prior to the initiation of any clearing, grading, or construction activities, Rise Grass Valley Inc. shall submit an Asbestos Dust Mitigation Plan (ADMP) to Northern Sierra Air Quality Management District (NSAQMD) for review and approval. The provisions of the ADMP shall be initiated at the beginning of the project (before clearing or grubbing) and maintained for the duration of the project. The Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 of the California Code of Regulations [CCR] Section 93105) contains specific requirements for the preparation of an ADMP. Conditions of the ADMP shall include the following:* • *Provisions of this ADMP shall apply throughout construction, operation, and reclamation activities, except as specified otherwise.* • *All visible track-out material (from vehicles leaving the work site) must be removed from all public roads at least once per day using wet sweeping or a HEPA-filter-equipped vacuum device.*	LS

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		• *A gravel pad designed and maintained to effectively clean tires of exiting vehicles, a wheel wash system, or a minimum of 50 feet of pavement must be placed between the construction area and any public road, and must be used by all exiting vehicles (including personal vehicles and delivery trucks) throughout the duration of the project.* • *All active storage piles shall be adequately wetted or covered with plastic to ensure that no visible dust crosses the property boundary. Potential dust emissions from disturbed surface areas and storage piles that will remain inactive for more than seven days shall be controlled to completely prevent visible dust from crossing the property boundary by at least one of the following methods (pursuant to [e][4][C] of the ATCM):* *a. Keeping the surface adequately wetted;* *b. Applying chemical dust suppressants or chemical stabilizers according to the manufacturer's recommendations and all applicable regulations;* *c. Covering with tarp(s) or vegetative cover;*	

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		d. Installing wind barriers of 50 percent porosity around three sides of all storage piles; and/or *e. Installing wind barriers across open areas and between the project sites and any adjacent occupied residential or business property.* • *The maximum vehicle speed on all unpaved parts of the project sites must be clearly posted and must not exceed 15 miles per hour.* • *All areas where vehicles drive on the site, at all times when the area is subjected to vehicle or equipment traffic, shall be watered every two hours or kept adequately wetted to prevent visible dust emissions from leaving the property boundary, except where a gravel cover has been established that has a silt content of less than five percent and an asbestos content of less than 0.25 percent and is at least three inches thick.* • *For all earthmoving activities, at least one of the following methods of dust control shall be implemented, pursuant to (e)(4)(E) of the ATCM:* *a. Pre-wetting the ground to the depth of anticipated cuts; and/or*	

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		b. Suspending grading operations when visible dust emissions from any aspect of the grading (including tires, fans, and exhaust) cross the property line. • *Trucks used for hauling material off site shall be maintained such that spillage cannot occur from holes or other openings.* • *All loads to be hauled off site shall be adequately wetted to prevent visible dust from escaping during transportation, pursuant to (e)(4)(F)2 of the ATCM, and shall either:* *a. be completely covered with tarps; or* *b. have at least six inches of freeboard on the sides of the bed of the vehicle, with no excavated material extending above the edges of the vehicle bed at any point.* • *Upon completion of the project, disturbed surface areas shall be stabilized, pursuant to (e)(4)(G) of the ATCM, using one or more of the following methods:* *a. establishment of a vegetative cover;* *b. placement of at least three inches of material having an asbestos content of 0.25 percent asbestos or less as*	

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		measured using an approved asbestos bulk test method; and/or *c. paving.* • *The NSAQMD's Air Pollution Control Officer may require bulk sampling at any time. If bulk sampling is required, the sampling shall be performed in accordance with California Air Resources Board Test Method 435. Where Method 435 specifies "serpentine," this shall apply to gravel, decomposed ultramafic rock, and any other material as specified by the Air Pollution Control Officer.* • *The NSAQMD's Air Pollution Control Officer may require air monitoring at any time, and may modify the ADMP on the basis of results of the monitoring. If required, provisions of air monitoring shall be determined in coordination with the NSAQMD.* • *Before site disturbance (e.g., clearing, grubbing, or grading) begins, the NSAQMD shall be informed by telephone at (530) 274-9360 of the exact day on which site disturbance will commence.*	
4.3-3 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	LS	*None required.*	N/A

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4.3-4 Result in the inefficient or wasteful use of energy.	LS	*None required.*	N/A
4.3-5 Conflict with a State or local plan for renewable energy or energy efficiency.	LS	*None required.*	N/A
4.3-6 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.	LCC	*None required.*	N/A
4.3-7 Generation of GHG emissions that may have a significant impact on the environment.	CC	*4.3-7(a)* ***Construction GHG Emissions Reductions.*** *To reduce greenhouse gas (GHG) emissions generated during project construction from construction equipment, the following measures shall be incorporated into the project construction drawings:* *a) Properly tune and maintain all construction equipment in accordance with manufacturer's specifications;* *b) Where feasible, employ the use of electrical or alternative fueled (i.e., non-diesel) construction equipment, including forklifts, concrete/industrial saws, pumps, aerial lifts, air compressors, and other comparable equipment types to the extent commercially available;*	LCC

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		c) To reduce the need for electric generators and other fuel-powered equipment, provide on-site electrical hookups for the use of hand tools such as saws, drills, and compressors used for building construction; *d) Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes;* *e) Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products utilized should be certified through a sustainable forestry program; and* *f) Minimize the amount of concrete for paved surfaces or utilize a low carbon concrete option.* *4.3-7(b)* ***Carbon Offsets – Construction Emissions.*** *Rise Grass Valley Inc. (Rise) shall retire carbon offsets in a quantity sufficient to offset the project's construction greenhouse gas (GHG) emissions to below the 1,100 metric ton carbon dioxide equivalent (MT CO_2e) per year construction threshold, consistent with the performance standards and requirements set forth below. Specifically, prior to Nevada County's (County) issuance of the project's first grading permit, Rise shall retire carbon offsets equaling 2,664 MT CO_2e, which was calculated by*	

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		subtracting 1,100 MT CO_2e (threshold) from the construction emissions generated by the project. ***Carbon Offset Standards – Eligible Registries, Acceptable Protocols and Defined Terms:*** *"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the Climate Action Reserve, the American Carbon Registry, or Verra (previously, the Verified Carbon Standard). This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities within the Nevada County region. The Project shall neither purchase offsets from the Clean Development Mechanism (CDM) registry nor purchase offsets generated under CDM protocols. Qualifying carbon offsets presented for compliance with this mitigation measure may be used provided that the evidence required by the "Reporting and Enforcement Standards" below is submitted to the County demonstrating that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:* *i) Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable*	

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		Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and *ii) Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:* *a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;* *b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;* *c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and,*	

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		d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. *e. Be approved by the California Air Resources Board, and be compliant with 17 CCR § 95972.* *Further, any carbon offset used to reduce the project's GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one MT of CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). Each carbon offset used to reduce GHG emissions shall achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows:* *i) "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur;* *ii) "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the*	

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		boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage; *iii) "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI);* *iv) "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction;* *v) "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage; and* *vi) "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.* *The protocols and methodologies of the Climate Action Reserve, the American Carbon Registry, and*	

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		Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below ensure that the emissions reductions required by this mitigation measure are enforceable against Rise, as the County has authority to hold Rise accountable and to take appropriate corrective action if the County determines that any carbon offsets do not comply with the requirements set forth in this mitigation measure. *The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4(a), (c)), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the project (e.g., the Cap-and-Trade Program).* ***Reporting and Enforcement Standards:*** *Prior to issuance of requested grading permits, Rise shall submit a report to the County that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offsets to be retired to achieve compliance with this measure.*	

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		For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the report shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offsets to be retired, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner. *If the County determines that the project's carbon offsets do meet the requirements of this mitigation measure, the offsets can be used to reduce project GHG emissions and project permits shall be issued. If the County determines that the project's carbon offsets do not meet the requirements of this mitigation measure, the offsets cannot be used to reduce project GHG emissions and project permits shall not be issued. Additionally, the County may issue a notice of non-consistency and cease permitting activities in the event that the County determines the carbon offsets provided to reduce project GHG emissions are not compliant with the aforementioned standards. In the event of such an occurrence, project permitting activities shall not resume until Rise has demonstrated that the previously provided*	

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		carbon offsets are compliant with the standards herein or have provided substitute carbon offsets achieving the standards of this mitigation measure in the quantity needed to achieve the required emission reduction.	
4.3-8 Conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.	LCC	*None required.*	N/A
4.3-9 Result in the inefficient or wasteful use of energy or conflict with a State or local plan for renewable energy or energy efficiency.	LS	*None required.*	N/A
4.4 Biological Resources			
4.4-1 Have a substantial adverse effect to special-status plant species either directly or through habitat modifications.	S	*Pine Hill Flannelbush* *4.4-1(a) Prior to issuance of grading permits for the Centennial Industrial Site, the project applicant shall implement project-specific mitigation measures 1-3 within the Centennial Pine Hill Flannelbush Habitat Management Plan (Matuzak 2021) (HMP), to the satisfaction of the County, USFWS and CDFW. Project-specific mitigation measures generally include protective measures for the Pine Hill flannelbush within the on-site avoidance area. For project actions that will directly impact the Pine Hill flannelbush, measure 4 (monitoring) shall occur on an ongoing basis, and measure 5 depends upon the results of monitoring,*	LS

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		and thus, measures 4 and 5 are not required prior to issuance of grading permits): *1. Seed Collection;* *Collect seed for seedbanking and for future replacement and recovery efforts pursuant to the requirements of Section 6.2 of the HMP.* *2. Develop Transplantation Plan and Monitoring Plan;* *The Transplantation and Monitoring Plan shall be developed in consultation with USFWS and CDFW, and shall, at a minimum, address location(s) for dormant season relocation, site selection for transplanting, and metrics of successful establishment (i.e., Section 6 of the HMP).* *3. Transplanting;* *Transplant the individuals of Pine Hill flannelbush that fall within the disturbance footprint to another site with similar soil, hydrologic, vegetation type and aspect. The transplantation site(s) selected shall extend the known population spatially, in other words, planting beyond the known perimeters of the existing population is preferable, to maintain*	

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		population coverage. Transplanting shall occur in the season deemed to have the greatest potential for success, generally the fall, after rains have commenced. 4. *Transplant Monitoring; and* *Transplants shall be monitored every month for the first six months, then subsequently, every two months for the first two years. After monitoring identifies successful establishment and flowering for the second season for each of the transplants, transplanting will have been deemed successful.* 5. *Alternative Measures to Transplantation and Seed Collection (if required pursuant to the criteria in the HMP)* *If Steps 1-4 of the HMP are not successful in maintaining the Pine Hill flannelbush population numbers, then the following measures shall be taken:* ○ *Individuals shall be grown from seed and transplanted out in a 100:1 ratio for those taken.* ○ *Transplants of individuals grown from seed shall be planted with similar soil,*	

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		hydrologic, vegetation type and aspect. ○ *Transplanting shall occur in the season deemed to have the greatest potential for success, generally the fall, after rains have commenced.* ○ *Transplants shall be monitored every month for the first six months, then subsequently, every two months for the first two years.* *<u>Habitat Enhancement:</u> Prior to issuance of grading permits, pursuant to the HMP, the applicant shall enhance Pine Hill flannelbush habitat outside the disturbance footprint, which could include removal of invasive plants and conducting a pilot study by collaborating with CAL FIRE or other research facility to conduct prescribed fire in areas to enhance natural germination and recruitment, as Pine Hill flannelbush need fire for successful germination, and root sprouts.* *<u>Conservation Easement:</u> Prior to issuance of grading permits, the applicant shall record a Conservation Easement for the on-site Pine Hill flannelbush avoidance area, or use a similar land protection mechanism that runs with the land in perpetuity, to protect the Pine Hill flannelbush plants within the avoidance area. The management guidelines for the Conservation Easement or similar mechanism shall*	

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		require that the habitat be managed for the Pine Hill flannelbush and its associated habitat. The applicant shall also record a Conservation Easement or use a similar land protection mechanism for any off-site areas not owned by the applicant where the transplants are to be located. *Other Special-Status Plant Species* *4.4-1(b) Prior to issuance of grading permits for the Centennial Industrial Site and Brunswick Area (i.e., Brunswick Industrial Site and East Bennett Road ROW), focused plant surveys shall be performed according to CDFW and CNPS protocol (e.g., "Procotols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities", CDFW 2018), as generally described below. If special-status plant species (i.e., federal and/or state endangered, threatened, or proposed candidates for listing; CRPR Lists 1 or 2) are not found during appropriately timed focused surveys, then further mitigation is not necessary. The results of the surveys shall be submitted to the Nevada County Planning Department.* *Prior to Improvement Plan approval for each phase of the project, focused surveys shall be performed by a qualified botanist during the appropriate early blooming period (April to May) for those special-*	

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		status plant species identified in the Biological Resources Assessments as potential occurring within the Centennial Industrial Site and/or Brunswick Area. Furthermore, should additional plants having the potential to occur within these areas be given special-status in the future, the qualified botanist shall also determine the presence/absence of such species. The survey(s) shall be conducted on-site as well as in any off-site improvement areas, as applicable for each phase, during the early identification periods (bloom periods) for all potentially occurring special-status plant species. If the special-status plant species are not found to be present during the focused survey(s), then no further action is required. The results of the focused surveys shall be submitted to the Nevada County Planning Department. *If any special-status plant species are found, protection of such plant shall include complete avoidance, transplantation, or on- or off-site restoration of the special-status plant species that could be impacted by site disturbance. These protective measures for such plants shall be included as part of the required development of a Habitat Management Plan (HMP) as part of compliance with the Nevada County Land Use and Development Code, Section L-II 4.3.12, which includes regulations intended to avoid the impact of development on rare, threatened, endangered, and special-status species and their habitat, or where avoidance is not possible,*	

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		to minimize or compensate for such impacts and to retain their habitat as non-disturbance open space. The HMP shall include the avoidance, minimization, and mitigation measures outlined below as part of compliance with the Nevada County Land Use and Development Code, Section L-II 4.3.12. *At a minimum, the HMP shall include the following protective measures for special-status plant species with the potential to be impacted by the proposed disturbance:* • *a map of the location of special-status species that may be disturbed or need to be protected;* • *location of environmental protection fencing to be placed around the individual plants to be protected;* • *identification of the location of protected plants on design and construction drawings;* • *environmental awareness training for all personnel working on the project during initial site disturbance to discuss the location of the protected plants and the measures to be taken to avoid impacts to them; and* • *weekly site monitoring by a qualified biologist to ensure that the special-status plants are being protected during site disturbance and construction.*	

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		Where individuals would be potentially affected directly by site disturbance and transplantation of individual plants is required to minimize and mitigate for impacts to such species, the following shall be integrated into the HMP: • *remove bulbs of individual plants to be directly impacted during the dormant season;* • *relocate the bulbs to a site with similar soil, hydrologic, vegetation type and aspect as the portion of the project site where the plants are found; and* • *identify the location(s) for dormant season relocation and site selection for transplantation.* *The HMP would also include a requirement to meet the following criteria:* • *metrics of successful establishment, which would include a minimum of 80 percent survival of the transplants after two years of transplanting the species.* *If the 80 percent survival is not established after two years, transplants of individuals grown from seed shall be planted at a location with similar soil, hydrologic, vegetation type and aspect as the portion of the site where they are found. Transplantation shall*	

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		occur in the season deemed to have the greatest potential for success, generally the fall, after rains have commenced. Transplants shall be monitored every month for the first six months, then every two months for a minimum of two years. After two summer seasons of monitoring identifies successful establishment of 50 percent of the initial transplants, transplant seedlings will be deemed successful.	
4.4-2 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status wildlife species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.	S	*Foothill Yellow-Legged Frog* *4.4-2(a) <u>Pre-construction Survey and Avoidance and Minimization Measures.</u> A pre-construction survey shall be conducted by a qualified biologist following CDFW recommended Visual Encounter Survey (VES) methods no more than fourteen (14 days) prior to disturbance within and directly adjacent to (i.e., riparian zone) the South Fork Wolf Creek and Wolf Creek. If the pre-construction survey does not detect foothill yellow-legged frog, a letter report documenting the results of the survey shall be provided to the Nevada County Planning Department, and additional measures are not required.* *If this species is documented during pre-construction VES method surveys (egg masses, juveniles, or adults), disturbance to the stream and species shall be completely avoided given the species is listed as Threatened under CESA. If the species is documented during the pre-construction VES*	LS

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		surveys, CDFW shall be contacted immediately. An Incidental Take Permit (ITP) may be required from CDFW as part of the development of conservation measures to ensure avoidance and minimization of potential impacts to any frogs identified within South Fork Wolf Creek and/or Wolf Creek. The ITP may allow a CDFW qualified wildlife biologist with a CDFW handling permit for the species to move individuals out of the disturbance areas to avoid impacting this species and/or other potential conservation measures to avoid and minimize impacts to the species. *Watercourse/Wetlands/Riparian Areas Management Plans. The applicant shall implement the mitigation measures identified in the Aquatic Resources Management Plans for the Centennial Industrial Site and Brunswick Area, pursuant to Mitigation Measure 4.4-3, which include measures designed to protect aquatic resources and the biological resources they support. Such measures generally include, but are not limited to, mitigation for encroachment into non-disturbance buffers, restoration of impacted areas within stream zones, implementation of Best Management Practices (BMPs) during construction, and post construction erosion control.*	

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		Western Pond Turtle *4.4-2(b)* *Pre-construction Survey and Avoidance and Minimization Measures. A pre-construction survey shall be conducted by a qualified biologist no more than seven (7) days prior to the proposed disturbance within 325 feet of perennial water sources at both the Centennial and Brunswick Industrial Sites. The survey(s) shall include a search of these suitable habitat areas for western pond turtle nests and mature adults. If the pre-construction survey does not detect western pond turtle, a letter report documenting the results of the survey shall be provided to the Nevada County Planning Department, and additional measures are not required. If a western pond turtle is found, it should be allowed to move out of the way of the disturbance zone on its own or a qualified wildlife biologist with a CDFW handling permit for the species can move individuals out of the disturbance areas to avoid impacting this species.* *If a nest is documented during pre-construction surveys, a non-disturbance buffer shall be established, as determined by a qualified biologist, based on the location of the nest until all eggs have hatched and the juveniles have dispersed out of the proposed impact area.*	

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Watercourse/Wetlands/Riparian Areas Management Plans. The applicant shall implement the mitigation measures identified in the Aquatic Resources Management Plans for the Centennial Industrial Site and Brunswick Area, pursuant to Mitigation Measure 4.4-3, which include measures designed to protect aquatic resources and the biological resources they support. Such measures generally include, but are not limited to, mitigation for encroachment into non-disturbance buffers, restoration of impacted areas within stream zones, implementation of BMPs during construction, and post construction erosion control. *California Red-Legged Frog* *4.4-2(c) Pre-construction Survey and Avoidance and Minimization Measures. A qualified wildlife biologist approved by USFWS shall conduct preconstruction surveys within areas of suitable habitat on both the Centennial and Brunswick Industrial Sites in accordance with The Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS Guidance, August 2005) to avoid disturbance and take of the species. This Guidance recommends a total of up to eight (8) surveys to determine the presence of CRLF at or near a project site. If the protocol surveys do not detect CRLF, a letter report documenting the results of the survey shall be provided to the Nevada County*	

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Summary of Impacts and Mitigation Measures

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		Planning Department, and additional measures are not required. *If CRLF are identified during the pre-construction surveys, coordination and consultations with the USFWS shall be required through a FESA Section 7 or Section 10 process. As part of the consultation process, specific avoidance, minimization, and mitigation measures shall be required to be implemented, which could include, but may not be limited to the following: additional pre-construction surveys and daily monitoring to ensure that the proposed site disturbance will not disturb individual CRLF, environmental awareness training to contractors working within or adjacent to CRLF habitat, and exclusionary fencing installation between CRLF aquatic habitat and disturbance areas.* *Additionally, a Habitat Management Plan (HMP) shall be required for any state or federally listed special-status wildlife species if documented within the Centennial or Brunswick Industrial Sites. The HMP would be developed for the special-status species as part of compliance with the Nevada County Land Use and Development Code, Section L-II 4.3.12 and it would include the avoidance, minimization, and mitigation measures outlined above and as part of any coordination or consultation with the USFWS compliance with the Nevada County Land Use and Development Code, Section L-II 4.3.12.*	

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Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Watercourse/Wetlands/Riparian Areas Management Plans. The applicant shall implement the mitigation measures identified in the Aquatic Resources Management Plans for the Centennial and Brunswick Industrial Sites, pursuant to Mitigation Measure 4.4-3, which include measures designed to protect aquatic resources and the biological resources they support. Such measures generally include, but are not limited to, mitigation for encroachment into non-disturbance buffers, restoration of impacted areas within stream zones, implementation of BMPs during construction, and post construction erosion control *California Black Rail* *4.4-2(d) Pre-construction Survey and Avoidance and Minimization Measures. Pre-construction surveys for California black rail shall be conducted by a qualified biologist prior to the implementation of any ground disturbance within or directly adjacent to any perennial marsh habitat within the Centennial and Brunswick Industrial Sites. The pre-construction surveys for this species shall occur no more than fourteen (14) days prior to any such disturbance within or directly adjacent to the species habitat. The pre-construction surveys shall include conducting call back/response surveys. This species is most active between two hours before and three hours after sunrise; therefore, surveys shall start at sunrise and continue no later than 0930. If evening surveys are to*	

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Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		be conducted, they shall be paired with a morning survey, and all sites shall have surveys conducted at both time periods. The preferred method for conducting surveys via the call-back/response protocol of Evens et al (1991). If the pre-construction survey does not detect evidence of California black rail, a letter report documenting the results of the survey shall be provided to the Nevada County Planning Department, and additional measures are not required. If a positive call back is identified during the surveys, then the species is assumed to be present and the area shall be avoided from disturbance in order to avoid impacts to individuals of the species, if feasible. *Given the species is a CESA listed species, coordination with CDFW shall occur if a positive response to the call-back/response surveys occurs and if any proposed disturbance may impact the species. Any area containing this species would likely need to be avoided in order to avoid impacts to and take of this species, if feasible, or additional mitigation measures would be required in coordination with CDFW to minimize and avoid impacts to such species. Additional avoidance measures could include, but may not be limited to the following: environmental awareness training, daily construction monitoring by a CDFW qualified biologist when disturbance related activities occur within or directly adjacent to the species habitat, and*	

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Summary of Impacts and Mitigation Measures

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		exclusionary fencing installation between the species habitat and the proposed disturbance areas. Additionally, an ITP could be required by CDFW if complete avoidance of the species is not feasible. Areas where no positive response to the call-back/response surveys are assumed to not contain individuals of the species and therefore, disturbance in those areas would have no impact on this species. *Watercourse/Wetlands/Riparian Areas Management Plans. The applicant shall implement the mitigation measures identified in the Aquatic Resources Management Plans for the Centennial and Brunswick Industrial Sites, pursuant to Mitigation Measure 4.4-3, which include measures designed to protect aquatic resources and the biological resources they support. Such measures generally include, but are not limited to, mitigation for encroachment into non-disturbance buffers, restoration of impacted areas within stream zones, implementation of BMPs during construction, and post construction erosion control.* *Coast Horned Lizard* *4.4-2(e) Pre-construction Survey and Avoidance and Minimization Measures. A pre-construction survey shall be conducted by a qualified biologist no more than seven (7) days prior to disturbance within the areas of the Centennial and Brunswick Industrial Sites that contain disturbed or developed surfaces*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		and annual grassland vegetation community. If the pre-construction survey does not show evidence of coast horned lizard, a letter report documenting the results of the survey shall be provided to the Nevada County Planning Department, and additional measures are not required. *If the species is documented during pre-construction survey(s), a qualified wildlife biologist (approved by CDFW) shall move individual coast horned lizards outside of the proposed disturbance area(s) in order to avoid an impact to this species. Once the coast horned lizard(s) have been removed from the disturbance area(s) and out of harm's way, the proposed work would no longer pose a risk to individuals of the species.* *Special-Status Bats* *4.4-2(f)* *Pre-construction Survey and Avoidance and Minimization Measures. A pre-construction bat roosting survey shall be conducted by a qualified biologist no more than seven (7) days prior to disturbance of any structures or riparian and forested woodlands within the Centennial Industrial Site and Brunswick Area to identify the presence or absence of roosting bats. If the pre-construction survey does not show evidence of roosting bats, a letter report documenting the results of the survey shall be provided to the Nevada County Planning*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Department, and additional measures are not required. *If any Townsend's big-eared bats (or any other species of bat, including the hoary and pallid bat) are identified during roosting surveys, passive removal of the roosting bats prior to disturbance to structures and riparian and forested woodlands shall be implemented to avoid impacts to this species. Passive removal includes allowing roosting bats to freely leave the roost site (riparian and forested woodlands and any structure). Once the roosting bats have been passively removed from the structure(s) and riparian and forested woodlands, the structure(s) would be closed off from recurring bat roosting within the structure(s) and the proposed work within the structure(s) would no longer pose a risk to individuals of the species. For riparian and forested woodlands containing bat roosts, the removal of trees associated with such woodlands would only occur once the bats leave the day roosts. Furthermore, if a maternal (breeding) roost is documented, no disturbance shall occur until the breeding roost has dispersed from the structure or riparian and forested woodlands they are found in.* *Non-Special Status Raptors and Migratory Birds* *4.4-2(g)* *Pre-construction Survey and Avoidance and Minimization Measures. Prior to initiation of ground-*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		disturbing activities for any phase of project construction, if construction is expected to occur during the raptor nesting season (February 1 to August 31), a qualified biologist shall conduct a preconstruction survey prior to vegetation removal. The pre-construction survey shall be conducted within 7 days prior to commencement of ground-disturbing activities. The survey shall be conducted within all areas of proposed disturbance and all accessible areas within 250 feet of proposed disturbance. If the pre-construction survey does not show evidence of active nests, a letter report documenting the results of the survey shall be provided to the Nevada County Planning Department, and additional measures are not required. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 14 days, an additional pre-construction survey shall be required. *If any active nests are located within the proposed disturbance area, an appropriate buffer zone shall be established around the nests, as determined by the project biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of breeding season or the young have successfully fledged. Buffer zones are typically 100 feet for migratory bird nests and 500 feet for raptor nests. If active nests are found within the disturbance footprint, a qualified biologist shall*	

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			monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. Guidance from CDFW shall be required if establishing the typical buffer zone is impractical. If construction activities cause the nesting bird(s) to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased, as determined by the qualified biologist, such that activities are far enough from the nest to stop the agitated behavior. The exclusionary buffer shall remain in place until the young have fledged or as otherwise determined by a qualified biologist.	
4.4-3 Have a substantial adverse effect on riparian habitat or other sensitive natural community, or State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	S	*4.4-3(a)*	*Prior to initiation of ground-disturbing activities, the applicant shall provide a US Army Corps of Engineers (Corps) verification letter to the Nevada County Planning Department, indicating Corps' concurrence with the total acreage of jurisdictional waters that would be impacted within the Centennial Industrial Site and Brunswick Area as a result of the proposed project.*	LS
		4.4-3(b)	*The applicant shall implement the Watercourse/Wetlands/Riparian Areas Management Plans prepared for the Centennial Industrial Site and Brunswick Area, as approved in their final form by Nevada County. Specifically, the applicant shall implement the mitigation measures and conditions identified in the Management Plans, which include*	

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		measures designed to protect aquatic resources and the biological resources they support. Such measures generally include, but are not limited to, the following and shall be implemented in accordance with their specified timing (e.g., either prior to, during, or after ground disturbance activities within non-disturbance buffers): • ***Encroachment into the Non-Disturbance Buffers*** ○ *Limit construction to periods of extended dry weather and the dry summer season, if feasible;* ○ *Establishing the areas around active stream channels and wetlands as Environmentally Sensitive Area where those areas will not be impacted by construction or thereafter;* ○ *No fill or dredge material will enter or be removed from any wetlands or streams except for those identified in Table 4.0 and Table 5.0 in the Management Plans during construction and thereafter;* ○ *Use appropriate machinery and equipment to limit disturbance within and directly adjacent to these areas;*	

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		○ *Placement of soil erosion control devices (such as wattles, hay bales, etc.) between the protected aquatic resources (wetlands and streams) and the areas to be graded and disturbed to limit potential runoff and sedimentation into such protected resources;* ○ *Dewatering of any streams that will be required to occur as part of the proposed disturbance within the Brunswick Area must include a Water Diversion Plan and be approved by CDFW prior to the implementation of such dewatering activities; and* ○ *Implement Best Management Practices during and following construction.* • ***Restoration of Areas Adjacent to Impacted Streams*** *<u>Centennial Industrial Site</u>* ○ *Placement of rock and rip rap along the embankment of Wolf Creek should be avoided given the proposed Centennial Site Idaho-Maryland Mine Project will not encroach into Wolf Creek;*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		○ *Some rock and rip rap can be placed at the top of the embankment of the ephemeral and intermittent streams within the Centennial Site Idaho-Maryland Mine Project, if needed, to protect the embankment(s) from erosion after construction is completed. This would potentially be implemented for ephemeral and intermittent streams that will not be completely filled or impacted and occur directly adjacent to the proposed fill of those streams; and* ○ *Plant willow cuttings from the adjacent willow trees and other native shrubs and riparian trees along the embankments of streams not being impacted and filled as needed. A revegetation plan will be a requirement of the CDFW Streambed Alteration Agreement that will include impacts to the bed and bank, of any stream within the Centennial Site Idaho-Maryland Mine Project Area. Implementation of General and Project Specific Conditions will be required for all permits for the proposed project.*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Brunswick Area ○ *Placement of rock and rip rap along the embankment of the South Fork Wolf Creek should be minimized to reduce the footprint of such impacts to the perennial creek and its embankments;* ○ *Some of the rock and rip rap can be placed at the top of the embankment of the South Fork Wolf Creek to protect the embankment from further erosion during restoration of the riparian zone and embankment on the southern side of the perennial stream.* ○ *Plant willow cuttings from the adjacent willow trees and other native shrubs and riparian trees along the embankment and broadcast seed the embankment with local, native grass seed. A revegetation plan will be a requirement of the CDFW Streambed Alteration Agreement that will include impacts to the bed and bank, of any stream within the Brunswick Area. Implementation of General and Project Specific Conditions will be required for all permits for the proposed project.*	

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		• ***Implement BMPs During Construction*** ○ *Minimize the number and size of work areas for equipment and spoil storage sites in the vicinity of any streams and wetlands that will not be disturbed by project development. Place staging areas and other work areas outside of the 50-foot non-disturbance buffers of ephemeral and intermittent aquatic resources and 100-foot non-disturbance buffers of perennial aquatic resources.* ○ *The applicant shall exercise reasonable precaution to protect the aquatic resources within the Centennial Industrial Site and Brunswick Area, as well as the adjacent non-disturbance buffers of such aquatic resources, from pollution with fuels, oils, and other harmful materials. Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected for removal off the site. All construction debris and associated materials and*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		litter shall be removed from the work site immediately upon completion. ○ *No equipment for vehicle maintenance or refueling shall occur within the 50-foot and 100-foot non-disturbance buffers. The contractor shall immediately contain and clean up any petroleum or other chemical spills with absorbent materials such as sawdust or kitty litter. For other hazardous materials, follow the cleanup instruction on the label.* • ***Implement Post Construction Erosion Control*** ○ *Exposed bare soil along the embankment of South Fork Wolf Creek, where the outfall and dissipation rip rap will occur, as well as the embankment of Wolf Creek and any exposed bare soil adjacent to the other mapped aquatic resources within the Centennial Industrial Site and Brunswick Area, including their 50-foot and 100-foot non-disturbance buffers, shall be protected against loss from erosion by the seeding of an erosion control mixture and restored with*	

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		native grasses and mulching pursuant to Nevada County and regulatory agency guidelines. Non-native species that are known to invade wild lands, such as orchard grass, velvet grass, rose clover, winter and spring vetch, and wild oats shall not be used as they displace native species. *4.4-3(c) To the extent feasible, as determined by the qualified biologist in coordination with the Corps, the project shall be designed to avoid and minimize adverse effects to waters of the U.S. or jurisdictional waters of the State of California within the project area. Prior to initiation of ground-disturbing activities, a Section 404 permit for fill of any jurisdictional wetlands within the Centennial Industrial Site and Brunswick Area shall be acquired, and mitigation for impacts to jurisdictional waters that cannot be avoided shall conform with the Corps "no-net-loss" policy, and be based on the final impact acreages verified by the Corps. Mitigation for impacts to both federal and State jurisdictional waters shall be addressed using these guidelines. Compensatory mitigation can include but is not limited to the following: onsite and/or offsite wetland creation and/or restoration, purchase or placement of conservation easements, payment of an in-lieu fee, and/or purchase of mitigation credits at an approved Corps wetland mitigation or conservation bank.*	

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		The applicant must also obtain a water quality certification from the RWQCB under Section 401 of the Clean Water Act (CWA). Written verification of the Section 404 permit and the Section 401 water quality certification shall be submitted to the Nevada County Planning Department.	
		4.4-3(d) Prior to initiating of ground disturbing activities within the non-disturbance buffers for aquatic resources on the Centennial Industrial Site and Brunswick Area, the applicant shall apply for a Section 1600 Lake or Streambed Alteration Agreement from CDFW. Impacts to CDFW 1600 jurisdictional areas shall be outlined in the application and are expected to be in substantial conformance with the impacts to biological resources outlined in this EIR (see Tables 4.4-9 through 4.4-11). Impacts for each activity shall be broken down by temporary and permanent, and a description of the proposed mitigation for biological resource impacts shall be outlined per activity and then by temporary and permanent. Minimization and avoidance measures within jurisdictional areas shall be proposed as appropriate and may include: preconstruction species surveys and reporting, protective fencing around avoided biological resources, worker environmental awareness training, seeding disturbed areas immediately adjacent to riparian areas with native seed, and installation of project-specific storm water BMPs. Mitigation may include restoration or enhancement of jurisdictional	

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		resources on- or off-site, purchase of habitat credits from an agency-approved mitigation/conservation bank, off-site or on-site conservation easements, working with a local land trust to preserve aquatic or riparian areas, or any other method acceptable to CDFW. *A site revegetation plan would be required to be developed and approved by CDFW as part of a Streambed Alteration Agreement permit condition and native trees planned for removal with a diameter at breast height of 4 inches or greater would need to be mitigated for through planting of native riparian trees within adjacent stream zones not being impacted by the Idaho-Maryland Mine Project, with clear success criteria identified, monitoring and reporting required, and corrective actions to be taken if mitigation measures do not meet the proposed success criteria.* *Written verification of the Section 1600 Lake or Streambed Alteration Agreement shall be submitted to the Nevada County Planning Department.*	
4.4-4 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	LS	*None required.*	N/A

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	impede the use of native wildlife nursery sites.				
4.4-5	**Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, or have a substantial adverse effect on the environment by converting oak woodlands.**	LS	*None required.*		N/A
4.4-6	**Cumulative loss of habitat for special-status species.**	CC	*4.4-6*	*Implement Mitigation Measures 4.4-1(a-b), 4.4-2 (a-g), and 4.4-3(a-d).*	LCC
4.5 Cultural and Tribal Cultural Resources					
4.5-1	**Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5.**	S	*4.5-1(a)*	*Following initial mine dewatering, and prior to commencement of underground mining, the project applicant shall share the historical documentation of the Idaho-Maryland Mine Company in their possession with the public through one of the following libraries: the California State Library, the California Geology and Mining Library, or the Searls Library. The library shall consist of the following information:* • *Surface Maps (5 maps) – Approx. year at 1956, Showing topography, buildings, roads, exploration trenches and drill holes, underground workings at surface, and geology;*	LS

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		• *103 Level Maps (103 maps) – Approx. year 1942, Showing mine tunnels, raises and shafts, survey stations, geology, and drill holes;* • *Mine Geology Maps (61 maps) – Approx. year 1956, Showing geology on tunnels driven post WW2;* • *Mine Stoping Maps (219 Maps) – Approx. year 1956, Showing mine stoping;* • *Operation Reports 1919 to 1924 and 1926 to 1935, Providing monthly or annual reports on underground exploration and mine development;* • *Monthly Development Reports – 1936 to 1956, Providing monthly reports on mine development;* • *Geological Summary Reports – 1936 to 1942, Providing monthly reports on underground exploration;* • *Underground Geology Photos – Collection of photos from 1940's of underground tunnels and geology; and* • *A digital mine model, including a 2D and 3D digitization of historic mine tunnels available in AutoCAD dwg and dxf formats.* *Proof of submittal to one of the above-listed libraries shall be provided to the Nevada County Planning Department.*	

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		4.5-1(b)	*Following initial mine dewatering, and prior to commencement of underground mining, the project applicant shall retain a qualified historian meeting the Secretary of the Interior's standards, to perform a historical study of the underground mine workings in the areas deemed safe by a certified mining geologist. The historical study shall include but not be limited to an evaluation of the underground work environment, engineering, equipment, and practices, to the maximum extent feasible. The historical study shall be deposited at the same library selected in Mitigation Measure 4.5-1(a).*	
4.5-2 Cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines, Section 15064.5.	S	*4.5-2*	*If cultural resources are discovered during construction or mining activities, pursuant to Nevada County LUDC Section L-II 4.3.6, all work shall cease within 200 feet of the find (based on the apparent distribution of cultural resources) and the County shall be immediately notified. Examples of cultural materials include midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.* *A qualified archeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall assess the significance of the find and make recommendations for further evaluation and treatment as necessary, to the satisfaction of the County. Further evaluation and treatment*	LS

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		recommendations shall be consistent with CEQA Guidelines Section 15126.4(3) and may include processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities, and/or returning objects to a location within the project area where they will not be subject to future impacts. *Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural resource specialist shall be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the Nevada County Planning Department following coordination with cultural resources experts.*	
4.5-3 Disturb any human remains, including those interred outside of dedicated cemeteries.	S	*4.5-3* *Any person who, in the process of project activities, discovers any human remains within the project area, shall cease from all project activities within at least 200 feet of the discovery. In the event that human remains are encountered, the sheriff-coroner shall be*	LS

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				notified immediately upon discovery. In the event that Native American human remains are encountered, the Native American Heritage Commission or the most likely descendants of the buried individual(s) who are qualified to represent Native American interests shall be contacted. Specific treatment of Native American human remains shall occur consistent with State law.	
4.5-4	**Cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe.**	S	*4.5-4*	*Implement Mitigation Measures 4.5-2 and 4.5-3.*	LS
4.5-5	**Cause a cumulative loss of historic resources.**	LS	*None required.*		N/A
4.5-6	**Cause a cumulative loss of cultural resources**	LS	*None required.*		N/A
4.6 Geology, Soils, and Mineral Resources					
4.6-1	**Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving**	S	*4.6-1*	*Prior to approval of Improvement Plans, the design recommendations from the Brunswick Industrial Site Geotechnical Report (November 18, 2019) shall be incorporated into the Plans to the satisfaction of the*	LS

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rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, and landslides.		*Nevada County Building Department. Recommendations regarding slope stability and seismic criteria are set forth in Sections 5.1 and 5.2 of the Geotechnical Report, including but not limited to:* • *Permanent cut slopes shall not be steeper than 2:1, horizontal to vertical (H:V).* • *Fill slopes greater than 30 feet in height shall be terraced with surface drains that restrict surface runoff from travelling more than 30 feet continuously down the fill slope face. The applicant shall retain NV5 to review fill slope configurations greater than approximately 10 feet in height, prior to fill placement.* • *Fill shall be placed in horizontal lifts to the lines and grades shown on the grading plan. Slopes shall be constructed by overbuilding the slope face and then cutting it back to the design finished grade slope gradient. Fill shall not be constructed or extended horizontally by placing soil on an existing slope face and/or compacted by track walking.* • *Building footings shall be trenched into competent native soil, weathered rock or compacted fill, and reinforced with a minimum of two No. 4 rebar reinforcement, one near the top of the footing and one near the bottom.*	

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		• *Slab-on-grade floors shall be used and designed by a structural engineer with regard to the anticipated loading. Interior building concrete slab-on-grade floor shall meet minimum concrete slab thickness, steel reinforcement, rebar, and crushed rock or aggregate base layer specifications in Section 5.2.3 of the Geotechnical Report.* • *Rock anchors or doweling shall be used to provide lateral and uplift resistance where shallow, competent rock limits footing excavation. Rock anchors should only be installed in competent rock.*	
4.6-2 Result in substantial soil erosion or the loss of topsoil.	S	*4.6-2* *Prior to approval of Improvement Plans, the Plans shall incorporate the Mitigation Measures and Best Management Practices (BMP) included in Section 5 of the Management Plans for Steep Slope and High Erosion Potential (Centennial Industrial Site and Brunswick Industrial Site, 2020), as approved in their final form by Nevada County. Mitigation Measures and BMPs set forth in the Management Plans include but are not limited to:* • *Incorporating the provisions of the Erosion and Sediment Control Plans (ECPs) (December 15, 2020) into the project design, including the "Notes" on the ECPs; including but not limited to the following:*	LS

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		○ *The structural and hydraulic adequacy of all storm water containment or conveyance facilities shown on the ECPs shall be verified by a civil engineer, and he/she shall so attest on the Plans, with proof provided to Nevada County prior to any project grading, clearing, or tree disturbance.* ○ *Soil stockpiling shall have proper erosion control measures applied to control runoff and prevent erosion.* ○ *All areas where construction activities have been completed between April 15th and October 15th shall be planted no later than November 1st. Land disturbance areas completed at other times of the year shall be planted within 15 days. If re-vegetation is infeasible or cannot be expected to stabilize an erodible area with assurance during any part of the rainy season and the unstable area exceeds 2,500 square feet, additional erosion and sediment control measures or irrigation of planted slopes may be required, as determined appropriate, to prevent increased sediment discharge.*	

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		• *Obtaining coverage under the SWRQB NPDES Construction General Permit (Order No. 2009-0009-DWQ), including:*
		  ○ *Submittal of a Notice of Intent (NOI) and payment of permit fee(s);*
		  ○ *Preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for each Site;*
		• *Performing earthwork in accordance with the grading recommendations presented in the Centennial Industrial Site and Brunswick Industrial Site Geotechnical Engineering Reports (NV5);*
		• *Prohibiting disturbance of steep slopes (slopes of 30+ percent) beyond the area proposed to receive fill during that season (i.e., prior to the next anticipated storm event);*
		• *Monitoring of Mitigation Measures in accordance with the Construction General Permit monitoring requirements, as set forth in Section 5.3 of the Management Plans; and*
		• *Implementation of remedial measures in the event that water quality standards set forth in the Construction General Permit are not being met.*	

4.6-3 Be located on a geological unit or soil that is unstable, or that	S	*4.6-3(a) The Improvement Plan submittals shall include final geotechnical engineering reports produced by a*	LS

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would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse, or be located on expansive soil, as defined in Table 18-1B of the UBC.		*California Registered Civil Engineer or Geotechnical Engineer. The Improvement Plans shall include the recommendations of the Geotechnical Engineering Reports, including but not limited to the following:* • *Grading* • *Import Fill* • *Existing Fill* • *Cut Slope Grading* • *Engineered Fill Placement* • *Fill Slope Grading* *In accordance with the recommendations from the Geotechnical Engineering Reports (Geotechnical Engineering Report, Idaho-Maryland Mine Project – Brunswick Industrial Site. November 18, 2019; and Geotechnical Engineering Report, Idaho-Maryland Mine Project – Centennial Industrial Site. December 20, 2019), grading plan review and construction monitoring shall occur, as follows:* • *Prior to construction, a licensed geotechnical engineer shall be retained at the applicant's expense to review the final grading plans to confirm whether the recommendations from the Geotechnical Engineering Reports have been adequately incorporated in the plans, and to provide additional and/or modified recommendations, if necessary; and*	

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		• *The applicant shall retain a licensed geotechnical engineer to perform construction quality assurance (CQA) monitoring during all earthwork grading performed by the contractor to determine whether the recommendations of the Geotechnical Engineering Reports have been implemented, and if necessary, provide additional and/or modified recommendations.* *A CQA report demonstrating successful compliance with Geotechnical Engineering Report recommendations in all on-site earthwork shall be submitted to Nevada County periodically, but not less than once per quarter.* *4.6-3(b) In conjunction with submittal of Improvement Plans for the Brunswick Industrial Site, the applicant shall submit a grading plan, cross sections, and a slope stability analysis of proposed cut slopes for the new service shaft collar and the clay-lined pond dam repair work, for review and approval of the Nevada County Building Department. The submittal shall be prepared and stamped by a licensed geotechnical engineer. The grading plan and cross sections shall depict typical temporary cut slope gradients, excavation depths, maximum water surface elevation, and earthwork volume estimates, and any*	

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		additional geotechnical engineering methods, such as shoring, to mitigate potential slope instability. *4.6-3(c)* *In conjunction with submittal of Improvements Plans for the Centennial and Brunswick Industrial Sites, the applicant shall submit a physical closure evaluation of the following near-surface mine features to the Nevada County Building Department:* • *East Eureka Shaft (shall be closed prior to initial mine dewatering)* • *East Eureka Drain (shall be closed prior to initial mine dewatering)* • *Idaho Drain Tunnel (shall be closed prior to initial mine dewatering)* • *Idaho Pump Shaft (shall be closed prior to initial mine dewatering)* • *Idaho Shaft (shall be closed prior to initial mine dewatering)* • *South Idaho Shaft (shall be closed prior to placement of engineered fill at the Centennial Industrial Site)* *The evaluation shall be stamped by a licensed geotechnical engineer and identify methods of physical closure, based on overexcavation of surface soil in the areas of these features to determine where competent, native soil/rock is located and to identify the trend of any subsurface mining-related structures.*	

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				Closure methods could include but not be limited to the use of a cast-in-place concrete cap or plug supported by temporary false work and covered to the ground surface with engineered fill. The closure design shall include drainage piping for those near surface features that currently discharge groundwater, and closure shall occur prior to initial mine dewatering or, for the South Idaho Shaft, prior to the placement of engineered fill at the Centennial Industrial Site.	
4.6-4	**Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.**	S	*4.6-4*	*In conjunction with submittal of Improvement Plans, the project applicant shall submit a complete sewage disposal design report accounting for all sewage waste water disposal per project buildout, for review and approval of the Nevada County Environmental Health Department. Unless otherwise determined in the sewage disposal design report, the Improvement Plans shall comply with the recommendations set forth in the septic system evaluation prepared for the Brunswick Industrial Site by Navo & Sons, Inc., including the following:* • *Leach lines shall be installed 36 inches wide by 24 inches deep, with 12 inches of drain rock and 7-foot separation on center per line, installed level on contour.* • *The leach shall be pressure dosed leach lines consisting of a minimum of four zones. The rotation of zones would allow the zones to rest*	LS

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		in between doses and prevent over saturation of any one zone. In addition, if one zone has a problem, that zone could be isolated and repaired while other zones are working. This would result in little to no downtime and greatly reduce the possibility of sewage spills (surfacing). • *Duplex (two) pumps shall be used in the pump tank to ensure that if one pump fails, a backup exists. The pumps would alternate to the extent of their life, unless one fails.* • *Due to the distance and elevation between the proposed shower and laundry area to the leach field, the pump line would be running through a low area upgradient from potentially sensitive areas. The pump line shall be sleeved in this low area to avoid potential issues related to sensitive areas if the line were to rupture.* • *During installation, existing trees shall be maintained in place to the extent feasible to avoid the creation of large holes in the leach area, help stabilize soil, and help absorb leaching effluent.* • *The following setbacks shall be maintained:* ○ *10 feet from developed property lines;* ○ *50 feet from undeveloped property lines;*	

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		○ *50 feet from seasonal drainages;* ○ *25 feet from center line of swales; and* ○ *100 feet from any perennial streams or domestic wells.* • *The pressure dose septic system shall be maintained annually for the life of the system.* • *The septic system shall be installed by a licensed contractor (A, C-34, or C-42) familiar with installation of the proposed system.* • *A permit to install the septic system shall be obtained from the NCEHD.* • *The pump screen shall be removed and rinsed annually.* • *The pump, pump float, alarm float, and alarm shall be checked for proper operation annually.* • *The primary and 100 percent repair area shall be protected from vehicular traffic, structures, or any other activity that may cause alterations such as grading, cuts/fills, etc.* • *All drainage shall be diverted away from the septic tank, pump tank, and leach field. Irrigation in the area of the leach trenches shall be kept to a minimum to avoid saturation of the soil. Drip irrigation should be used.* • *Water conservation is recommended to maximize the life expectancy of the absorption trenches.*	

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			• *Any leaks shall be fixed immediately to avoid unnecessary saturation of the leach trenches.*	
4.6-5	**Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**	LS	*None required.*	N/A
4.6-6	**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 or of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.**	LS	*None required.*	N/A
4.6-7	**Cumulative increase in the potential for geological related impacts and hazards.**	LS	*None required.*	N/A
4.7 Hazards and Hazardous Materials				
4.7-1	**Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**	S	*4.7-1(a)* *The mine operator shall comply with all applicable federal and state regulations governing the transport, underground storage and use of explosives, including MSHA (CFR Title 30, Part 57), OSHA (CFR Title 29, Part 1910 and 1926), and CCR (Title 8, Part 5251ff. and 5291).* *4.7-1(b)* *The mine operator shall prepare a Risk Assessment when the underground mine is accessible after initial dewatering and before storage of explosives*	LS

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		underground, specifying the location of each magazine and its maximum storage capacity. The Risk Assessment shall be performed by a qualified professional (e.g., licensed engineer) in accordance with the Methods and Algorithms Used for Quantitative Risk Analysis of the Institute of Markers of Explosives and submitted to MSHA for their review. The Risk Assessment shall demonstrate protection of the public from hazards of explosives storage and be provided to the Nevada County Planning Department before underground storage of explosives. *4.7-1(c) The mine operator shall ensure, through the enforcement of contractual obligations, that all contractors or suppliers transport explosives in a manner consistent with all applicable regulations and guidelines. Proof of the agreement between the operator and contractor or supplier transporting explosives shall be provided to the Nevada County Planning Department before transporting explosives to the site.* *4.7-1(d) Prior to the transport, storage, or use of hazardous materials or explosives at the site, the mine operator shall prepare a Hazardous Materials Business Plan (HMBP). The County shall review and approve the HMBP prior to the use or storage of hazardous materials or explosives on-site.*	

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4.7-2	**Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.**	S	*4.7-2(a)*	*If disturbance of the mine waste beneath the southeastern paved area within the Brunswick Industrial Site is proposed as part of the project, the site-specific arsenic concentration data resulting from the Phase I/II ESA prepared by NV5 for the proposed project shall be furnished to the project contractor(s) so the contractor(s) can comply with applicable health and safety requirements accordingly. The project contractor(s) shall retain a Certified Industrial Hygienist to develop specific handling procedures for the mine waste, including dust mitigation. Mine waste shall not be removed from the site without regulatory approval by the RWQCB or DTSC. Verification of proper handling and disposal of the mine waste shall be provided to the Nevada County Planning Department.*	LS
			4.7-2(b)	*If unidentified or suspected contaminated soil or groundwater evidenced by stained soil, noxious odors, or other factors, is encountered during site improvements, work shall stop in the area of potential contamination, and the type and extent of contamination shall be identified by a Registered Environmental Assessor (REA) or qualified professional. The REA or qualified professional shall prepare a report that includes, but is not limited to, activities performed for the assessment, summary of anticipated contaminants and contaminant concentrations, relevant Environmental Screening Levels for identified contaminants, whether the*	

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		contaminants exceed Environmental Screening Levels, thus warranting remediation, and recommendations for appropriate handling and disposal. Site improvement activities shall not recommence within the contaminated areas until any necessary remediation identified in the report is complete. The report and verification of proper remediation and disposal shall be submitted to the Nevada County Planning Department for review and approval. *4.7-2(c) Prior to commencement of any construction activities, the project applicant shall determine the location of all existing wells on the site. Prior to any ground disturbance activities within 50 feet of an identified well on the project site, the applicant shall hire a licensed well contractor to obtain a well abandonment permit from the NCEHD for any wells that will no longer be used, and properly abandon the on-site wells, pursuant to Department of Water Resources Bulletin 74-81 (Water Well Standards, Part III), for review and approval by the NCEHD.*	
4.7-3 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive	LS	*None required.*	N/A

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	noise for people residing or working in the project area.				
4.7-4	**Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**	LS	*None required.*		N/A
4.7.5	**Cumulative hazards to the public or the environment related to increases in the transport, storage, and use of hazardous materials.**	LS	*None required.*		N/A
	4.8 Hydrology and Water Quality				
4.8-1	**Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.**	S	*4.8-1(a)*	*The applicant shall submit a Notice of Intent (NOI) to the Central Valley Regional Water Quality Control Board (RWQCB) for coverage under the Limited Threat Discharge permit (General Order R5-2016-0076; NPDES No. CAG995002), at least six months prior to construction of the water treatment system; and the Notice of Applicability (NOA) shall be received before initial mine dewatering can begin and provided to Nevada County Planning Department. The NOI shall include evaluation of potential constituents of concern, including ammonia, arsenic, hexavalent chromium, iron, manganese, pH, total suspended solids, TDS, and cis-1,2-DCE, and demonstrate that water treatment plant (WTP) design shall successfully treat mine water to meet the water quality standards and treatment goals identified in the*	LS

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		Limited Threat Discharge Order. Upon construction of the WTP, sampling shall be provided to the RWQCB demonstrating that the treated water meets the water quality standards and treatment goals specified in the Order. Ongoing monitoring of treated water shall occur at a location specified by the State prior to the point of discharge at South Fork Wolf Creek. The owner shall be required to submit quarterly monitoring reports to the State Regional Water Quality Control Board, demonstrating compliance with the maximum daily effluent limitations specified in Section V of the NPDES permit. The applicant shall submit to the County a copy of the NOI and evidence of the applicant's receipt of the NOA specified above prior to initial mine dewatering. The applicant shall submit copies of sampling and monitoring reports to the County at the time such reports are submitted to the RWQCB. *The applicant shall also submit a Report of Waste Discharge (RoWD) and obtain Waste Discharge Requirements (WDRs) for use of the surface impoundment (i.e., Brunswick clay-lined pond) in the mine water treatment process. At a minimum, the liner of the clay-lined surface impoundment shall be upgraded to include a synthetic liner meeting the specifications in Title 27, Section 22490(f), of the California Code of Regulations. Prior to initial mine dewatering, the applicant shall submit to the Nevada County Planning Department a copy of the RoWD*	

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		and evidence of the applicant's receipt of WDRs, as well as evidence of the completion of modifications to the clay-lined pond in compliance with the requirements.	
		4.8-1(b) Prior to commencement of construction activities, the applicant shall submit a Notice of Intent (NOI) to the Central Valley RWQCB for coverage under the Construction General Permit applicable for any site on which construction is to occur and prepare a Construction Stormwater Pollution Prevention Plan (C-SWPPP). The applicant shall submit a copy of the NOI and C-SWPPP to the to the Nevada County Planning Department prior to the initiation of construction activities at a given site. C-SWPPP(s) shall be maintained and all BMPs and reporting requirements complied with until such time as terminated as a result of the completion of construction and permanent site stabilization or until an Industrial SWPPP becomes applicable to the site pursuant to Mitigation Measure 4.8-1(c).	
		4.8-1(c) Prior to commencement of operations at the Brunswick Industrial Site, the applicant shall submit a Notice of Intent (NOI) to the Central Valley RWQCB for coverage under the Industrial General Permit for the Brunswick Industrial Site and prepare an Industrial Stormwater Pollution Prevention Plan (I-SWPPP). The applicant shall submit a copy of the NOI and I-SWPPP to the to the Nevada County	

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		Planning Department prior to termination of the C-SWPPP. *4.8-1(d)* *Prior to placement of CPB in the mine, the applicant shall conduct strength, rheological, and geochemical testing using the final CPB formulation in order to confirm that no constituents (e.g., pH values or chromium) release above water quality standards from the final selected CPB formulation, as a result of the binder composition or the interaction between the binder and the tailings material. The applicant shall submit a RoWD to the Central Valley RWQCB for the use of CPB at least six months prior to the proposed initial use of CPB. The WDR permit shall be received by the applicant prior to initiating any mine backfilling using CPB. The applicant shall submit to the Nevada County Planning Department a copy of the RoWD and evidence of the applicant's receipt of WDRs prior to the use of CPB.* *4.8-1(e)* *The applicant shall submit a RoWD and obtain WDRs from the Central Valley RWQCB for construction of the engineered fill areas. The WDR permit shall be received by the applicant prior to initiating any engineered fill placement activities at the Centennial or Brunswick Industrial Sites. Proof of coverage shall be provided to the Nevada County Public Works Department. As part of this process, the RWQCB will determine the appropriate mining waste classification for the proposed engineered fill, and will consider the*	

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				following factors: (1) whether the waste contains hazardous constituents only at low concentrations; (2) whether the waste has no or low acid generating potential; and (3) whether, because of its intrinsic properties, the waste is readily containable by less stringent measures. The engineered fill areas shall be constructed in accordance with the Title 27 specifications, pursuant to the mining waste classification determined by the RWQCB. The applicant shall submit to the Nevada County Planning Department a copy of the RoWD and evidence of the applicant's receipt of WDRs prior to the placement of fill or fill site preparation disturbance at the Brunswick Industrial Site and Centennial Industrial Site.	
4.8-2	**Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.**	S	*4.8-2(a)*	*The project applicant shall implement the Groundwater Monitoring Plan (GMP) prepared by Itasca Denver, Inc. (February 2021), as approved by the County. Implementation of the GMP shall be initiated prior to the dewatering of the mine and on an ongoing basis. Pursuant to the GMP, a network of monitoring wells shall be installed to the satisfaction of the Nevada County Environmental Health Department. Prior to construction of any monitoring wells within the County or City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department of the respective agency. Groundwater-level information shall be obtained from the project groundwater monitoring wells and collected on a quarterly basis, and*	LS

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		submitted in report form to the Nevada County Environmental Health Department, and used to generate the following information: *1) Water-level monitoring data for a minimum of 12 months before commencement of dewatering of the mine.* *2) Water-level hydrographs for each well showing the water-level variations over the monitoring period and a comprehensive well hydrograph showing long-term water levels for each well over the entire monitoring period.* *3) Potentiometric-surface contour maps showing the groundwater elevations across the site. These may be produced for a subset of the shallow wells and a second subset for the deeper wells if it is judged that the shallow and deep well systems are in separate water-bearing zones. Alternatively, a combined potentiometric map that includes both shallow and deep well pairs may be constructed if it is judged that the shallow and deep wells are installed within the same water-bearing zone.* *4) A projected water-level impact assessment for individual domestic wells shall be performed once dewatering of the underground mine workings commences, based on responses of the measured groundwater levels of the project*	

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		monitoring wells. The projected groundwater drawdown shall be estimated for each domestic well in the project area. This impact assessment shall be performed by tabulating the variation of the measured water levels from the project monitoring wells over the monitoring period and during the dewatering of the underground mine workings and mining operations. For each domestic well, a projected and seasonally averaged water level shall be estimated based on the domestic well location and the background potentiometric conditions, which will serve as a baseline groundwater level and shall be developed prior to the initiation of dewatering of the underground mine workings. *4.8-2(b) If, based on the GMP, it is determined that mining operations are resulting in a significant impact to any well(s) (i.e., a 10 percent or greater reduction of the water column of any well), pursuant to Nevada County General Plan Policy 17.12, the project applicant shall be responsible for providing a comparable supply of water to such homes or businesses whose wells are significantly impacted, and if necessary, providing an immediate water supply until the source of the problem is determined and rectified. The comparable supply of water shall be provided to the satisfaction of the Nevada County*	

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		Environmental Health Department. Such action could include extension of NID potable water or deepening of domestic water wells, in all cases paid for by the project applicant. *4.8-2(c)* *Prior to commencement of initial mine dewatering, the project applicant shall implement the Well Mitigation Plan (February 2, 2021, Rise Grass Valley, Inc.) by connecting 30 properties in the East Bennett area to the NID potable water system (see Figure 1 and Table 1 of the Well Mitigation Plan for specific property locations). The project applicant shall be responsible for fully funding the following for each property connection:* *1) Engineering and Permitting* *2) Construction of main water piping* *3) Construction of service lateral piping* *4) Installation of water meters at property line* *5) Connection of water meters to house (If requested and authorized by property owner)* *6) Closure of domestic water wells (If requested and authorized by property owner)* *7) NID installation and capacity charges for a 5/8-inch meter connection.* *8) Reimbursement for water charges, for monthly fixed service charges and use of up to 400 gallons per day, will continue until the sooner of the following occurs: 1) The property*	

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		is sold by the owner after the NID connection is accomplished and paid for by Rise. 2) The property is annexed into the City of Grass Valley. *9) Of the 30 properties, it is anticipated that only APN 009-600-012 is not eligible for water cost reimbursement as it is currently vacant. Existing NID customers will not be eligible for reimbursement of NID water charges and will be confirmed through consultation with NID during the design process.* *Proof of satisfaction of this measure shall be provided to Nevada County Environmental Health Department for each property identified in the Well Mitigation Plan.*	
4.8-3 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: **i) Result in substantial erosion or siltation on- or off-site?** **ii) Substantially increase**	S	*4.8-3* *As part of the Improvement Plan submittal process, the applicant shall submit a Final Drainage Report to the Nevada County Planning Department for review and approval. The Final Drainage Report may require more detail than that provided in the preliminary report, and will be reviewed in concert with the Improvement Plans to confirm conformity. The report shall address the Centennial and Brunswick Industrial Sites, be prepared by a Registered Civil Engineer, and shall, at a minimum, include: narrative describing existing conditions, the effects of the proposed improvements, all appropriate calculations, watershed maps, changes in flows and patterns, and*	LS

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	the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? **iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?** **iv) Impede or redirect flood flows?**			*proposed on- and off-site improvements to accommodate flows from this project, including treated mine water discharge and stormwater runoff. The Final Drainage Report shall demonstrate that the on-site storm drain systems are sized such that site runoff (in addition to treated mine discharge for the Brunswick Industrial Site) under the post-development condition will not exceed pre-development levels in the downstream channel(s) during the design storm events.*	
4.8-5	**In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.**	S	*4.8-5*	*The applicant shall implement the Floodplain Management Plan prepared for the Centennial Industrial Site, as approved in its final form by Nevada County. Specifically, the applicant shall implement the mitigation measures and conditions identified in the Floodplain Management Plan, which include measures designed to mitigate the impact of development on the floodplain. Such measures generally include, but are not limited to, the following and shall be implemented in accordance with their specified timing (e.g., either prior to, during, or after*	LS

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		ground disturbance activities within the 100-foot floodplain buffer): • *Grading and land disturbance within the limits of the SFHA (100-year floodplain) of Wolf Creek shall be avoided.* • *Prior to commencing construction, the 100-year floodplain boundary shall be delineated by appropriate means on the Centennial Industrial Site to ensure that construction activities remain outside the 100-year floodplain.* • *As early as practicable once the engineered fill development has begun, the detention basin proposed in the Preliminary Drainage Analysis & Detention Study by Nevada City Engineering, Inc. shall be installed and made operational. During the grading operation, erosion control measures should be maintained in place on the fill pad to avoid silt and runoff from the pad proceeding down the fill slope towards Wolf Creek, and to direct all runoff to the detention basin which is to be constructed at the northwest corner of the fill area. During this time all potential runoff from the engineered fill pad area shall concurrently be directed to this basin for both its detention and de-siltation benefits.*	

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		• *No significant increase in impermeable surfaces shall occur within 100 feet of the 100-year floodplain. The only added impervious surface shall be approximately 520 lineal feet of concrete V-ditch at the toe of the engineered fill slope. This will have no measurable impact on drainage runoff or flooding.* • *Areas within 100 feet of the 100-year floodplain, which are disturbed due to construction activity, shall be regraded to a smooth, natural contour resembling their pre-development configuration, with the exception of approximately 0.55-acre of engineered fill located on the northeast corner of the proposed Centennial Industrial Site. Grading shall be done in such a manner as to smoothly convey flows through the property without accelerating their transit to downstream areas. All disturbed areas shall be subject to erosion control measures and protection during and after the engineered fill placement operation in order to stabilize any disturbed soil, thus eliminating the likelihood of increased erosion exiting the site toward downstream properties.* • *Temporary disturbance of vegetation within 100 feet of the 100-year floodplain due to construction shall be remediated by*	

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		appropriate replacement plantings as recommended by the project biologist and as pursuant to the project Reclamation Plan.	
4.8-6 Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	LS	*None required.*	N/A
4.8-7 Cumulative impacts related to the violation of water quality standards or waste discharge requirements, groundwater quality, management, and recharge, and impacts resulting from the alteration of existing drainage patterns.	LS	*None required.*	N/A
4.9 Land Use and Population and Housing			
4.9-1 Physically divide an established community.	LS	*None required.*	N/A
4.9-2 Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect	LS	*None required.*	N/A

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4.9-3 Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure).	LS	*None required.*	N/A
4.9-4 Cause a significant cumulative environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LS	*None required.*	N/A
4.9-5 Cumulative unplanned population growth.	LS	*None required.*	N/A
4.10 Noise and Vibration			
4.10-1 Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, due to initial construction activities.	S	*4.10-1 The following noise reduction measures shall be implemented during construction of the potable water line along East Bennett Road and shall be included on Improvement Plans for installation of the potable water line to the satisfaction of the Nevada County Planning Department.* • *Provide advanced notification of pipeline construction dates and durations to each of the residences located along the construction corridor.*	SU

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		• *Ensure that all equipment utilizing internal combustion engines are fitted with working mufflers in good repair.* • *Utilize the quietest equipment capable of performing the required construction.* • *Locate construction staging areas as far as feasibly possible from existing residences.* • *If portable generators or air compressors are to be used, locate that equipment as far as feasibly possible from existing residences and, if possible, shield them from view of those residences using intervening topography or vehicles.* • *All mobile equipment shall be fitted with broad-band "growler" type back-up warning devices rather than the conventional "beeper" devices.*	
4.10-2 Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, due to fill placement, compaction, off-site traffic, and related activities.	S	*4.10-2*	*Haul truck operators shall be required to operate their trucks in such a manner so as to not require the use of jake brakes along the project haul routes. The project applicant shall post signage at the exits of both the Centennial Industrial Site and Brunswick Industrial Site informing drivers that the use of jake brakes is not permitted. Additionally, drivers directly employed by the project applicant, as well as any contract drivers, shall be required to abstain from use of jake brakes as a company policy. Proof of sign postage (e.g., photographic documentation) and a copy of the company policy language shall be*	LS

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		provided to the Nevada County Planning Department prior to commencement of hauling. In the event that jake brake usage associated with project-related heavy truck traffic is observed, the project applicant shall implement additional measures to educate drivers regarding the safe operation of their vehicles without the use of jake brakes or take disciplinary action, if required, to the satisfaction of the Nevada County Planning Department. In addition, haul trucks shall be fitted with broad-band "growler" type back-up warning devices rather than the conventional "beeper" devices.	
4.10-3 Generation of a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	S	*4.10-3* *The following conditions shall be met, subject to review and approval by the Nevada County Planning Department:* 1. *All on-site mobile equipment shall be fitted with broad-band "growler" type back-up warning devices rather than the conventional "beeper" devices.* 2. *A comprehensive noise monitoring program shall be conducted of each facet of the operation to both verify the modelling assumptions of the project noise analysis (Bollard Acoustical Consultants, Inc. Noise and Vibration Analysis, Idaho Maryland Mine, Nevada County, California BAC Job #2018-203. March 8, 2021) and to ensure that compliance with the applicable Nevada*	LS

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		County noise standards is being achieved at nearby sensitive receptors. The noise monitoring program shall evaluate noise levels at a minimum of five Receptor locations surrounding the Brunswick Industrial Site. The noise monitoring system shall consist of the installation of permanent noise monitors at three to five locations on the Brunswick Industrial Site, and one site at the Centennial Industrial Site, to be determined by a third-party noise consultant under contract with the County, in coordination with the applicant. The permanent monitors shall be provided with a continual power source, and shall include internet connectivity technology, to enable electronic retrieval of noise monitoring data at any time by the County's third-party noise consultant. a. *Within 30 days of installation and operation of mine-related equipment at the Brunswick Industrial Site, the County's third-party noise consultant shall retrieve and evaluate noise monitoring data to evaluate whether mine-related operational noise levels are in compliance with County noise standards at the pre-determined Receptor locations, using noise level data and noise attenuation*	

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		calculations accounting for distance to the receptor locations. The results shall be submitted to the Nevada County Planning Department within one week from evaluation of the noise data. If the results indicate that the County noise standards are being exceeded either by individual equipment or processes, or cumulative noise generation of the entire facility, operations shall cease until additional engineering controls can be implemented as needed. Such measures could take the form of noise barriers, installation of sound absorbing materials, use of additional silencers, etc. After implementation of any recommended measures, follow-up noise level data evaluation shall be conducted to demonstrate that the resultant operational noise levels comply with the County noise level standards at nearby sensitive receptors. *b. After the initial noise monitoring evaluation described under "a", the County's third-party noise consultant shall evaluate permanent noise monitoring data at the pre-determined receptor locations as follows: i) on a*	

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		quarterly basis during the first five years of project operation; ii) once per year thereafter for the life of the project; and iii) in response to public noise complaints. If the results indicate that the County noise standards are being exceeded, then the actions described in "a" shall be implemented to the satisfaction of the County.	
4.10-4 Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	S	*4.10-4* *The project applicant shall conduct a project-specific Ground Vibration Monitoring Program. As part of the Ground Vibration Monitoring Program, the mine shall employ between eight and ten seismographs during the blasting of levels above the 1,000-foot level. The seismographs shall be placed at the following locations:* • *One at the Brunswick Shaft;* • *One at each of the four corners of the Mine Property;* • *One in the Whispering Pines Industrial Park;* • *Two at nearby residences; and* • *Two travelling seismographs which can change location depending on the weekly/monthly mining plan.* *After the mine has stopped blasting at the proposed shaft and above the 1,000-foot level, only five seismographs would be required for the Ground*	LS

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		Vibration Monitoring Program. One seismograph shall be located at the Brunswick Shaft and one in each of the four corners of the mine property. The five seismographs would collect relevant data throughout the entire operation to understand how the ground is transmitting vibration in these areas. *Once mining operations commence, the project applicant shall hire a blast consultant to assist with the development of a 95 percent confidence level equation for the site-specific ground vibration. The blast consultant would take the data acquired by the seismographs set-up on the mine, run a linear regression and log-log confidence model to develop an equation that the mine can use to modify blasting, as needed, to ensure vibration levels remain below 0.4 in/s at sensitive receptors.* *Results of the Ground Vibration Monitoring Program and the equation for site-specific ground vibration shall be submitted to the Nevada County Planning Department for review.*	
4.10-5 For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project	LS	*None required.*	N/A

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	expose people residing or working in the project area to excessive noise levels?			
4.10-6	**Generation of a substantial permanent increase in ambient noise and/or vibration levels associated with the cumulative noise and vibration from all sources of the proposed project.**	LCC	*None required.*	N/A
	4.11 Public Services and Utilities			
4.11-1	**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.**	LS	*None required.*	N/A
4.11-2	**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or**	LS	*None required.*	N/A

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	facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for law enforcement services.			
4.11-3	**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or performance objectives for schools.**	LS	*None required.*	N/A
4.11-4	**Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable**	LS	*None required.*	N/A

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service ratios, response times, or other performance objectives for parks services.			
4.11-5 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public services.	LS	*None required.*	N/A
4.11-6 Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	LS	*None required.*	N/A
4.11-7 Have sufficient water supplies available to serve the project	LS	*None required.*	N/A

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	and reasonably foreseeable future development during normal, dry, and multiple dry years.			
4.11-8	**Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.**	LS	*None required.*	N/A
4.11-9	**Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, or conflict with federal, State, and local management and reduction statutes and regulations related to solid waste.**	LS	*None required.*	N/A
4.11-10	**Increase in demand for public services associated with the proposed project, in combination with cumulative development.**	LS	*None required.*	N/A

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4.11-11 Increase in demand for utilities and service systems associated with the proposed project, in combination with cumulative development.	LS	*None required.*	N/A
4.12 Transportation			
4.12-1 Conflict with a program, plan, ordinance, or policy addressing study intersections under EPAP Plus Project Conditions.	S	*4.12-1(a)* *Brunswick Road/Idaho Maryland Road – Prior to issuance of building permits, the applicant shall pay the GVTIF to the City of Grass Valley. Proof of payment shall be submitted to the Nevada County Community Development Agency.*	LS
		4.12-1(b) *SR 174/Brunswick Road – The project applicant shall enter into a Traffic Mitigation Agreement with the County regarding the SR 174/Brunswick Road intersection. The Agreement shall require the applicant to pay the project's fair share contribution toward the improvements necessary to improve intersection operations to an acceptable level. The Agreement shall include the fair share calculations and total payment amount. Based on the Caltrans methodology to assess fair share, it is estimated that the fair share percentage is 14.9%.*	SU
		4.12-1(c) *Idaho Maryland Road/Centennial Drive - Prior to issuance of building permits, the applicant shall pay the GVTIF to the City of Grass Valley. Proof of payment shall be submitted to the Nevada County Community Development Agency.*	LS

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4.12-2 Conflict with a program, plan, ordinance or policy addressing study roadway segments under EPAP Plus Project conditions.	LS	*None required.*	N/A
4.12-3 Conflict with a program, plan, ordinance or policy addressing intersection queues under the EPAP Plus Project scenario.	LS	*None required.*	N/A
4.12-4 Conflict with a program, plan, ordinance or policy addressing transit, bicycle, and pedestrian facilities.	LS	*None required.*	N/A
4.12-5 Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	LS	*None required.*	N/A
4.12-6 Substantially increase hazards to vehicle safety due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	S	*4.12-6(a) Prior to the commencement of construction and issuance of Encroachment Permits, construction signing and traffic control plans shall be provided to the Nevada County Public Works Department and the City of Grass Valley for review and acceptance. The construction signing and traffic control plan shall include (but not necessarily be limited to) items such as:* • *Guidance on the number and size of trucks per day entering and leaving the project site;* • *Identification of arrival/departure times that would minimize traffic impacts;*	LS

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		• *Approved truck circulation patterns;* • *Locations of staging areas;* • *Locations of employee parking and methods to encourage carpooling and use of alternative transportation;* • *Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);* • *Criteria for use of flaggers and other traffic controls;* • *Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;* • *Monitoring for roadbed damage and timing for completing repairs;* • *Limitations on construction activity during peak/holiday weekends and special events;* • *Preservation of emergency vehicle access;* • *Coordination of construction activities with construction of other projects that occur concurrently to minimize potential additive construction traffic disruptions, avoid duplicative efforts (e.g., multiple occurrences if similar signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs);* • *Removing traffic obstructions during emergency evacuation events; and*	

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		• *Providing a point of contact for residents and guests to obtain construction information, have questions answered, and convey complaints.* *The construction signing and traffic control plan shall be developed such that the following minimum set of performance standards is achieved throughout project construction.* • *All construction employees shall park in designated lots owned by the project applicant or on private lots otherwise arranged for by the project applicant.* • *Roadways shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety.* *4.12-6(b) Prior to commencement of engineered fill hauling, the project applicant shall enter into separate road maintenance agreements with Nevada County and the City of Grass Valley to provide the project's fair share of funding for maintenance of roadways commensurate with the project's impact to pavement conditions on both Nevada County and Grass Valley roadways, including Brunswick Road between E. Bennett Road and SR 49 and E. Bennett Road between project driveway and Brunswick Road.*	

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		4.12-6(c) *Prior to approval of Encroachment Permit for driveway construction at the intersection of E. Bennett Road/Millsite Road, the Nevada County Public Works Department shall review and approve the improvement plans for the E. Bennett Road/Millsite Road intersection which need to include pavement widening and designation that only right-hand turns are allowed from the project site at this location. Prior to commencement of project operations, the E. Bennett Road/Millsite Road intersection shall be improved to the satisfaction of Nevada County Public Works Department, at the expense of the project applicant.* *4.12-6(d)* *Prior to the County issuing any permits for work on the Centennial Industrial Site: 1) the project applicant shall submit plans to the Grass Valley Engineering Division and receive approval from the City of Grass Valley for widening of Whispering Pines Lane along the Centennial Industrial Site's frontage for purposes of facilitating adequate truck turn movements into and out of the Site. The plans shall reflect a 12-foot two-way-left-turn-lane (TWLTL), a 12-foot travel lane, and a six-foot bicycle lane; 2) In addition, the applicant shall designate and record a landscape easement to mitigate sight distance concerns. The plans shall be approved by the City of Grass Valley and the project applicant shall be responsible for 100 percent of the cost for this improvement.*	

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		4.12-6(e) *Prior to commencement of operations, the project applicant shall obtain an encroachment permit from Nevada County and install: 1) W51 "Slow Trucks" road sign along Brunswick Road, about 500 feet north of the E. Bennett Road intersection; 2) A second sign shall be installed at the applicant's expense just south of the crest of the grade, warning truck drivers of the transition in grade and presence of the downgrade Loma Rica Drive intersection.* *4.12-6(f)* *Prior to the County issuing any permits for work on the Brunswick Site, the project applicant shall remove any landscaping over 2 feet in height inside the sight line from the project driveway to Brunswick Road.*	
4.12-7 Result in inadequate emergency access.	LS	*None required.*	N/A
4.12-8 Conflict with a program, plan, ordinance or policy addressing study intersections under Cumulative Plus Project Conditions.	CC	*4.12-8(a)* *SR 174/Brunswick Road – Implement Mitigation Measure 4.12-1(b).* *4.12-8(b)* *Sutton Way/Dorsey Drive - Prior to issuance of building permits, the applicant shall pay the GVTIF to the City of Grass Valley. Proof of payment shall be submitted to the Nevada County Community Development Agency.*	SU LCC
4.12-9 Conflict with a program, plan, ordinance or policy addressing study roadway segments under Cumulative Plus Project Conditions.	LCC	*None required.*	N/A

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4.12-10 Conflict with a program, plan, ordinance or policy addressing intersection queues under the cumulative scenario.	S	*4.12-10* *Prior to commencement of project operations, the Brunswick Road/Sutton Way intersection shall be re-timed to the satisfaction of the City of Grass Valley, at the expense of the project applicant. Based on the Caltrans methodology to assess fair share percentage, the fair share is 8.5 percent. Final payment amount shall be determined by the City of Grass Valley, and shall represent the reasonable cost of re-timing the intersection.*	SU
4.13. Wildfire			
4.13-1 Substantially impair an adopted emergency response plan or emergency evacuation plan.	LS	*None required.*	N/A
4.13-2 Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	S	*4.13-2* *In conjunction with submittal of Improvement Plans, the applicant shall submit a comprehensive Vegetation Management Plan, inclusive of the Centennial and Brunswick Industrial Sites, for the review and approval by the County Fire Marshall's Office. The applicant shall implement all provisions of the Vegetation Management Plan during the project construction, operations, and reclamation activities. The Vegetation Management Plan shall include but not be limited to:* • *description of existing vegetative fuel sources;* • *description of vegetation removal during initial construction and inventory of equipment to be used;*	LS

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		• *requirement that exhausts of all equipment powered by gasoline, diesel, or other hydrocarbon fuel shall be equipped with effective spark arrestors designed to prevent the escape from the exhaust of carbon or other flammable particles over 0.0232 inches. Motor trucks, truck tractors, and passenger vehicles shall not be subject to this provision if their exhaust systems are equipped with mufflers;*
		• *requirement that all welding rigs shall be equipped with a minimum of one 20-pound or two 10-pound fire extinguishers;*
		• *description of proposed landscape planting types;*
		• *description and graphical presentation of defensible space zones;*
		• *long-term maintenance schedule and safety practices, addressing at a minimum:*
		  ○ *Removal of fire prone fuels and dead material.*
		  ○ *Removal of branches beneath large trees.*
		  ○ *Maintenance of live plants, bushes, shrubs, and trees.*
		  ○ *Removal of needles and leaves and other combustible debris and litter from roofs and gutters.*	

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		○ *Annual grasses and forbs shall be cut down to a maximum height of four inches within 100 feet of structures and on engineered fill slopes.* ○ *Trimming of vegetation within specified horizontal distances from roadways and overhead power line(s), the latter of which may be implemented by PG&E as the service provider, consistent with clearance requirements in PRC Sections 4292 and 4293.* ○ *Seasonal removal of all dead and dying vegetation to reduce vegetation volume and ladder fuels.* ○ *Coordination with adjacent property owners, as applicable, to maintain tree canopies, vegetation and ladder fuels on an annual basis.* ○ *Horizontal and vertical spacing among shrubs and trees shall be created using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. Spacing shall be done in accordance with the State Board of Forestry and Fire Protection's, "General Guidelines for Creating Defensible Space, February 8, 2006,".*	

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4.13-3 Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	LS	*None required.*	N/A
4.13-4 Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	LS	*None required.*	N/A
4.13-5 Increase in wildfire risk attributable to the proposed project, in combination with cumulative development.	LS	*None required.*	N/A

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