Idaho-Maryland Mine Project

SCH# 2020070378

Final Environmental Impact Report

Volume VI.B of IX
(Chapter 3 - Chapter 4)

Prepared for
County of Nevada

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3. Revisions to the Draft EIR Text

3. REVISIONS TO THE DRAFT EIR TEXT

3.1 INTRODUCTION

The Revisions to the Draft EIR Text chapter presents minor corrections, additions, and revisions made to the Draft EIR (DEIR) initiated by the Lead Agency (Nevada County) based on comments received during the public review period. The changes represent minor clarifications/amplifications of the analysis contained in the DEIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the DEIR.

3.2 DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the DEIR.

2 Executive Summary

For clarification purposes, Table 2-1 in Chapter 2, Executive Summary, of the DEIR is hereby revised for Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy (Mitigation Measures 4.3-1[b], 4.3-2, and 4.3-7[b]); Chapter 4.4, Biological Resources (Mitigation Measures 4.4-1[a], 4.4-1[b], 4.4-2[b], 4.4-2[d], 4.4-2[e], 4.4-2[f], 4.4-2[g], 4.4-3[c], and 4.4-3[d]); Chapter 4.8, Hydrology and Water Quality (Mitigation Measures 4.8-1[a], 4.8-1[e], 4.8-2[a], and 4.8-2[c]); and Chapter 4.10, Noise and Vibration (Mitigation Measure 4.10-4) beginning on page 2-10. Rather than include the entirety of Table 2-1 from Chapter 2, Executive Summary, of the DEIR with the revisions shown where appropriate, only the mitigation measures that have been revised are presented below. The revisions to the Executive Summary table do not change the conclusions contained in the DEIR. Therefore, the revisions to Table 2-1 do not change the adequacy of the analysis or the conclusions contained in the DEIR.

3 Project Description

Page 3-19, DEIR Chapter 3, Section 3.7, fourth paragraph is hereby revised as follows:

> Mine development in nonmineralized "barren" rock (i.e., non-gold bearing) is expected to result in the production of approximately 500 tons per day (182,500 tons per year) of barren rock. The barren rock would be transported from the tunnel face to the mine shaft (using electric ~~or diesel~~-powered load/haul/dump vehicles, rail cars, and/or conveyors) to underground rock bins located adjacent to the shaft. The rock would then be loaded into the shaft skips, hoisted to the surface, and dropped into one of the compartments of the concrete silo located on the surface. The barren rock will then be transported by trucks on the surface for use as engineered fill.

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
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(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:* • *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).*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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~~. *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*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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. Sweeping or vacuuming on public roads shall be conducted so as to avoid peak AM and PM traffic hours.* • *A gravel pad designed and maintained to effectively clean tires of exiting vehicles, or 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;*	

Table 2-1
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		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;* *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*	

Table 2-1
Summary of Impacts and Mitigation Measures

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		implemented, pursuant to (e)(4)(E) of the ATCM: *a. Pre-wetting the ground to the depth of anticipated cuts; and/or* *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;*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		b. placement of at least three inches of material having an asbestos content of 0.25 percent asbestos or less as 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.*	

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Summary of Impacts and Mitigation Measures

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4.3-7 Generation of GHG emissions that may have a significant impact on the environment.	CC	*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~~ 2,345 CO_2e, which was calculated by 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*	LCC

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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*	

Table 2-1
Summary of Impacts and Mitigation Measures

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		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,* *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 and AB 32 (the California Global Warming Solutions Act of 2006) to the extent applicable to voluntary offsets.* *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~~ in addition to: (1) any greenhouse gas emission reduction otherwise required by law*	

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		or regulation~~,~~; ~~and not~~ (2) any other GHG emissions reduction that otherwise would occur; and (3) is consistent with Health and Safety Code Section 38562(d)(2); *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 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*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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*	

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		regulatory scheme not applicable to the project (e.g., the Cap-and-Trade Program). *Additionally, the County shall require that all carbon offsets purchased by the Project applicant shall originate from inside the state of California.* ***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. 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, and information sufficient for the County to verify that the purchased offsets meet the requirements identified within this mitigation.* *To ensure consistent and effective enforcement of this mitigation measure and to assist the County with*	

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		its review of the report described above, an implementation process timeline and associated flow chart for the implementation and administration of this mitigation measure's requirements has been prepared and is attached as Appendix F to the FEIR. *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 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. In the event that the project is out of compliance with this Mitigation Measure and fails to demonstrate compliance after receiving notice of said violation, the County shall have authority to impose administrative penalties, take legal action to force*	

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		compliance, or to start proceedings to suspend or revoke the Project's permits.	
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) i. Prior to issuance of grading permits for the Centennial Industrial Site, the project applicant shall obtain an Incidental Take Permit (ITP) from CDFW for Project-related impacts to the Pine Hill Flannelbush. During the consultation process with CDFW, the Centennial Pine Hill Flannelbush Habitat Management Plan (Matuzak 2021) (HMP) shall be revised if required by CDFW, and must be approved by CDFW prior to implementation. This HMP shall include habitat enhancement and conservation easement requirements. If the USFWS determines that the plants within the Study Area are the federally endangered Pine Hill flannelbush prior to project implementation, then a USFWS Biological Opinion must also be secured, and the USFWS would also need to approve the HMP prior to implementation. Note that the measures outlined below are minimum measures, and additional measures may be required by CDFW to be included in the HMP during consultation.* *Prior to issuance of grading permits for the Centennial Industrial Site, implement project-specific mitigation measures 1-3 outlined below consistent with the County and CDFW approved HMP, as well as the Habitat Enhancement and*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		*Conservation Easement. 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, and thus, measures 4 and 5 are not required prior to issuance of grading permits).~~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, 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;*	

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Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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,*	

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Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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, 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.* *ii. Habitat Enhancement: Prior to issuance of grading permits, pursuant to the HMP, the applicant shall enhance Pine Hill flannelbush*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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. *iii. Conservation Easement: 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 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 offsite 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*	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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-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.*	

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Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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, to minimize or compensate for such impacts and to retain their habitat as non-disturbance open space~~ and they are located in an area where impacts are proposed, then the special-status plants shall be completely avoided until a Habitat Management Plan (HMP) is developed and approved by the Nevada County Planning Department. If the plant is listed on the federal or state Endangered Species lists or is state listed as rare, then development of this plan shall be conducted in consultation with USFWS and/or CDFW, respectively, and a BO and/or an ITP shall be obtained prior to impacts. 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. Note that transplantation*	

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		and monitoring specifics are examples only, and final details will be developed based on the species to be impacted, if any. *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* • *a qualified biologist shall be onsite during all vegetation and ground disturbing activities that are within the vicinity of special-status plants and weekly ~~site~~ monitoring of the protective fencing along fencing along the buffer zone ~~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 occur in the season deemed to have the greatest potential for success, generally the fall, after rains*	

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		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	*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. Work in the area shall cease and fencing or other protective measures shall be employed to excluded and prevent access to the area until the identified turtle has cleared the area.*	LS

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		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. *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 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 and wet meadow 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*	

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Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		construction monitoring by a CDFW qualified biologist when disturbance related activities occur within or directly adjacent to the species habitat, and 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. *<u>Watercourse/Wetlands/Riparian Areas Management Plans.</u> 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) <u>Pre-construction Survey and Avoidance and Minimization Measures.</u> 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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Sites that contain disturbed or developed surfaces 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. The qualified biologist shall have all required permits before commencing species specific surveys. 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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		provided to the Nevada County Planning 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 a qualified bat biologist has determined the young bats are no longer roosting and the breeding roost has dispersed from the structure or riparian and forested woodlands they are found in.* *~~Non-Special Status Raptors and Migratory~~ Nesting Birds* *4.4-2(g)* Pre-construction Survey and Avoidance and Minimization Measures. Prior to initiation of ground-	

Table 2-1
Summary of Impacts and Mitigation Measures

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, including one daytime survey and one nighttime survey targeted at a California spotted owl, consistent with the USFWS (1992) California spotted owl survey protocol. 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. Removal of any trees within the Brunswick Area would occur between September 1st and January 31st to ensure that no nesting birds, raptors, or owls would be impacted by the proposed IMM project. *If any active nests are located within the proposed disturbance area, including active nests within riparian habitat for the yellow-breasted chat, willow flycatcher, yellow warbler, and olive-sided flycatcher, an appropriate buffer zone shall be established*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures		Level of Significance After Mitigation
			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 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 <u>and/or the willow flycatcher, a State listed species, is documented nesting during the pre-construction surveys for nesting birds. Additionally, an ITP could be required by CDFW if complete avoidance of willow flycatcher is not feasible</u>. 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,	S	*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*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.		*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, be provided at a minimum 1:1 ratio 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.* *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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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. Mitigation shall be provided at a minimum 1:1 ratio. *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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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.*	
4.5 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 p*~~*Prior to* ~~*commencement of underground mining*~~ *issuance of building permits, 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;* • *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;*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		• *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.*	
		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*	

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 deposited at the same library selected in Mitigation Measure 4.5-1(a) and submitted to the Nevada County Planning Department.	
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~~ 2022-0006; 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 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*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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(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*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		determine the appropriate mining waste classification for the proposed engineered fill, and will consider the 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. The RoWD must also include a report on the physical and chemical characteristics of the waste, in compliance with Water Code section 13260(k), that could affect its potential to cause pollution or contamination as well as a report that evaluates the potential of the discharge of mining waste to produce, over the long term, acid mine drainage, the discharge or leaching of heavy metals, or the release of other hazardous substances. The WDR's will require continuous and routine characterization and classification (Cal Code regs Title 27 section 22480(b)) of the mining waste to evaluate any possible changes in the geological or geochemical nature of the waste. The applicant will prepare and implement a Waste Characterization Plan (Characterization Plan) which will be incorporated into the approved WDR. The purpose of	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures		Level of Significance After Mitigation
			the Characterization Plan is to continually evaluate the different forms of mining wastes and to appropriately classify these wastes as Group A, Group B, or Group C based on an assessment of the potential risk of water quality degradation posed by each waste. Through the WDR these wastes will be required to be managed, treated, stored, or disposed of in a manner that is protective of water quality. The applicant shall not sell or utilize waste rock and tailings from the Project for construction aggregate or fill purposes offsite (i.e. sites other than the applicants Brunswick and Centennial sites) unless such material has been tested and confirmed to qualify as Group C mining waste under California Code of Regulations Section 22480 and the approved WDR. The specific methods, volumes and frequency of characterization will be established in the approved WDR.	
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 and groundwater quality information shall be obtained from the project*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		groundwater monitoring wells and collected on a quarterly basis, and submitted in report form to the Nevada County Environmental Health Department, and used to generate the following information: *1) Water-level and groundwater quality 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 monitoring wells. The projected groundwater drawdown shall be estimated for*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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(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 <u>to NID and County standards</u>.* *2) Construction of main water piping, <u>interconnecting the existing NID pipelines at E. Bennet Road and Whispering Pines Lane in accordance with NID standards and NID approved engineering design.</u>*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		3) Construction of service lateral piping in accordance with NID standards and NID approved engineering design. *4) Installation of water meters at property line in accordance with NID standards and NID approved engineering design.* *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 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.* *10) All easements necessary for construction and ongoing maintenance of the new pipeline shall be acquired by the applicant and conveyed to NID prior to acceptance of the new potable line.*	

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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 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**	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 and Public Works Departments 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 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.*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
sources of polluted runoff? **iv) Impede or redirect flood flows?**			
4.10 Noise and Vibration			
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 set forth in this mitigation measure. As part of the Ground Vibration Monitoring Program, the mine shall employ between eight and ten seismographs, which shall be installed prior to any onsite blasting, and used during all 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 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*	LS

Table 2-1
Summary of Impacts and Mitigation Measures

Impact	Level of Significance Prior to Mitigation	Mitigation Measures		Level of Significance After Mitigation
			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, on a monthly basis, for review.*	
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(b)*	*Prior to ~~commencement of engineered fill~~ any hauling of project materials (e.g., engineered fill, soil, rocks, etc.) on County or City roads, 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.*	LS

Page 3-20, DEIR Chapter 3, Section 3.7, the following applicant proposed measures (APMs) are hereby incorporated under the Aboveground Facilities Construction and Operations header:

APM-AQ-1: Exhaust Emission Controls

The following measures, required as project conditions of approval, shall be implemented during construction, operation, and reclamation to reduce exhaust emissions:

- All off-road diesel-fueled equipment and emergency generators owned by Rise Grass Valley Inc. shall be equipped with Tier 4 Final engines.
- Unnecessary construction vehicle idling time shall be minimized. The ability to limit construction vehicle idling time is dependent on the sequence of activities and when and where vehicles are needed or staged. Certain vehicles, such as large diesel-powered vehicles, have extended warm-up times following start-up that limit their availability for immediate use. Where such diesel-powered vehicles are required for repetitive construction tasks, these vehicles may require more idling time. The project shall apply a "common sense" approach to vehicle use such that idling is reduced as much as possible below the maximum of 5 consecutive minutes required by regulation (13 CCR 2449 and 2485). If a vehicle is not required for use immediately or continuously for activities or for other safety-related reasons, its engine shall be shut off.
- All off-road equipment shall be maintained in accordance with manufacturer's specifications. All equipment shall be checked by a qualified mechanic, and equipment shall be confirmed that it is in proper condition prior to operation.

APM-AQ-2: Surface Fugitive Dust Controls

The following measures, required as project conditions of approval, shall be implemented to reduce surface fugitive dust emissions:

- During construction, operation, and reclamation, all exposed soil surfaces (e.g., unpaved disturbed areas, unpaved parking areas, and unpaved staging areas, and soil piles) shall be adequately wetted to ensure that no visible dust crosses the property boundary, except when rains are occurring. As an alternative to watering, inactive soil piles shall be covered to minimize wind erosion.
- During construction, all on-site roadways shall be paved as soon as possible after grading and any unpaved gravel roads shall be treated with chemical stabilizers in order to control fugitive dust.

Page 3-29, DEIR Chapter 3, Section 3.7, fifth paragraph is hereby revised as follows:

The applicant will be required as part of the project to submit a Report of Waste Discharge (RoWD) and obtain Waste Discharge Requirements (WDRs) from the Regional Water Quality Control Board (RWQCB) for construction of the engineered fill areas~~, as the engineered fill would be considered a Group C mining waste~~.[3] Percolation of precipitation into the fill areas is expected to be minimal because the engineered fill would be graded and compacted to allow runoff to be conveyed to the detention basins. The WDRs would specify appropriate monitoring and limitations to prevent the discharge of water containing any constituents outside of applicable water quality standards.

Page 3-52, DEIR Chapter 3, Section 3.8, fifth row of Table 3-11 is hereby revised as follows:

State Water Resources Control Board ~~Division of Water Rights~~	401 (Water Quality) Certification (Clean Water Act, 33 USC 1251: if the project requires Army Corps of Engineers 404 permit)	Discharge into "water of the United States" including wetlands
	General Industrial Activity Stormwater Permit. Notice of Intent (40 CFR Part 122)	Stormwater discharges associated with industrial activity, unless covered by individual NPDES Permit
	Spill Prevention Control and Countermeasures Plan (Health and Safety Code 25270 et seq.; 40 CFR Part 122)	Underground storage of petroleum of 42,000+ gallons. Above ground storage with 10,000+ gallons; or any spill affecting surface waters, single tank of 600 gallons, or 1,320 total

The revisions to Chapter 3, Project Description, do not change the conclusions of the analysis in the DEIR.

4.3 Air Quality, Greenhouse Gas Emissions, and Energy

Page 4.3-11, DEIR Chapter 4.3, Section 4.3.2, first paragraph under the Sensitive Receptors heading is hereby revised as follows:

> Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Children, pregnant women, older adults, and people with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses where sensitive-receptor population groups are likely to be located such as hospitals, schools, childcare centers, residences, and retirement homes, are considered especially vulnerable. Recreational parks and uses are also areas that may have sensitive receptor visitors.

Page 4.3-61, DEIR Chapter 4.3, Section 4.3.4, the final paragraph is hereby revised as follows:

> The TAC emissions associated with blasting and crushing, ore processing, and earthwork and material handling would include asbestos and silica emitted from the fugitive dust produced. The applicant estimates that the ore processed would be quartz veins hosted primarily within andesite rock and an assumed 60 percent silica content. The applicant has prepared an Asbestos, Serpentinite, and Ultramafic Rock Management Plan (ASUR Plan) which is designed to ~~exclude~~ minimize asbestos containing material, serpentinite, or ultramafic rock from the engineered fill produced as part of the project (see Appendix E.2).[35]

Page 4.3-73, DEIR Chapter 4.3, Section 4.3.4, first and second paragraphs under the Mitigation Measure(s) subheading are hereby revised as follows:

> ### Mitigation Measure(s)
> The emission data presented in Table 4.3-17 (i.e., unmitigated emissions) reflect the reductions that would occur without implementation of APM-AQ-1 and APM-AQ-2. Table 4.3-19 shows the estimated maximum daily mitigated emissions associated with construction, operation, and reclamation of the project, accounting for additional emissions reductions associated with Mitigation Measure 4.3-1(b), which would result in a reduction in construction contractors' equipment exhaust criteria air pollutants during project construction (year 2021).[39] Additional reductions could not be quantified for Mitigation Measure 4.3-1(a), which are the NSAQMD recommended mitigation measures that are applicable to the project.

According to the NSAQMD, implementation of recommended mitigation measures for Level A and B thresholds (included as Mitigation Measure 4.3-1[~~b~~a] below) would reduce project impacts to a *less-than-significant* level during all years of project construction, operations, and reclamation.[40]

Page 4.3-77, DEIR Chapter 4.3, Section 4.3.4, Mitigation Measure 4.3-1(b) is hereby revised as follows:

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:

- *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~~.*
    b. *The project applicant shall maintain and submit records to Nevada County concerning its efforts to comply with this requirement.*

Page 4.3-80, DEIR Chapter 4.3, Section 4.3.4, final paragraph and footnote 41 are hereby revised as follows:

With regard to potential asbestos emissions from mining, Rise Grass Valley Inc. would be required to comply with applicable regulations, including those established by the MSHA and CARB, that limit potential exposure for workers. Further, as described in APM-AQ-3, the project would include implementation of an ASUR Plan that has been designed to minimize asbestos in the engineered fill produced by the project, as well as asbestos fibers generated from underground mining exhausting to the surface. Finally, pursuant to the CARB ATCM for Construction, Grading, Quarrying and Surface Mining Operations, an ADMP is required to be submitted to the NSAQMD for any project with greater than one acre of surface disturbance if any portion of the area to be disturbed is mapped as having serpentine or ultramafic rock or if any portion of the area to be disturbed has naturally-occurring asbestos, serpentine or ultramafic rock as determined by the owner/operator or the Air Pollution Control Officer. Because asbestos was found to be present in some of the

~~underground mining~~ material samples that Rise Grass Valley Inc. sent for laboratory analysis,[41] an ADMP is required to be implemented to reduce potential asbestos exposure and protect public health.

[41] ~~Samples containing naturally-occurring asbestos were from underground rock only; naturally-occurring asbestos is not known to outcrop at the surface of the Brunswick Indutrial Site or Centennial Industrial Site.~~

Page 4.3-83, DEIR Chapter 4.3, Section 4.3.4, the second and third bullet points of Mitigation Measure 4.3-2 are hereby revised as follows:

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. Sweeping or vacuuming on public roads shall be conducted so as to avoid peak AM and PM traffic hours.*
- *A gravel pad designed and maintained to effectively clean tires of exiting vehicles, or 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.*

Page 4.3-87, DEIR Chapter 4.3, Section 4.3.4, a new paragraph is added before the third paragraph, which is also hereby revised as follows:

In addition to reducing air quality and GHG emissions, APM-AQ-1, Exhaust Emission Controls, would serve to avoid inefficient energy consumption in several ways. First, APM-AQ-1 commits the project applicant to using Tier 4 Final equipment throughout project construction, operation, and reclamation. The commitment to the use of Tier 4 engines is further required by Mitigation Measure 4.3-1(b) of this EIR. As a result of the improvements integrated into Tier 4 Final engines (relative to lower tier engines), Tier 4 Final compliant engines are generally the most fuel-efficient models currently available. Consequently, by using Tier 4 compliant engines throughout the construction, operation, and reclamation processes, fuel use by off-road equipment would be minimized, and the off-road equipment used in project implementation would not be inefficient.

As a further means of increasing the efficiency of fuel use associated with project implementation, APM-AQ-1 includes measures to minimize vehicle idling where practical. In general, reducing idling reduces the amount of run-time for engines, which decreases

the amount of fuel consumed. Reducing idling time would, therefore, avoid inefficient energy consumption related to off-road vehicle use. Similarly, maintaining equipment in accordance with manufacturer's specifications, as required by APM-AQ-1, ensures that equipment continues to operate efficiently.

Projected fuel use during construction is approximately 161,700 gallons of diesel and 21,488 gallons of gasoline. Projected petroleum use during operation of the project averages to 222,375 gallons per year (165,182 gal/year (diesel) + 57,192 gal/year (gasoline)) over the estimated 11-year period during which engineered fill would be transported by truck to the Centennial and Brunswick Industrial Sites. For the remainder of the life of the project, during which engineered fill is transported longer distances to market, projected annual petroleum use is 403,208 gallons (357,742 gal/year (diesel) + 45,468 gal/year (gasoline)).

In addition to the energy efficiency requirements focused on reducing fuel consumption discussed above, construction and operations would also require operation of electrically powered equipment. Total energy demand during construction is estimated at 16,513 megawatt-hours. Total annual energy demand (PG&E supplied) for the operational lifetime of the project is estimated at 49,613 megawatt-hours. Use of grid-supplied electricity provides an opportunity for the use of renewably generated electricity to power project operations. Unlike fossil-fueled equipment, electric equipment may receive electrical power from sources such as solar, hydro-electric, wind, or biomass, which are sustainable and renewable. The electricity provider for the project area, PG&E, currently utilizes a variety of renewable energy sources to provide electricity to the grid. Thus, use of electrically powered equipment would reduce the project's dependence on fossil-fuel energy supplies and would not be considered an inefficient source of energy demand. Although electricity demand for the project would primarily be met through grid-supplied electricity, in certain instances, such as during power outages or emergency electrical shut-offs, the use of emergency generators would be necessary to provide continued electrical power. Despite the emergency generators being diesel fueled, both of the generators used during project construction and all four of the generators used during project operations, if needed, would be Tier 4 Final engines. As discussed above, Tier 4 Final engines are the most efficient engines currently available, which would ensure that the consumption of fuel by the generators would be minimized to the extent feasible. Moreover, the generators would be used to provide continued operations to critical mining infrastructure such as pumps, locomotives, and ventilation systems, which are critical to the safety of miners and efficient operation of the mine. Thus, the use of electrically powered equipment would not result in the inefficient or wasteful consumption of energy.

Pages 4.3-96 through 4.3-99, DEIR Chapter 4.3, Section 4.3.4, Mitigation Measure 4.37(b) is hereby revised as follows:

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~~ 2,345 MT CO_2e, which was calculated by 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 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,
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 and AB 32 (the California Global Warming Solutions Act of 2006) to the extent applicable to voluntary offsets.

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~~ in addition to: (1) any greenhouse gas emission reduction otherwise required by law or regulation~~,~~; ~~and not~~ (2) any other GHG emissions reduction that otherwise would occur; and (3) is consistent with Health and Safety Code Section 38562(d)(2);

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 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 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).

Additionally, the County shall require that all carbon offsets purchased by the Project applicant shall originate from inside the state of California.

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. 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, and information sufficient for the County to verify that the purchased offsets meet the requirements identified within this mitigation.

To ensure consistent and effective enforcement of this mitigation measure and to assist the County with its review of the report described above, an implementation process timeline and associated flow chart for the implementation and administration of this mitigation measure's requirements has been prepared and is attached as Appendix F to the FEIR.

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 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. In the event that the project is out of compliance with this Mitigation Measure and fails to demonstrate compliance after receiving notice of said violation, the County shall have authority to impose administrative penalties, take legal action to force compliance, or to start proceedings to suspend or revoke the Project's permits.

The foregoing revisions to Chapter 4.3, Air Quality, Greenhouse Gas Emissions, and Energy, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

4.4 Biological Resources

Page 4.4-9, DEIR Chapter 4.4, Section 4.4.2, the final paragraph is hereby revised as follows:

> The montane riparian in the placer diggings and areas created from earth movement are characterized by ~~black~~ Fremont cottonwood (P*opulus* ~~*tremuloides*~~ *fremontii* ssp. *fremontii*), red willow (*Salix laevigata*), arroyo willow (*Salix lasiolepis*), and occasionally ponderosa

pine in the overstory. Dense thickets are often resultant with Himalayan blackberry and Baltic rush (*Juncus balticus* ssp. *atar)* in the herbaceous layer.

Page 4.4-10, DEIR Chapter 4.4, Section 4.4.2, the second paragraph is hereby revised as follows:

The montane riparian vegetation along both sides of the South Fork Wolf Creek is dominated by white alder (*Alnus rhombifolia*), red willow (*Salix laevigata*), and arroyo willow (*Salix lasiolepis*), with other overstory species from adjacent vegetation types, including California black oak, Ponderosa pine and Douglas fir. The understory of montane riparian along the stream is dominated by Himalayan blackberry. This vegetation type forms a very narrow band along both sides of the creek between the mapped montane conifer-hardwood and annual grassland and wet meadow vegetation communities.

Page 4.4-20, DEIR Chapter 4.4, Section 4.4.2, fifth row of Table 4.4-5 is hereby revised as follows to include a discussion on Pine Hill flannelbush:

Pine Hill flannelbush *Fremontodendron decumbens*	FE/CR/1B.2	Chaparral, cismontane woodland on serpentinite and gabbroic substrates, from 1,390 – 2,495 feet.	Apr-July	**Centennial Industrial Site** **~~High~~ Present.** ~~Potential for occurrence in~~ Species identified within openings and under chaparral in gabbroic soils in Idaho Maryland study area. Known from CNDDB Occurrence #14. Protocol level field surveys in 2019 expanded boundaries of known occurrence. **Brunswick Area** **Low.** Known from two miles to the north. Gabbroic soils not present in study area. Was not observed during 2019 protocol level field surveys.

Page 4.4-32, DEIR Chapter 4.4, Section 4.4.2, fifth row of Table 4.4-6 is hereby revised as follows to include a discussion on foothill yellow-legged frog:

Foothill yellow-legged frog *Rana boylii*	SCT/S~~C~~	Perennial rocky (pebble or cobble) streams with cool, clear water in a variety of habitats from valley and foothill oak woodland, riparian forest, ponderosa pine, mixed conifer, coastal scrub, and mixed chaparral at elevations ranging from 0 to 6,370 feet. Occurs in the Klamath, Cascade, north Coast, south Coast, and Transverse Ranges; through the Sierra Nevada foothills up to approximately 6,000 feet south to Kern County.	**Centennial Industrial Site** **Very Low**. However, the main stem of Wolf Creek within the northern section of the Centennial Industrial Site contains marginal suitable habitat for the species. **Brunswick Area** **Very Low**. However, the South Fork Wolf Creek within the western section of the Brunswick Industrial Site contains marginal suitable habitat for the species.

Page 4.4-34, DEIR Chapter 4.4, Section 4.4.2, fourth row of Table 4.4-6 is hereby revised as follows to include a discussion on California black rail:

California black rail Laterallus jamaicensis coturiculus	--/CT California Fully Protected	California black rail inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. The species requires water depths of approximately 1 inch that does not fluctuate during the year and dense vegetation for nesting habitat.	**Centennial Industrial Site** **Very Low**. However, the perennial aquatic resources, such as the freshwater emergent marsh habitats within the eastern section of the Centennial Industrial Site, should some portion remain after remediation, contain marginal suitable habitat for the species. **Brunswick Area** **Very Low**. However, the perennial aquatic resources such as the freshwater emergent marsh habitats within the Brunswick Industrial Site contain marginal suitable habitat for the species.

Page 4.4-34, DEIR Chapter 4.4, Section 4.4.2, Table 4.4-6 is hereby revised as follows to include discussions on olive-sided flycatcher, willow flycatcher, yellow-breasted chat, and yellow warbler:

Olive-sided flycatcher *Contopus cooperi*	--/SSC	Breeds in montane and northern coniferous forests, at forest edges and openings, such as meadows and ponds. Winters at forest edges and clearings where tall trees or snags are present. The nest is an open cup of twigs, rootlets, and lichens, placed out near tip of horizontal branch of a tree.	**Centennial Industrial Site** **Low**. Centennial Industrial Site, should some portion remain after remediation, contains marginal suitable habitat for the species. **Brunswick Area** **Low**. Brunswick Industrial Site contains marginal suitable habitat for the species.
Willow flycatcher *Empidonax traillii*	--/CE	Willow flycatcher males arrive first to the breeding grounds and establish territories. Males establish territories by singing on high perches. Females arrive later and settle onto a territory held by a male. Inhabits extensive thickets of low, dense willows on edge of wet meadows, ponds, or backwaters. Low, exposed branches are used for singing posts and hunting perches.	**Centennial Industrial Site** **Low**. Centennial Industrial Site, should some portion remain after remediation, contains marginal suitable foraging habitat for the species. Suitable nesting habitat absent. **Brunswick Area** **Low**. Brunswick Industrial Site contains marginal suitable foraging and nesting habitat for the species along South Fork Wolf Creek adjacent to open wet meadows. No impacts to

			riparian habitat are proposed.
Yellow-breasted chat *Icteria virens*	--/SSC	Summer resident and inhabits riparian thickets of willow and other brushy tangles near waterways. Nests in low, dense riparian habitat consisting of willow and blackberry as well as wild grape. Tends to nest within 10 feet of the ground.	**Centennial Industrial Site Low**. Centennial Industrial Site, should some portion remain after remediation, contains marginal suitable habitat for the species. **Brunswick Area Low**. Brunswick Industrial Site contains marginal suitable foraging and nesting habitat for the species.
Yellow warbler *Setophaga petechia*	--/SSC	Occurs principally as a migrant and summer resident from late March through early October; breeds from April to late July. Inhabits riparian thickets of willow and other brushy tangles near waterways. Nests in dense riparian habitat consisting of willow and cottonwood.	**Centennial Industrial Site Low**. Centennial Industrial Site, should some portion remain after remediation, contains marginal suitable habitat for the species. **Brunswick Area Low**. Brunswick Industrial Site contains marginal suitable foraging and nesting habitat for the species.

Page 4.4-34, DEIR Chapter 4.4, Section 4.4.2, Table 4.4-6 is hereby revised as follows to include the discussion on California spotted owl:

California spotted owl *Strix occidentalis occidentalis*	--/SSC	California spotted owl inhabits older, closed canopy forests and forages for prey that require woody debris and understory vegetation for cover. The species nests in cavities of trees and snags.	**Centennial Industrial Site None**. Suitable habitat for the species is absent. **Brunswick Area Moderate potential for CSO nesting, and High potential for transitory CSO**. Brunswick Industrial Site contains habitat within the southern section of the site. The species has been previously documented within that area along the border of the site with the neighboring parcel. Species documented in 2011, 2012, 2016, and 2018, but the species was not identified within the site during the surveys implemented in December 2018, early January 2019, July 2019, or August 2022. A nest has not been seen onsite since 2011. Further, the two protocol surveys conducted in 2022 did not identify any

			CSO onsite. Therefore, the potential for CSO nesting onsite is Moderate, while the potential for CSO that may be moving through the site or foraging onsite is High.

Page 4.4-35, DEIR Chapter 4.4, Section 4.4.2, Table 4.4-6 is hereby revised as follows to include the discussion on monarch butterfly:

Monarch butterfly *Danaus plexippus*	FC/--	Monarch butterfly has not been documented within the CNDDB within 5 miles of either the Centennial Industrial Site or Brunswick Area. Neither site contains many milkweed plants, the host plant for the species. This species is of a Federal Candidate for listing under the ESA.	**Centennial Industrial Site and Brunswick Area Low.** The species was not identified within either area during the surveys conducted in 2018, 2019, and 2022. Both sites contain very few and scattered milkweed plants. Anecdotal evidence shows the species to have been previously documented within the greater Grass Valley area. It is unlikely to occur in the Centennial Industrial Site or Brunswick Industrial Site.

Page 4.4-38, DEIR Chapter 4.4, Section 4.4.2, the California black rail subheading is hereby revised as follows:

California black rail (*Laterallus jamaicensis coturiculus*) – CA State Threatened and CA State Fully Protected

California black rail inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. The species requires water depths of approximately one inch that does not fluctuate during the year and dense vegetation for nesting habitat.

Page 4.4-39, DEIR Chapter 4.4, Section 4.4.2, the following discussion on riparian bird species is added after the discussion on California black rail:

Riparian Bird Species

Several species of birds are known to forage and nest within riparian habitat along stream corridors, including the willow flycatcher (*Empidonax traillii*), yellow warbler (*Setophaga petechia*), yellow-breasted chat (*Icteria virens*), and olive-sided flycatcher (*Contopus cooperi*). Yellow-breasted chat has been mapped within the CNDDB approximately 1.0 mile downstream of the Brunswick Area within the riparian habitat along South Fork Willow Creek. The willow flycatcher, yellow warbler, and olive-sided flycatcher have not been mapped within the CNDDB within 5 miles of the Brunswick Area or Centennial Area, but unprocessed data regarding their potential occurrence within the same vicinity as the yellow-breasted chat along the South Fork Wolf Creek downstream of the Brunswick Area is included in the Grass Valley Quad CNDDB search (CDFW 2022).

However, compared to the riparian habitat downstream of the Brunswick Area where the yellow-breasted chat has been mapped in the CNDDB (CDFW 2022), the riparian habitat within the Centennial and Brunswick Industrial Sites provide minimal suitable habitat for

any of these species given the level of disturbance historically within those areas as well as the recent disturbance within both areas in 2021 related to a fire that burned a large area within the Centennial Area and a large storm in late December 2021 that heavily impacted the riparian habitat along the South Fork Wolf Creek within the Brunswick Area. The previous mapped location of the yellow-breasted chat, as well as the locations of the other three riparian bird species included as unprocessed data within the CNDDB (CDFW 2022), are within the Empire Mine State Historic Park and have been identified in an area of substantially higher stream and riparian habitat quality than the more highly disturbed riparian habitat located along the South Fork Wolf Creek within Brunswick Area. Accordingly, these species have a low probability of occurrence onsite, and no potential impact is expected.

Page 4.4-39, DEIR Chapter 4.4, Section 4.4.2, the following discussion on California spotted owl is added after the discussion on California black rail:

California Spotted Owl (*Strix occidentalis occidentalis*) – CA State Species of Concern

California spotted owl have been previously identified within five miles of the Centennial Industrial Site and Brunswick Area, including a location potentially within the border area of the southwestern section of the Brunswick Area and adjacent to the Empire State Historic Park border (CDFW BIOS 2022). The Brunswick Area is generally considered wintering habitat for the California spotted owl and suitable nesting sites for the species are generally considered to be located to the east of Brunswick Road (see CDFW BIOS 2022 habitat mapping for the species). The individuals identified within the southwestern section of the Brunswick Area could be individuals that have moved in from nesting sites outside the Brunswick Area, including the Empire State Mine Historic Park where a pair of California spotted owls have previously been identified (State Parks, 2009). Surveys conducted within the Brunswick Area forested habitat for the project in December 2018, January 2019, and July 2019 did not identify the presence of the species when reconnaissance-level biological resources surveys were conducted for special-status wildlife species. In addition, on August 5, 2022, a raptor biologist with previous experience conducting USDA Forest Service protocols for surveying the California spotted owl did not identify the presence of the species when amplified calls of the California spotted owl were conducted from two (2) locations within the southwestern and western sections of the Brunswick Area (see USFWS 1992 for protocol for the presence, absence, and nest sites for the California spotted owl).

California spotted owl inhabits older, closed canopy forests and forages for prey that require woody debris and understory vegetation for cover. The species nests in cavities of trees and snags. To accurately document the location of a California spotted owl nest, USDA as part of their protocol for the California spotted owl, includes both the identification of a pair of owls and documenting the female in the nest or a male bringing a prey item (usually a mouse placed by the observer) back to a female in the nest. A sighting and/or call back of an individual, pair, and/or juvenile California spotted owl does not reflect that the species is nesting at that exact location given a California spotted owl territory can be quite large (mean up to 946 to 1,520 acres in the Tahoe Nation Forest, see Roberts 2017). The USFWS (1992) protocol for determining whether nesting is confirmed at a location includes that the following conditions are observed:

- Two observations, at least 1 week apart, are required to determine nesting status if the first observation occurs before 1 May. This is necessary because the owls may show signs of initiating nesting early in the season without actually laying eggs and their behavior could easily be mistaken for nesting behavior.
- After 1 May, a single observation is sufficient. Nesting is confirmed if, on 2 visits before 1 May, or 1 visit after 1 May several additional parameters are met.

The observer that documented the California spotted owls within the southwestern section of the Brunswick Area on April 28, 2011 stated that the sighting's highest use could be a nest and that a single young was also sighted on that day. Follow up surveys for the California spotted owl within the southwestern section of the Brunswick Area were conducted in May 2012 and in April 2016, when a pair of owls was documented within the same general location each time, but nesting was not listed as the highest level of use, just use by a pair of owls was listed. Furthermore, in 2018 (no date or month was given), a single resident California spotted owl was documented in the same general area in the southwestern section of the Brunswick Area and was considered a resident and not part of a pair.

Therefore, given there is no additional information to confirm the site was an active nest in 2011 (no confirmation of a female within the nest or confirmation of male bringing prey to an active nest with a prey item like a mouse), and given that a required follow up survey was not conducted by the observer at least 7 days after the initial documentation of the owls at this location since the initial documentation occurred in April 2011 (per the USFWS 1992 protocol), it is inaccurate to call this location a nesting site. Based on the site visits in late 2018, early 2019, and summer 2019, which did not identify the area within the southwestern section of the Brunswick Area as suitable nesting habitat for the species given a lack of required snags, etc. within that section of the Brunswick Area, it is quite likely that a single resident or pair of California spotted owl that live within the Empire State Historic Mine Park use the forested area of the southwestern section of the Brunswick Area for potential foraging and overwintering.

Centennial Industrial Site: No potential suitable habitat for this species occurs within the Centennial Industrial Site.

Brunswick Area: The potential for this species to occur within the forested areas within the southwestern and western sections of the Brunswick area is considered high. This area represents wintering and foraging habitat for the species and it is highly unlikely the species uses the area for nesting given the lack of snags and open areas within the ground that is required for foraging when nesting. Given that any vegetation to be removed within the southwestern and western forested areas of the Brunswick Area would occur between September and January, there is no likelihood for this species to be impacted, given that if present, they would fly away during the removal of such vegetation.

Page 4.4-39, DEIR Chapter 4.4, Section 4.4.2, the following discussion on monarch butterfly is added after the discussion on western bumble bee:

Monarch butterfly (*Danaus plexippus*) – Federal Candidate for ESA Listing
The monarch butterfly has not been previously identified within five miles of the Centennial Industrial Site and Brunswick Area per an updated review of the CNDDB (CNDDB 2022); however, there is some anecdotal evidence that the species has been documented within the greater Grass Valley area (per iNaturalist). Per a review of iNaturalist, the species has never been documented within the Empire Mine State Historical Park located adjacent to the Brunswick Area; however, such websites are not peer reviewed scientifically or by state or federal biologists and should be considered anecdotal until additional documentation of the species are considered validated by state and/or federal biologists, or the scientific community. The species is considered a Federal Candidate for listing under the ESA and the USFWS maps the entirety of the United States as potential habitat for the species. The Centennial Industrial Site and Brunswick Area contain a few, scattered milkweed plants (the host plant of the monarch butterfly), but given the species was never documented within either the Centennial Industrial Site or the Brunswick Area during botanical and

wildlife surveys, the species is considered to have a low probability of occurring within either the Centennial Industrial Site or the Brunswick Area.

Pages 4.4-64 through 4.4-66, DEIR Chapter 4.4, Section 4.4.4, Mitigation Measure 4.4-1(a) is hereby revised as follows:

4.4-1(a) *i.* *Prior to issuance of grading permits for the Centennial Industrial Site, the project applicant shall obtain an Incidental Take Permit (ITP) from CDFW for Project-related impacts to the Pine Hill Flannelbush. During the consultation process with CDFW, the Centennial Pine Hill Flannelbush Habitat Management Plan (Matuzak 2021) (HMP) shall be revised if required by CDFW, and must be approved by CDFW prior to implementation. This HMP shall include habitat enhancement and conservation easement requirements. If the USFWS determines that the plants within the Study Area are the federally endangered Pine Hill flannelbush prior to project implementation, then a USFWS Biological Opinion must also be secured, and the USFWS would also need to approve the HMP prior to implementation. Note that the measures outlined below are minimum measures, and additional measures may be required by CDFW to be included in the HMP during consultation.*

Prior to issuance of grading permits for the Centennial Industrial Site, implement project-specific mitigation measures 1-3 outlined below consistent with the County and CDFW approved HMP, as well as the Habitat Enhancement and Conservation Easement. 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, and thus, measures 4 and 5 are not required prior to issuance of grading permits).~~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, 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 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, 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.*

ii. *Habitat Enhancement:* *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.*

iii. *Conservation Easement:* *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 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 offsite areas not owned by the applicant where the transplants are to be located.

Pages 4.4-66 through 4.4-67, DEIR Chapter 4.4, Section 4.4.4, Mitigation Measure 4.4-1(b) is hereby revised as follows:

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-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, to minimize or compensate for such impacts and to retain their habitat as non-disturbance open space~~ and they are located in an area where impacts are proposed, then the special-status plants shall be completely avoided until a Habitat Management Plan (HMP) is developed and approved by the Nevada County Planning Department. If the plant is listed on the federal or state Endangered Species lists or is state listed as rare, then development of this plan shall be conducted in consultation with USFWS and/or CDFW, respectively, and a BO and/or an ITP shall be obtained prior to impacts. 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.

Note that transplantation and monitoring specifics are examples only, and final details will be developed based on the species to be impacted, if any.

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*
- *a qualified biologist shall be onsite during all vegetation and ground disturbing activities that are within the vicinity of special-status plants and weekly ~~site~~ monitoring of the protective fencing along fencing along the buffer zone ~~by a qualified biologist to ensure that the special-status plants are being protected during site disturbance and construction~~.*

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 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.

Page 4.4-77, DEIR Chapter 4.4, Section 4.4.4, first paragraph of Mitigation Measure 4.4-2(b) is hereby revised as follows:

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. Work in the area shall cease and fencing or other protective measures shall be employed to excluded and prevent access to the area until the identified turtle has cleared the area.*

Page 4.4-79, DEIR Chapter 4.4, Section 4.4.4, second and third paragraphs are hereby revised as follows:

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 and wet meadow 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 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 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.

Page 4.4-80, DEIR Chapter 4.4, Section 4.4.4, second paragraph of Mitigation Measure 4.4-2(e) is hereby revised as follows:

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 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. The qualified biologist shall have all required permits before commencing species specific surveys. 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.

Page 4.4-80, DEIR Chapter 4.4, Section 4.4.4, second paragraph of Mitigation Measure 4.4-2(f) is hereby revised as follows:

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 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 a qualified bat biologist has determined the young bats are no longer roosting and the breeding roost has dispersed from the structure or riparian and forested woodlands they are found in.

Page 4.4-81, DEIR Chapter 4.4, Section 4.4.4, first and second paragraphs are hereby revised as follows:

~~*Non-Special Status Raptors and Migratory*~~ *Nesting Birds*

4.4-2(g) *Pre-construction Survey and Avoidance and Minimization Measures. Prior to initiation of ground-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, including one daytime survey and one nighttime survey targeted at a California spotted owl, consistent with the USFWS (1992) California spotted owl survey protocol. 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. Removal of any trees within the Brunswick Area would occur between September 1st and January 31st to ensure that no nesting birds, raptors, or owls would be impacted by the proposed IMM project.*

If any active nests are located within the proposed disturbance area, including active nests within riparian habitat for the yellow-breasted chat, willow flycatcher, yellow warbler, and olive-sided flycatcher, 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 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 and/or the willow flycatcher, a State listed species, is documented nesting during the pre-construction surveys for nesting birds. Additionally, an ITP could be required by CDFW if complete avoidance of willow flycatcher is not feasible. 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.

Pages 4.4-91 and 4.4-92, DEIR Chapter 4.4, Section 4.4.4, Mitigation Measures 4.4-3(c) and 4.4-3(d) are hereby revised as follows:

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, be provided at a minimum 1:1 ratio 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.*

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 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. Mitigation shall be provided at a minimum 1:1 ratio.

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.

The foregoing revisions to Chapter 4.4, Biological Resources, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

4.5 Cultural and Tribal Cultural Resources

Page 4.5-29, DEIR Chapter 4.5, Section 4.5.4, Mitigation Measures 4.5-1(a) and (b) are hereby revised as follows:

4.5-1(a) ~~*Following initial mine dewatering, and p*~~*Prior to* ~~*commencement of underground mining*~~ *issuance of building permits, 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;*
- *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.

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) and submitted to the Nevada County Planning Department.

The foregoing revisions consist of minor changes to mitigation measure timing and reviewing parties and do not affect the adequacy of the DEIR.

4.7 Hazards and Hazardous Materials

Page 4.7-11, DEIR Chapter 4.7, "Emergency Response and Evacuation", first full paragraph, is hereby revised to reflect the most current information regarding Zone Haven:

> With respect to determining an evacuation area, the current approach is typically through the incident command system, whereby an incident command center is set up at a strategic location to assess and respond to the emergency incident. For example, in the event of a wildfire, fire agencies will set up ~~an incident~~ unified command ~~center~~ in partnership with the appropriate law enforcement agency. In the unincorporated area of Nevada County this will be ~~, from which the fire agencies will notify~~ the Sheriff's Office. The Sheriff's Office will confer with the fire agencies ~~at the incident command center~~ to determine the evacuation area based upon certain critical factors. ~~While this is the current approach, it is noted that t~~The Nevada County Office of Emergency Services (OES) recently entered into contract with Zone Haven, a company that works from a zone-based approach to emergency evacuation.[7] In general, geographic zones are developed based on topography, population, traffic routes, etc. There are numerous zones adjacent to or encompassing the mine site. In the event of a wildfire, the Sherriff's Office would likely issue evacuation orders based upon these zones. The zones can be modified if necessary to accommodate changing populations, new business growth, changing roadways and other factors~~Greenhorn Road area would likely have several zones because it is a relatively large area. The new system should be up and running within a year~~.[8]

The above revisions primarily serve to clarify that the Zone Haven system is now up and running. No changes to the environmental analysis, nor findings of the DEIR, result from this clarification.

Page 4.7-28 and 4.7-29, DEIR Chapter 4.7, Section 4.7.4, the final paragraph on page 4.7-28, which continues onto the next page, is hereby revised as follows:

> The warehouse building would include storage of common reagents, such as collectors, promoters, frothers, and flocculants, all of which would be used in the gold recovery

process conducted in the process plant. These reagents are needed in the gold recovery process to provide a more environmentally friendly alternative to cyanide, which will not be used. According to the Hazardous Material Inventory Statement for the Brunswick Industrial Site, common names of the proposed reagent chemicals include Aerophine, Methyl Isobutyl Carbinol (MIBC), and Magnafloc 10~~, and Soda Ash~~. Aerophine is known as a promoter or collector, used in flotation to increase the floatability of minerals in order to effect their separation from the undesirable mineral fraction. Flotation is an industrial process for selectively separating valuable minerals from non-valuable minerals. The applicant has selected Aerophine over xanthates as the latter can generate carbon disulfide upon decomposition, which is known to be a highly toxic and flammable compound with potential risks to the health and the environment. Magnafloc 10 is known as a flocculant, which help aggregate fine suspended particles to form larger flocs so that the solids can more easily be separated from the water. Magnafloc 10 is not expected to bioaccumulate in organisms, its chemical family (polyacrylamide) is relatively non-toxic, and it is not readily biodegradable into more environmentally problematic chemicals.[16] MIBC is a frother used to create foam to facilitate froth flotation of gold minerals in the gold recovery process. Based on available data, MIBC has a low bioaccumulation potential and exhibits low toxicity to aquatic organisms.[17] ~~Soda Ash is used in gold flotation to control alkalinity.~~ These reagents have various properties, some of which are described above. Whereas some are flammable (e.g., MIBC), others are not ~~(e.g., Soda Ash)~~. The reagents would be removed from the concentrate and sand tailings during the dewatering stage conducted in the process plant using filter presses. All reagents have specific storage requirements that would need to be met on-site, as verified by the Fire Marshall's Office prior to commencement of operations.

The foregoing revisions to Chapter 4.7, Hazards and Hazardous Materials, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

4.8 Hydrology and Water Quality

Page 4.8-2, DEIR Chapter 4.8, Section 4.8.2, first paragraph under the Regional Hydrology heading is hereby revised as follows:

Regional Hydrology

The project sites are located within two watershed areas. The Centennial Industrial Site is located in the Upper Wolf Creek watershed, which encompasses approximately ~~2,250~~ 2,820 acres upstream from the western end of the Centennial Industrial Site. The Brunswick Industrial Site is located in the South Fork Wolf Creek watershed, which encompasses approximately 1,450 acres and is upstream of a culvert where the creek passes underneath part of the City of Grass Valley. Figure 4.8-1 shows an overview of the Upper Wolf Creek and South Fork Wolf Creek watersheds.

Page 4.8-28, DEIR Chapter 4.8, Section 4.8.3, first paragraph under the General Permit for Limited Threat Discharges to Surface Waters subheading is hereby revised as follows:

General Permit for Limited Threat Discharges to Surface Waters

The Limited Threat General Order (R5-~~2016-0076-01~~ 2022-0006) is a general Waste Discharge Requirements permit for Limited Threat Discharges to Surface Water. The discharge of treated water from the proposed mine into South Fork Wolf Creek is anticipated to be covered as a Tier 3 discharge of hard rock mine wastewater. Under Table 3 of the Limited Threat Discharge permit, Tier 3 discharges to surface water that are greater

than 250,000 gpd (greater than 175 gpm) and/or that are longer than four months are allowed if the water to be discharged (with or without treatment) meets the applicable screening levels in the permit.

Page 4.8-45, DEIR Chapter 4.8, Section 4.8.4, first paragraph is hereby revised as follows:

Ongoing monitoring of influent and effluent (i.e., treated water) will be required by the State, in order for the applicant to receive coverage under the State's Limited Threat Discharge Permit (General Order R5-~~2016-0076~~ 2022-0006; NPDES No. CAG995002). Monitoring of treated water would occur at a location specified by the State prior to the point of discharge at South Fork Wolf Creek. The owner will be required to submit quarterly monitoring reports to the State RWQCB, demonstrating compliance with the maximum daily effluent limitations specified in Section V of the NPDES permit. Compliance with the water quality standards and waste discharge requirements in Order No. R5-~~2016-0076~~ 2022-0006 would prevent any degradation of surface water quality due to dewatering.[16]

Page 4.8-52, DEIR Chapter 4.8, Section 4.8.4, first paragraph of Mitigation Measure 4.8-1(a) is hereby revised as follows:

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~~ 2022-0006; 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 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.*

Page 4.8-53, DEIR Chapter 4.8, Section 4.8.4, final paragraph is hereby revised as follows:

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 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. The RoWD must also include a report on the physical and chemical characteristics of the waste, in compliance with Water Code section 13260(k), that could affect its potential to cause pollution or contamination as well as a report that evaluates the potential of the discharge of mining waste to produce, over the long term, acid mine drainage, the discharge or leaching of heavy metals, or the release of other hazardous substances. The WDR's will require continuous and routine characterization and classification (Cal Code regs Title 27 section 22480(b)) of the mining waste to evaluate any possible changes in the geological or geochemical nature of the waste. The applicant will prepare and implement a Waste Characterization Plan (Characterization Plan) which will be incorporated into the approved WDR. The purpose of the Characterization Plan is to continually evaluate the different forms of mining wastes and to appropriately classify these wastes as Group A, Group B, or Group C based on an assessment of the potential risk of water quality degradation posed by each waste. Through the WDR these wastes will be required to be managed, treated, stored, or disposed of in a manner that is protective of water quality. The applicant shall not sell or utilize waste rock and tailings from the Project for construction aggregate or fill purposes offsite (i.e. sites other than the applicants Brunswick and Centennial sites) unless such material has been tested and confirmed to qualify as Group C mining waste under California Code of Regulations Section 22480 and the approved WDR. The specific methods, volumes and frequency of characterization will be established in the approved WDR.

Page 4.8-67, DEIR Chapter 4.8, Section 4.8.4, Mitigation Measure 4.8-2(a) is hereby revised as follows:

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 and groundwater quality information shall be obtained from the project groundwater monitoring wells and collected on a quarterly basis, and submitted in report form to the Nevada County Environmental Health Department, and used to generate the following information:*

1) *Water-level and groundwater quality 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.*

Page 4.8-68, DEIR Chapter 4.8, Section 4.8.4, Mitigation Measure 4.8-2(c) is hereby revised as follows:

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 to NID and County standards.*
2) *Construction of main water piping, interconnecting the existing NID pipelines at E. Bennet Road and Whispering Pines Lane in accordance with NID standards and NID approved engineering design.*
3) *Construction of service lateral piping in accordance with NID standards and NID approved engineering design.*
4) *Installation of water meters at property line in accordance with NID standards and NID approved engineering design.*
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 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.*
10) *All easements necessary for construction and ongoing maintenance of the new pipeline shall be acquired by the applicant and conveyed to NID prior to acceptance of the new potable line.*

Proof of satisfaction of this measure shall be provided to Nevada County Environmental Health Department for each property identified in the Well Mitigation Plan.

Page 4.8-79, DEIR Chapter 4.8, Section 4.8.4, first paragraph under Impact 4.8-6 is hereby revised as follows:

The current water quality control plan for the region is the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, which is also referred to as the Basin Plan (CVRWQCB, 2019). The project would be required to operate under an applicable WDR permit from the CVRWQCB for placement of any waste material on land. The dewatering discharge to South Fork Wolf Creek would also need to comply with the requirements of the applicable NPDES permit Order R5-~~2016-0076~~ 2022-0006 (NPDES No. CAG995002) for Limited Threat Discharges to Surface Water as a Tier 3 discharge. The WDR and NPDES requirements ensure that the project would not conflict with or obstruct implementation of the Basin Plan.

The foregoing revisions to Chapter 4.8, Hydrology and Water Quality, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

4.10 Noise and Vibration

Pages 4.10-18 and 4.10-19, DEIR Chapter 4.10, Section 4.10.4, Table 4.10-6 is hereby revised at the end of this section to correct the placement of L_{eq} and L_{max} labels.

Page 4.10-32, DEIR Chapter 4.10, Section 4.10.4, Table 4.10-12 is hereby revised as follows:

Table 4.10-12
Centennial Industrial Site: Engineered Fill Activity Noise Levels

Receptor	Minimum Distance	Predicted Noise Level		Daytime Noise Criteria		Criteria Exceeded?	
		L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
1	500	~~54~~56	~~61~~71	63	81	**NO**	**NO**
2	600	~~50~~52	~~60~~68	68	86	**NO**	**NO**
8	1000	~~44~~51	~~42~~65	55	75	**NO**	**NO**

Note: Engineered fill placement, grading and compaction activities would be limited to daytime hours. As a result, only the daytime criteria are utilized for the assessment of potential noise impacts for this activity.

Source: Bollard Acoustical Consultants, Inc. (2021).

Page 4.10-33, DEIR Chapter 4.10, Section 4.10.4, Table 4.10-14 is hereby revised as follows:

Table 4.10-14
Brunswick Industrial Site: Engineered Fill Activity Noise Levels

Receptor	Minimum Distance	Predicted Noise Level		Daytime Noise Criteria		Criteria Exceeded?	
		L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
15	1400	45	~~45~~50	55	75	**NO**	**NO**
16	1600	46	~~46~~57	53	75	**NO**	**NO**
17	2000	40	~~40~~51	61	75	**NO**	**NO**
18	1600	47	~~47~~59	55	74	**NO**	**NO**
19	1300	40	~~40~~42	55	74	**NO**	**NO**
20	1000	46	~~46~~48	62	75	**NO**	**NO**
21	700	47	~~47~~50	60	75	**NO**	**NO**
22	500	52	~~52~~57	61	75	**NO**	**NO**
23	400	55	~~55~~61	63	75	**NO**	**NO**

Continued on next page

Table 4.10-14
Brunswick Industrial Site: Engineered Fill Activity Noise Levels

Receptor	Minimum Distance	Predicted Noise Level		Daytime Noise Criteria		Criteria Exceeded?	
		L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
24	350	50	~~50~~60	65	80	**NO**	**NO**
25	650	50	~~50~~63	65	75	**NO**	**NO**
26	300	51	~~51~~61	55	69	**NO**	**NO**
27	600	46	~~46~~49	55	69	**NO**	**NO**
28	500	47	~~47~~51	55	69	**NO**	**NO**
29	1200	40	~~40~~41	55	69	**NO**	**NO**
30	1800	~~32~~27	~~32~~30	55	69	**NO**	**NO**

Note: Engineered fill placement, grading and compaction activities would be limited to daytime hours. As a result, only the daytime criteria are utilized for the assessment of potential noise impacts for this activity.

Source: Bollard Acoustical Consultants, Inc. (2021).

Page 4.10-19, DEIR Chapter 4.10, Section 4.10.4, Table 4.10-19 is hereby revised as follows:

Table 4.10-19
Predicted Combined Noise Levels from All Daytime Sources at Nearest Receptors

Receptor	Project Daytime Noise Generation		Daytime Noise Criteria		Criteria Exceeded?	
	L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
1	56	~~68~~71	63	81	**NO**	**NO**
2	54	~~67~~68	68	86	**NO**	**NO**
3	39	46	66	87	**NO**	**NO**
4	37	43	60	75	**NO**	**NO**
5	29	34	54	71	**NO**	**NO**
6	29	34	55	72	**NO**	**NO**
7	29	33	54	71	**NO**	**NO**
8	~~38~~52	~~48~~65	55	75	**NO**	**NO**
9	35	41	53	71	**NO**	**NO**
10	34	40	52	71	**NO**	**NO**
11	34	42	52	72	**NO**	**NO**
12	33	41	54	74	**NO**	**NO**
13	34	43	55	75	**NO**	**NO**
14	41	48	55	75	**NO**	**NO**
15	~~44~~45	55	55	75	**NO**	**NO**
16	~~45~~46	~~51~~57	53	75	**NO**	**NO**
17	43	~~49~~51	61	75	**NO**	**NO**
18	47	~~53~~59	55	74	**NO**	**NO**
19	41	50	55	74	**NO**	**NO**
20	47	55	62	75	**NO**	**NO**
21	47	58	60	75	**NO**	**NO**
22	~~51~~52	62	61	75	**NO**	**NO**
23	55	67	63	75	**NO**	**NO**
24	50	66	65	80	**NO**	**NO**
25	49	67	65	75	**NO**	**NO**

Continued on next page

Table 4.10-19
Predicted Combined Noise Levels from All Daytime Sources at Nearest Receptors

Receptor	Project Daytime Noise Generation		Daytime Noise Criteria		Criteria Exceeded?	
	L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
26	51	68	55	69	**NO**	**NO**
27	46	57	55	69	**NO**	**NO**
28	~~46~~47	57	55	69	**NO**	**NO**
29	40	50	55	69	**NO**	**NO**
30	34	39	55	69	**NO**	**NO**

Source: Bollard Acoustical Consultants, Inc. (2021).

Pages 4.10-58 and 4.10-59, DEIR Chapter 4.10, Section 4.10.4, Mitigation Measure 4.10-4 is hereby revised as follows:

4.10-4 *The project applicant shall conduct a project-specific Ground Vibration Monitoring Program, as set forth in this mitigation measure. As part of the Ground Vibration Monitoring Program, the mine shall employ between eight and ten seismographs, which shall be installed prior to any onsite blasting, and used during all 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 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 shall assess the data acquired by the seismographs using 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, on a monthly basis, for review.

Table 4.10-6
Baseline Ambient Conditions and Adjusted Nevada County Noise Standards by Receptor

	Baseline Ambient Conditions[1]						Applicable Standards After Adjustment					
	Daytime[3]		Evening[3]		Nighttime[3]		Daytime		Evening		Nighttime	
Receptor[2]	L_{eq}	L_{max}	L_{eq}	L_{max}	~~L_{max}~~ L_{eq}	~~L_{eq}~~ L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
1	58	76	51	68	50	66	63	81	56	73	55	71
2	63	81	56	73	55	71	68	86	61	78	60	76
3	61	82	53	71	51	69	66	87	58	76	56	74
4	55	72	53	65	56	70	60	75	58	70	61	75
5	49	66	47	59	50	64	54	71	50	64	55	69
6	50	67	48	60	51	65	55	72	50	65	56	70
7	49	66	47	59	50	64	54	71	50	64	55	69
8	54	72	49	69	45	65	55	75	50	74	45	70
9	48	66	43	63	39	59	53	71	48	65	44	60
10	47	66	43	64	37	58	52	71	48	65	42	60
11	47	67	43	65	37	59	52	72	48	70	42	60
12	49	69	45	67	39	62	54	74	50	72	44	67
13	51	70	48	69	41	64	55	75	50	74	45	69
14	50	72	48	72	42	64	55	75	50	77	45	69
15	51	73	49	72	43	65	55	75	50	77	45	70
16	48	71	46	71	40	62	53	75	50	76	45	67
17	56	73	54	66	57	71	61	75	59	71	62	76
18	52	69	50	62	53	67	55	74	50	65	58	72
19	54	69	51	68	46	65	55	74	56	73	51	70
20	57	72	55	72	50	68	62	75	60	77	55	73
21	55	70	53	70	48	66	60	75	58	75	53	71
22	56	71	53	70	48	67	61	75	58	75	53	72
23	58	73	56	73	51	69	63	75	61	78	56	74
24	60	75	58	75	53	71	65	80	63	80	58	76
25	60	75	57	74	52	71	65	75	62	79	57	76
26	51	64	49	63	44	56	55	69	50	65	45	60
27	51	64	49	63	44	56	55	69	50	65	45	60
28	51	64	49	63	44	56	55	69	50	65	45	60
29	51	64	49	63	44	56	55	69	50	65	45	60

Table 4.10-6
Baseline Ambient Conditions and Adjusted Nevada County Noise Standards by Receptor

	Baseline Ambient Conditions[1]						Applicable Standards After Adjustment					
	Daytime[3]		Evening[3]		Nighttime[3]		Daytime		Evening		Nighttime	
Receptor[2]	L_{eq}	L_{max}	L_{eq}	L_{max}	~~L_{max}~~ $_{eq}$	~~L_{eq}~~ $_{max}$	L_{eq}	L_{max}	L_{eq}	L_{max}	L_{eq}	L_{max}
30	51	64	49	63	44	56	55	69	50	65	45	60

Notes:

1. Baseline ambient conditions at each representative receptor were established through extrapolating the Table 4.10-1 data closest to each receptor using a 4.5 dB per doubling of distance decay rate.
2. Receptor locations are indicated on Figure 4.10-2.
3. Daytime = 7:00 AM – 7:00 PM; Evening = 7:00 PM – 10:00 PM; Nighttime = 10:00 PM – 7:00 AM

Source: Bollard Acoustical Consultants, Inc. (2021).

The foregoing revisions to Chapter 4.10, Noise and Vibration, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

4.12 Transportation

Page 4.12-12, DEIR Chapter 4.12, Section 4.12.2, Figure 4.12-1 is hereby replaced with the figure shown on the following page.

Pages 4.12-13 and 4.12-14, DEIR Chapter 4.12, Section 4.12.2, Table 4.12-2 is hereby revised as shown on the following pages.

Page 4.12-17, DEIR Chapter 4.12, Section 4.12.2, first and third paragraph and Table 4.12-4 are hereby revised as follows:

Existing Vehicle Miles Traveled

VMT is a metric that accounts for the number of vehicle trips generated and the length or distance of those trips. The available measures of VMT for Nevada County include the following:

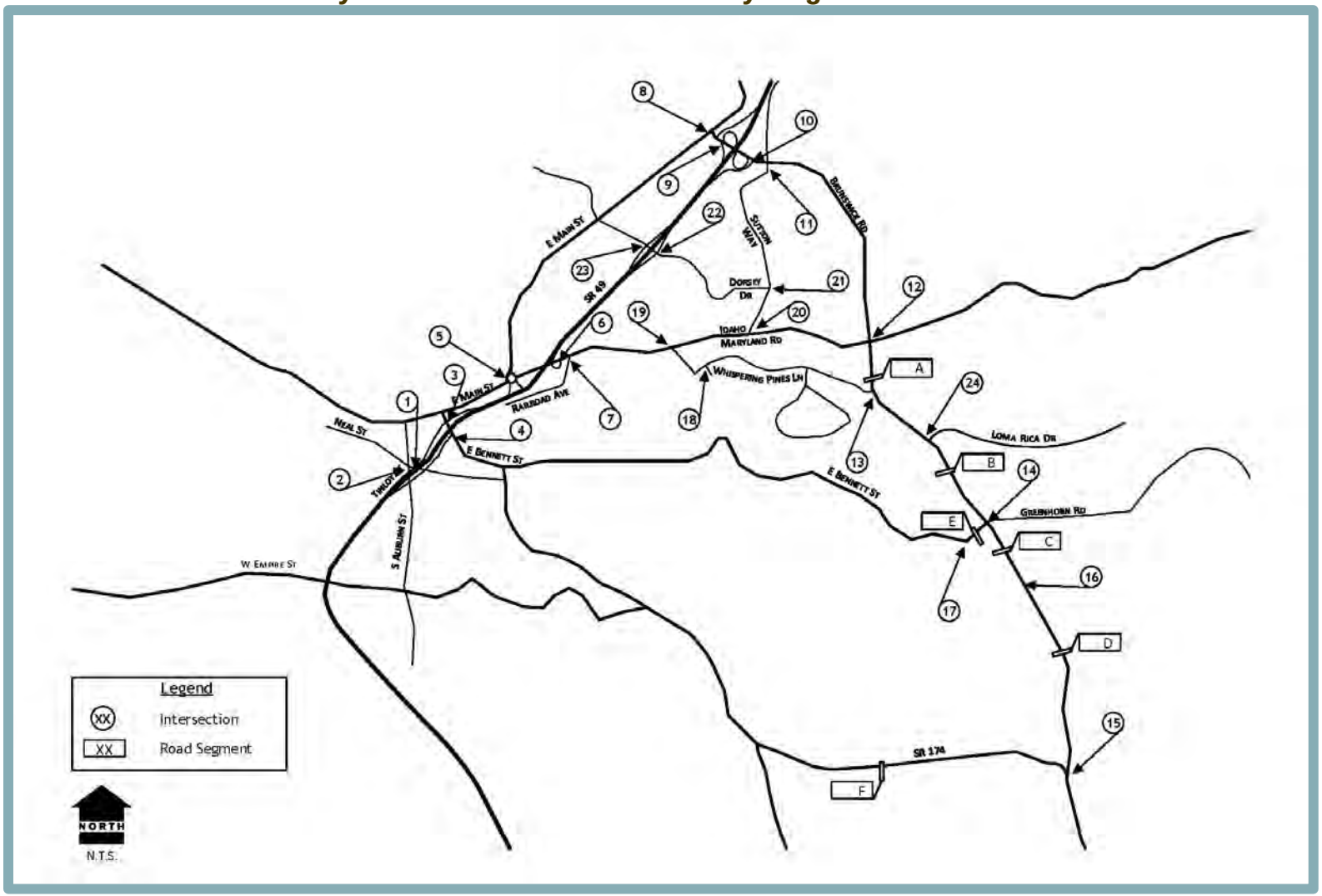
- Total VMT – the sum of VMT for all vehicle trips and trip purposes.
- Residential VMT per capita – the sum of VMT for trips originating from home, divided by the number of residents.
- VMT per worker – the sum of VMT for trips from home to work, divided by the number of workers.

In July 2020, Fehr & Peers prepared Senate Bill 743, Vehicle Miles Traveled Implementation for the Nevada County Transportation Commission (NCTC). The NCTC in turn distributed the document to the various agencies within the County so each agency could develop their own significance threshold guidelines. Fehr & Peers recommends that VMT be expressed as a generation rate rather than a ratio. The County's recommended threshold of significance is on a per service population basis (Nevada County Traffic impact Guidelines, June 2020). Because the proposed project is an industrial land use project, the calculated VMT per employee (worker) is also the VMT per service population ~~County determined that the preferred significance threshold metric shall be VMT per worker (i.e., project employee)~~.

The subareas, based on similar travel characteristics and proximity, are recommended to be the following: the City of Grass Valley; the City of Nevada City; the Town of Truckee; Alta Sierra; Lake of the Pines; Lake Wildwood and Penn Valley; the remainder of western Nevada County; and the remainder of eastern Nevada County. Use of a subarea threshold acknowledges the differences in VMT generation in different parts of Nevada County.

Table 4.12-4 presents the results of the VMT measurement analysis that considers trips from outside the model as well as within the NCTC Travel Demand Model (TDM) ~~from several data sources including the NCTC Travel Demand Model (TDM), the California State Travel Demand Model, and MXD+, a trip generation tool developed by Fehr & Peers.~~ As noted in further detail in the Method of Analysis section below, the data in Table 4.12-4 was used to determine the significance threshold for the proposed project.

Figure 4.12-1
Study Intersection and Roadway Segment Locations



Source: KDAnderson & Associates, Inc., 20221.

Table 4.12-2
Project Traffic Hours Intersection LOS – Existing Conditions

Location - Jurisdiction	Control	6:30 – 7:30 AM		3:30 – 4:30 PM		6:30 – 7:30 PM		Meets Traffic Signal Warrant?
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
1. Neal St/Tinloy St ‡	Signal	A	4.8	A	8.3	A	6.6	N/A
2. S. Auburn St/Tinloy St ‡	Signal	A	6.1	A	8.7	A	7.0	N/A
3. E. Bennett Rd/Tinloy St/SR 49 WB Off-Ramp ‡	SB/WB Stop	A	3.9	A	6.1	A	4.1	Yes*
4. E. Bennett Rd/Hansen Way/SR 49 EB On-Ramp ‡	AWS	A	9.2	B	14.8	B	10.1	No
5. Main St/Idaho Maryland Rd/SR 49 WB Ramps ‡	Roundabout	A	4.5	A	6.6	A	4.3	N/A
6. Idaho Maryland Rd/SR 49 EB Ramps ‡	AWS	B	~~13.5~~14.4	C	~~18.2~~19.3	A	~~9.5~~9.8	No
7. Idaho Maryland Rd/Railroad Ave ‡	AWS	B	~~10.7~~11.3	C	~~15.9~~17.1	A	~~8.5~~8.8	No
8. Main St/Brunswick Rd/W. Olympia Dr ‡	Signal	A	5.8	B	~~13.3~~14.2	A	~~8.7~~9.1	N/A
9. Brunswick Rd/SR 49 WB Off-Ramp/Maltman Dr ‡	Signal	B	~~16.6~~15.8	B	~~19.8~~20.2	B	~~16.7~~15.8	N/A
10. Brunswick Rd/SR 49 EB Ramps ‡	Signal	A	~~8.6~~8.7	B	~~13.2~~13.3	A	~~9.2~~8.8	N/A
11. Brunswick Rd/Sutton Way ‡	Signal	A	~~4.8~~4.7	C	~~21.3~~21.2	A	~~9.1~~9.2	N/A
12. Brunswick Rd/Idaho Maryland Rd ‡	EB/WB Stop							Yes*
NB Left		A	~~8.0~~8.1	A	9.0	A	8.0	
SB Left		A	7.8	A	8.8	A	7.8	
EB		B	~~10.3~~10.5	B	~~13.7~~13.9	B	10.6	
WB		C	~~17.1~~17.3	**F**	**70.7**	B	14.6	
13. Brunswick Rd/Whispering Pines Ln ‡	EB Stop							Yes*
NB Left		A	8.4	A	9.1	A	8.3	
EB		B	10.8	B	14.1	B	10.6	
14. Brunswick Rd/E. Bennett Rd/Greenhorn Rd †	AWS	B	10.6	C	17.4	B	10.5	Yes*
15. Brunswick Rd/SR 174 †	SB Stop							Yes*
SB		B	12.5	**E**	**35.1**	B	12.5	
EB Left		A	~~7.6~~7.7	A	7.8	A	7.4	
16. Brunswick Rd/Project Driveway †	EB Stop	Not Studied						
17. E. Bennett Rd/Millsite Rd †	NB Stop	Not Studied						

Table 4.12-2
Project Traffic Hours Intersection LOS – Existing Conditions

Location - Jurisdiction	Control	6:30 – 7:30 AM		3:30 – 4:30 PM		6:30 – 7:30 PM		Meets Traffic Signal Warrant?
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
18. Whispering Pines Ln/Centennial Site Driveway ‡	NB Stop	Not Studied						
19. Idaho Maryland Rd/Centennial Dr ‡ NB WB Left	NB Stop	B A	~~11.3~~10.8 ~~8.2~~8.1	**F** A	**59.1** 8.3	B A	10.1 7.6	No
20. Idaho Maryland Rd /Sutton Way ‡	AWS	A	~~8.1~~8.0	B	~~12.4~~12.5	A	8.0	No
21. Sutton Way/Dorsey Dr ‡	AWS	A	8.0	B	11.8	A	8.2	No
22. Dorsey Dr/SR 49 EB Ramps ‡	Signal	A	7.9	B	13.6	A	7.8	N/A
23. Dorsey Dr/SR 49 WB Ramps ‡	Signal	A	3.7	A	9.1	A	5.3	N/A
24. Brunswick Road/Loma Rica Dr †	Signal	B	~~11.8~~12.0	B	~~13.9~~14.3	A	~~8.0~~8.1	N/A

Notes:
- AWS = all way stop
- † = Nevada County jurisdiction
- ‡ = Grass Valley jurisdiction
- **Bold** indicates intersection operates below the applicable threshold of significance
- * = meets warrant in 3:30 PM hour

Source: KDAnderson & Associates, Inc., 2022~~1~~2.

Half of the project is located in the Grass Valley Subarea while half is located in unincorporated Western Nevada County ~~The Grass Valley subarea was used as the basis due to the project's proximity to the City~~.

Table 4.12-4
~~Home-Based VMT per Worker~~ Total VMT per Service Population

Location (SubArea)	NCTC TDM
Grass Valley	~~18.6~~ 28.0
Nevada City	~~26.6~~ 36.2
Truckee	N/A
Alta Sierra	~~27.8~~ 17.1
Lake Wildwood	~~34.3~~ 22.5
Penn Valley	~~18.6~~ 18.8
Lake of the Pines	~~25.0~~ 16.4
Unincorporated Western Nevada County	~~N/A~~ 18.1
Western Nevada County Total	22.2

Source: KDAnderson & Associates, Inc., 2021.

Page 4.12-27 and 4.12-28, DEIR Chapter 4.12, Section 4.12.4, the discussion under the Vehicle Miles Traveled Standard of Significance subheading is hereby revised as follows:

Vehicle Miles Traveled Standard of Significance

For the proposed project, a VMT impact may be considered less than significant if:

- The project's total weekday VMT per service population is equal to or less than 14.3 percent below the subarea mean under baseline conditions, or the project reduces the total VMT per service population for the subarea; and
- The project is consistent with the General Plan and the Nevada County Regional Transportation Plan.

As stated above, because the proposed project is an industrial land use project, the ~~County determined that the preferred significance threshold metric shall be~~ VMT per worker (i.e., project employee) is also the VMT per Service Population. The data in Table 4.12-4 was used to determine the significance threshold for the proposed project. Half of the project is located in the Grass Valley Subarea while half is located in unincorporated Western Nevada County. The subarea mean VMT per service population rates are 28.0 for Grass Valley and 18.1 for unincorporated Western Nevada County. The most conservative approach is to use the unincorporated Western Nevada County ~~Grass Valley~~ subarea ~~was used as the basis due to the project's proximity to the City~~. Therefore, the proposed project would be considered to result in a significant impact related to VMT if the project would result in a VMT per worker ratio that is less than 14.3 percent below the subarea mean for the ~~Grass Valley~~ unincorporated Western Nevada County subarea of 18.~~6~~1.

Pages 4.12-60, 4.12-65, 4.12-71 through 4.12-74, 4.12-76 through 4.12-79, DEIR Chapter 4.12, Section 4.12.4, Tables 4.12-10, 4.12-11, 4.12-14, and 4.12-15 are hereby revised on the following pages.

Pages 4.12-81 through 4.12-83, DEIR Chapter 4.12, Section 4.12.4, the discussion under Impact 4.12-5 is hereby revised as follows:

Table 4.12-10
Project Traffic Hours Intersection LOS – EPAP Plus Project Conditions (Scenario #1)

Location – Jurisdiction	Control	6:30 – 7:30 AM				3:30 – 4:30 PM				6:30 – 7:30 PM				Meets Traffic Signal Warrant?
		EPAP		EPAP Plus Project		EPAP		EPAP Plus Project		EPAP		EPAP Plus Project		
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
1. Neal St/Tinloy St ‡	Signal	A	4.8	A	5.1	A	8.4	A	8.2	A	7.0	A	7.1	N/A
2. S. Auburn St/Tinloy St ‡	Signal	A	6.3	A	6.1	A	8.7	A	8.7	A	6.9	A	7.0	N/A
3. E. Bennett Rd/Tinloy St/SR 49 WB Off-Ramp ‡	SB/WB Stop	A	3.8	A	3.8	A	6.4	A	6.3	A	4.2	A	4.0	Yes*
4. E. Bennett Rd/Hansen Way/SR 49 EB On-Ramp ‡	AWS	A	9.3	A	9.3	B	15.2	B	15.2	B	10.2	B	10.2	No
5. Main St/Idaho Maryland Rd/SR 49 WB Ramps ‡	Roundabout	A	4.7	A	4.8	A	6.8	A	7.0	A	4.4	A	4.6	N/A
6. Idaho Maryland Rd/SR 49 EB Ramps ‡	AWS	~~B~~C	~~14.9~~15.9	C	~~17.2~~18.9	C	~~22.6~~24.4	~~C~~D	~~23.7~~25.7	~~A~~B	~~9.9~~10.2	B	~~10.3~~10.6	Yes*
7. Idaho Maryland Rd/Railroad Ave ‡	AWS	B	~~11.0~~11.4	B	~~11.5~~12.1	C	~~16.5~~17.8	C	~~17.0~~18.4	A	~~8.7~~9.1	A	~~8.9~~9.3	No
8. Main St/Brunswick Rd/W. Olympia Dr ‡	Signal	A	~~6.1~~5.7	A	5.9	B	~~13.7~~13.6	B	13.4	A	~~9.0~~9.1	A	9.0	N/A
9. Brunswick Rd/SR 49 WB Off-Ramp/Maltman Dr ‡	Signal	B	~~15.9~~16.5	B	~~16.8~~16.7	B	~~19.8~~19.5	~~B~~C	~~19.8~~20.5	B	~~16.5~~16.3	B	~~16.9~~17.0	N/A
10. Brunswick Rd/SR 49 EB Ramps ‡	Signal	A	~~9.1~~8.7	A	~~8.7~~8.5	B	~~13.5~~13.4	B	~~13.6~~13.8	A	9.0	A	~~8.9~~9.3	N/A
11. Brunswick Rd/Sutton Way ‡	Signal	A	5.2	A	~~5.2~~5.0	C	21.5	C	~~22.0~~21.8	A	~~9.5~~9.6	A	~~9.2~~9.4	N/A
12. Brunswick Rd/Idaho Maryland Rd ‡														
NB Left		A	~~8.0~~8.2	A	~~8.2~~8.4	A	~~9.0~~9.1	A	~~9.1~~9.2	A	8.0	A	8.2	
SB Left	EB/WB Stop	A	7.8	A	7.9	A	8.8	A	8.9	A	7.9	A	7.9	Yes*
EB		B	~~10.4~~10.6	B	~~11.3~~11.5	B	~~14.1~~14.2	B	~~14.1~~14.2	B	~~10.7~~10.8	B	~~11.2~~11.3	
WB		C	~~17.9~~18.1	D	~~25.4~~25.8	**F**	**83.7**	**F**	**~~98.2~~102.5**	C	15.3	C	18.3	
13. Brunswick Rd/Whispering Pines Ln ‡														
NB Left	EB Stop	A	8.4	A	8.8	A	9.1	A	9.1	A	8.3	A	8.5	Yes*
EB		B	10.9	B	11.4	B	14.5	B	14.8	B	10.6	B	11.1	
14. Brunswick Rd/E. Bennett Rd/Greenhorn Rd †	AWS	B	~~10.7~~11.0	B	~~12.7~~13.3	C	~~18.5~~19.6	C	~~20.7~~22.0	B	~~10.8~~11.0	B	~~12.4~~12.8	Yes*
15. Brunswick Rd/SR 174 †														
SB	SB Stop	B	12.5	B	~~13.0~~13.1	**E**	**36.3**	**E**	**38.1**	B	12.6	B	13.0	Yes*
EB Left		A	~~7.6~~7.7	A	7.7	A	7.8	A	7.8	A	7.4	A	7.4	
16. Brunswick Rd/Project Driveway †														
NB Left	EB Stop	Not Studied		A	7.8	Not Studied		A	8.4	Not Studied		A	8.2	No
EB				B	11.5			B	12.5			B	11.7	
17. E. Bennett Rd/Millsite Rd †														
NB	NB Stop	Not Studied		A	8.5	Not Studied		A	8.7	Not Studied		A	8.6	No
18. Whispering Pines Ln/Centennial Industrial Site Driveway ‡														
NB	NB Stop	Not Studied		A	9.6	Not Studied		A	9.0	Not Studied		A	8.7	No
WB Left				A	7.8			A	7.5			A	7.4	
19. Idaho Maryland Rd/Centennial Dr ‡														
NB	NB Stop	B	11.3	B	12.2	**F**	**~~99.8~~100.9**	**F**	**112.3**	B	10.2	B	10.8	Yes*
WB Left		A	8.2	A	8.4	A	8.5	A	8.5	A	7.6	A	7.7	
20. Idaho Maryland Rd /Sutton Way ‡	AWS	A	8.1	A	8.5	B	~~13.9~~14.0	B	14.3	A	8.1	A	8.5	No
21. Sutton Way/Dorsey Dr ‡	AWS	A	8.1	A	8.2	C	15.6	C	15.7	A	9.2	A	9.3	No
22. Dorsey Dr/SR 49 EB Ramps ‡	Signal	A	9.3	A	9.3	B	13.7	B	14.0	A	8.2	A	8.3	N/A
23. Dorsey Dr/SR 49 WB Ramps ‡	Signal	A	6.2	A	6.2	B	14.9	B	15.9	A	7.4	A	7.4	N/A
24. Brunswick Rd/Loma Rica Dr †	Signal	B	~~11.8~~12.0	B	~~11.5~~11.7	B	~~14.2~~14.6	B	~~14.7~~15.2	A	~~8.3~~8.4	A	~~8.5~~8.6	N/A

- AWS = all way stop
- † = Nevada County jurisdiction
- ‡ = Grass Valley jurisdiction
- **Bold** indicates intersection operates below the applicable threshold of significance
- * = meets warrant in 3:30 PM hour

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-11
Project Traffic Hours Intersection LOS – EPAP Plus Project Conditions (Scenario #2)

Location - Jurisdiction	Control	6:30 – 7:30 AM				3:30 – 4:30 PM				6:30 – 7:30 PM				Meets Traffic Signal Warrant?
		EPAP		EPAP Plus Project		EPAP		EPAP Plus Project		EPAP		EPAP Plus Project		
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
1. Neal St/Tinloy St ‡	Signal	A	4.8	A	5.0	A	8.4	A	8.6	A	7.0	A	6.8	N/A
2. S. Auburn St/Tinloy St ‡	Signal	A	6.3	A	6.2	A	8.7	A	8.6	A	6.9	A	7.0	N/A
3. E. Bennett Rd/Tinloy St/SR 49 WB Off-Ramp ‡	SB/WB Stop	A	3.8	A	3.8	A	6.4	A	6.4	A	4.2	A	4.1	Yes*
4. E. Bennett Rd/Hansen Way/SR 49 EB On-Ramp ‡	AWS	A	9.3	A	9.3	B	15.2	B	15.2	B	10.2	B	10.2	No
5. Main St/Idaho Maryland Rd/SR 49 WB Ramps ‡	Roundabout	A	4.7	A	4.8	A	6.8	A	7.0	A	4.4	A	4.6	N/A
6. Idaho Maryland Rd/SR 49 EB Ramps ‡	AWS	~~B~~C	~~14.9~~15.9	C	~~17.2~~18.9	C	~~22.6~~24.4	~~C~~D	~~23.7~~25.7	~~A~~B	~~9.9~~10.2	B	~~10.3~~10.6	Yes*
7. Idaho Maryland Rd/Railroad Ave ‡	AWS	B	~~11.0~~11.4	B	~~11.5~~12.1	C	~~16.5~~17.8	C	~~17.0~~18.4	A	~~8.7~~9.1	A	~~8.9~~9.3	No
8. Main St/Brunswick Rd/W. Olympia Dr ‡	Signal	A	~~6.1~~5.7	A	~~6.1~~6.0	B	~~13.7~~13.6	B	~~13.5~~14.3	A	~~9.0~~9.1	A	9.0	N/A
9. Brunswick Rd/SR 49 WB Off-Ramp/Maltman Dr ‡	Signal	B	~~15.9~~16.5	B	~~16.8~~16.4	B	~~19.8~~19.5	C	~~20.3~~20.2	B	~~16.5~~16.3	B	~~16.4~~17.1	N/A
10. Brunswick Rd/SR 49 EB Ramps ‡	Signal	A	~~9.1~~8.7	A	~~8.7~~8.8	B	~~13.5~~13.4	B	~~14.0~~14.3	A	9.0	A	~~8.8~~9.2	N/A
11. Brunswick Rd/Sutton Way ‡	Signal	A	5.2	A	~~5.3~~5.1	C	21.5	C	~~22.1~~22.5	A	~~9.5~~9.6	A	9.6	N/A
12. Brunswick Rd/Idaho Maryland Rd ‡														
NB Left		A	~~8.0~~8.2	A	~~8.2~~8.4	A	~~9.0~~9.1	A	9.2	A	8.0	A	8.2	
SB Left	EB/WB Stop	A	7.8	A	7.9	A	8.8	A	8.9	A	7.9	A	7.9	Yes*
EB		B	~~10.4~~10.6	B	~~11.5~~11.6	B	~~14.1~~14.2	B	~~14.3~~14.4	B	~~10.7~~10.8	B	~~11.3~~11.4	
WB		C	~~17.9~~18.1	D	~~26.7~~26.8	**F**	**83.7**	**F**	**107.3**	C	15.3	C	18.8	
13. Brunswick Rd/Whispering Pines Ln ‡														
NB Left	EB Stop	A	8.4	A	8.8	A	9.1	A	~~9.1~~9.2	A	8.3	A	8.5	Yes*
EB		B	10.9	B	11.5	B	14.5	~~B~~C	~~14.9~~15.0	B	10.6	B	11.2	
14. Brunswick Rd/E. Bennett Rd/Greenhorn Rd †	AWS	B	~~10.7~~11.0	B	~~12.7~~13.0	C	~~18.5~~19.6	C	~~20.7~~22.0	B	~~10.8~~11.0	B	~~12.4~~12.8	Yes*
15. Brunswick Rd/SR 174 †														
SB	SB Stop	B	12.5	B	13.0	**E**	**36.3**	**E**	**38.1**	B	12.6	B	13.0	Yes*
EB Left		A	~~7.6~~7.7	A	7.7	A	7.8	A	7.8	A	7.4	A	7.4	
16. Brunswick Rd/Project Driveway †														
NB Left	EB Stop	Not Studied		A	7.8	Not Studied		A	8.4	Not Studied		A	8.2	No
EB				B	11.5			B	12.5			B	11.7	
17. E. Bennett Rd/Millsite Rd †														
NB	NB Stop	Not Studied		A	8.5	Not Studied		A	8.7	Not Studied		A	8.6	No
18. Whispering Pines Ln/Centennial Industrial Site Driveway ‡	NB Stop	Not Studied		Not Applicable		Not Studied		Not Applicable		Not Studied		Not Applicable		
19. Idaho Maryland Rd/Centennial Dr ‡														
NB	NB Stop	B	11.3	B	12.2	**F**	**~~99.8~~100.9**	**F**	**112.3**	B	10.2	B	10.8	Yes*
WB Left		A	8.2	A	8.4	A	8.5	A	8.5	A	7.6	A	7.7	
20. Idaho Maryland Rd /Sutton Way ‡	AWS	A	~~8.1~~8.2	A	8.5	B	~~13.9~~14.0	B	14.3	A	8.1	A	8.5	No
21. Sutton Way/Dorsey Dr ‡	AWS	A	8.1	A	8.2	C	15.6	C	15.7	A	9.2	A	9.3	No
22. Dorsey Dr/SR 49 EB Ramps ‡	Signal	A	9.3	A	9.0	B	13.7	B	13.7	A	8.2	A	8.4	N/A
23. Dorsey Dr/SR 49 WB Ramps ‡	Signal	A	6.2	A	6.1	B	14.9	B	15.6	A	7.4	A	7.3	N/A
24. Brunswick Rd/Loma Rica Dr †	Signal	B	~~11.8~~12.0	B	~~11.5~~11.7	B	~~14.2~~14.6	B	~~14.7~~15.2	A	~~8.3~~8.4	A	~~8.5~~8.6	N/A

Notes:
- AWS = all way stop
- † = Nevada County jurisdiction
- ‡ = Grass Valley jurisdiction
- **Bold** indicates intersection operates below the applicable threshold of significance
- * = meets warrant in 3:30 PM hour

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-14
EPAP Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
1. Neal St / Tinloy St							
EB	70	67	69	105	103	99	99
WB	150	86	86	139	126	95	92
2. S. Auburn St / Tinloy St							
NB through	80	78	73	115	117	78	73
NB through-left	80	55	53	76	78	53	52
SB	75	78	76	109	109	101	101
WB	95	84	85	99	99	79	75
3. E. Bennett Rd / Tinloy St – SR 49 WB Off-Ramp							
NB left turn	60	27	28	41	42	31	28
NB through	150	46	45	54	56	47	47
4. E. Bennett Rd / Hansen Way – SR 49 EB On-Ramp							
SB left turn	60	<25	<25	38	38	<25	<25
SB through	150	<25	<25	95	95	35	35
5. E. Main St / Idaho Maryland Rd - SR 49 WB Ramps							
NB	---	<25	<25	26	26	<25	<25
SB	---	<25	<25	49	51	<25	<25
EB	---	30	32	63	60	28	29
WB	---	<25	<25	53	53	26	27
6. Idaho Maryland Rd / SR 49 EB Ramps							
NB right	---	~~120~~133	~~163~~183	~~55~~63	~~55~~63	<25	<25
NB left	355	33	~~38~~33	63	63	<25	<25
WB	90	~~30~~33	~~35~~40	~~203~~220	~~220~~240	~~33~~35	~~40~~43
7. Idaho Maryland Rd / Railroad Ave							
EB	90	~~75~~80	~~88~~95	~~80~~98	~~83~~100	<25	<25
8. E. Main St / Brunswick Rd – W. Olympia Dr							
NB left	110	<25	<25	<25	<25	<25	<25
NB right	125	~~43~~44	~~42~~46	~~119~~122	~~114~~116	~~60~~58	~~55~~60

Table 4.12-14
EPAP Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
SB left (2 lanes)	355	~~60~~65	~~66~~71	~~179~~175	~~173~~181	~~99~~105	~~100~~109
WB left (2 lanes)	150	~~45~~40	~~41~~44	~~90~~92	~~88~~87	~~61~~62	~~63~~64
WB right	150	~~54~~49	~~57~~50		~~148~~159	~~71~~77	~~72~~82
9. Brunswick Rd / SR 49 WB Off-Ramp – Maltman Dr							
NB left	100	<25	<25	~~75~~63	~~77~~78	~~57~~55	~~54~~51
NB right	100	~~32~~30	28	~~135~~123	~~131~~134	~~85~~76	82
SB left (2 lanes)	260	~~117~~126	~~125~~135	~~191~~197	~~197~~208	~~136~~138	~~135~~149
SB right	260	47	~~50~~48	~~86~~84	~~79~~84	~~52~~55	~~55~~58
EB	160	~~47~~59	63	~~210~~201	207	~~123~~133	~~135~~137
WB left	145	62	~~62~~64	~~107~~106	~~103~~104	~~89~~90	~~96~~94
10. Brunswick Rd / SR 49 EB Ramps							
NB left	200	~~165~~153	~~159~~152	~~225~~224	221	~~177~~182	~~177~~196
NB right	---	~~93~~113	~~98~~110	~~245~~243	~~250~~252	~~91~~85	~~96~~95
11. Brunswick Rd / Sutton Way							
NB left (2 lanes)	280	~~56~~53	~~53~~58	~~241~~253	~~247~~259	~~110~~119	~~112~~114
SB left	190	~~43~~42	~~41~~39	~~102~~104	110	~~55~~58	~~57~~56
SB right	180	---	---	---	<25	---	---
EB left (2 lanes)	185	~~59~~55	~~55~~58	~~124~~133	~~122~~124	~~67~~69	~~64~~66
EB right	250	~~45~~48	~~47~~50	~~150~~157	~~155~~159	~~87~~84	~~82~~89
WB left	125	44	~~44~~40	~~144~~142	~~137~~135	~~69~~72	~~64~~70
12. Brunswick Rd / Idaho Maryland Rd							
NB left	540	<25	<25	<25	<25	<25	<25
SB left	120	<25	<25	<25	<25	<25	<25
EB right	---	<25	25	40	40	<25	<25
WB left	60	25	40	68	73	<25	<25
13. Brunswick Rd / Whispering Pines Ln							
NB left	210	<25	<25	<25	<25	<25	<25
EB left	110	<25	<25	<25	<25	<25	<25

Table 4.12-14
EPAP Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
14. Brunswick Rd / E. Bennett Rd – Greenhorn Rd							
NB left	225	<25	<25	<25	<25	<25	<25
SB left	260	<25	<25	<25	<25	<25	<25
EB	---	<25	<25	<25	<25	<25	<25
WB	---	<25	<25	<25	<25	<25	<25
15. Brunswick Rd / SR 174							
SB left	90	25	30	205	215	43	48
EB left	130	<25	<25	<25	<25	<25	<25
16. Brunswick Rd / Project Driveway							
NB left	350	---	<25	---	<25	---	<25
EB	---	---	<25	---	<25	---	<25
17. E. Bennett Rd / Millsite Rd							
NB right	---	---	<25	---	<25	---	<25
18. Whispering Pines Ln / Project Driveway							
NB	---	--	<25	---	<25	---	<25
WB left	100	---	<25	---	<25	---	<25
19. Idaho Maryland Rd / Centennial Dr							
NB	---	<25	<25	315	335	<25	<25
WB left	130	<25	<25	<25	<25	<25	<25
20. Idaho Maryland Rd /Sutton Way							
SB right	90	<25	<25	45	45	<25	<25
SB left	---	<25	<25	<25	<25	<25	<25
ÈB	---	<25	25	98	100	<25	<25
WB	---	<25	<25	63	70	<25	<25
21. Sutton Way / Dorsey Dr							
SB right	120	<25	<25	38	38	<25	<25
SB thru	---	<25	<25	43	45	<25	<25
NB	---	<25	<25	98	98	<25	<25

Table 4.12-14
EPAP Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
EB	---	<25	<25	110	110	40	40
22. Dorsey Dr / SR 49 EB Ramps							
NB Left (2 lanes)	215	112	113	104	108	56	60
NB right	215	41	43	98	96	48	51
EB left	180	60	60	155	150	56	66
23. Dorsey Dr / SR 49 EB Ramps							
SB right	400	50	50	58	60	48	48
SB left-thru	400	53	52	154	165	67	68
EB right	155	36	40	199	205	41	44
WB left	180	81	81	184	183	84	82
24. Brunswick Rd / Loma Rica Dr							
NB right	410	~~31~~32	~~31~~30	26	26	<25	<25
SB left	400	~~133~~137	~~146~~150	135	135	~~64~~65	~~68~~69
WB left	100	~~32~~33	~~35~~36	~~160~~163	~~160~~163	~~35~~36	38

Notes:

- Highlighted values indicate queue length in excess of available storage.
- Queuing distances based on stochastic modeling.
- * indicates longest lane for multiple turn lane approaches.

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-15
EPAP Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
1. Neal St / Tinloy St							
EB	70	67	66	105	103	99	94
WB	150	86	87	139	138	95	89
2. S. Auburn St / Tinloy St							
NB through	80	78	71	115	109	78	76
NB through-left	80	55	52	76	67	53	52
SB	75	78	71	109	104	101	100
WB	95	84	82	99	103	79	75
3. E. Bennett Rd / Tinloy St – SR 49 WB Off-Ramp							
NB left turn	60	27	27	41	43	31	32
NB through	150	46	45	54	56	47	45
4. E. Bennett Rd / Hansen Way – SR 49 EB On-Ramp							
SB left turn	60	<25	<25	38	38	<25	<25
SB through	150	<25	<25	95	95	35	35
5. E. Main St / Idaho Maryland Rd - SR 49 WB Ramps							
NB	---	<25	<25	26	26	<25	<25
SB	---	<25	<25	49	51	<25	<25
EB	---	30	32	63	60	28	29
WB	---	<25	<25	53	53	26	27
6. Idaho Maryland Rd / SR 49 EB Ramps							
NB right	---	~~120~~133	~~163~~183	~~55~~63	~~55~~63	<25	<25
NB left	355	33	33	63	63	<25	<25
WB	90	~~30~~33	~~35~~40	~~203~~220	~~220~~240	~~33~~35	~~40~~43
7. Idaho Maryland Rd / Railroad Ave							
EB	90	~~75~~80	~~88~~95	~~80~~98	~~83~~100	<25	<25
8. E. Main St / Brunswick Rd – W. Olympia Dr							
NB left	110	<25	<25	<25	<25	<25	<25
NB right	125	~~43~~44	~~39~~43	~~119~~122	~~126~~132	~~60~~58	~~59~~63

Table 4.12-15
EPAP Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
SB left (2 lanes)	355	~~60~~65	~~64~~72	~~179~~175	~~177~~193	~~99~~105	~~99~~104
WB left (2 lanes)	150	~~45~~40	~~36~~46	~~90~~92	88	~~61~~62	~~60~~64
WB right	150	~~54~~49	~~56~~58	~~153~~155	~~149~~163	~~71~~77	~~74~~82
9. Brunswick Rd / SR 49 WB Off-Ramp – Maltman Dr							
NB left	100	<25	~~<25~~26	~~75~~63	~~75~~73	~~57~~55	52
NB right	100	~~32~~30	~~28~~30	~~135~~123	~~129~~131	~~85~~76	~~83~~81
SB left (2 lanes)	260	~~117~~126	~~127~~136	~~191~~197	~~199~~194	~~136~~138	~~143~~149
SB right	260	47	~~50~~53	~~86~~84	~~76~~97	~~52~~55	~~54~~52
EB	160	~~47~~59	~~56~~58	~~210~~201	~~204~~203	~~123~~133	~~128~~129
WB left	145	62	~~63~~57	~~107~~106	~~104~~108	~~89~~90	~~85~~90
10. Brunswick Rd / SR 49 EB Ramps							
NB left	200	~~165~~153	~~160~~165	~~225~~224	~~226~~231	~~177~~182	~~172~~182
NB right	---	~~93~~113	~~100~~113	~~245~~243	~~259~~257	~~91~~85	~~99~~97
11. Brunswick Rd / Sutton Way							
NB left (2 lanes)	280	~~56~~53	~~52~~57	~~241~~253	~~251~~268	~~110~~119	111
SB left	190	~~43~~42	~~41~~40	~~102~~104	~~105~~99	~~55~~58	~~56~~57
SB right	180	---	---	---	<25	---	---
EB left (2 lanes)	185	~~59~~55	~~60~~58	~~124~~133	~~128~~124	~~67~~69	~~63~~64
EB right	250	~~45~~48	46	~~150~~157	~~161~~154	~~87~~84	~~86~~80
WB left	125	44	~~45~~46	142	~~147~~152	~~69~~72	~~67~~70
12. Brunswick Rd / Idaho Maryland Rd							
NB left	540	<25	<25	<25	<25	<25	<25
SB left	120	<25	<25	<25	<25	<25	<25
EB right	---	<25	25	40	40	<25	<25
WB left	60	25	43	68	75	<25	<25
13. Brunswick Rd / Whispering Pines Ln							
NB left	210	<25	<25	<25	<25	<25	<25

Table 4.12-15
EPAP Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
EB left	110	<25	<25	<25	<25	<25	<25
14. Brunswick Rd / E. Bennett Rd – Greenhorn Rd							
NB left	225	<25	<25	<25	<25	<25	<25
SB left	260	<25	<25	<25	<25	<25	<25
EB	---	<25	<25	<25	<25	<25	<25
WB	---	<25	<25	<25	<25	<25	<25
15. Brunswick Rd / SR 174							
SB left	90	25	30	205	215	43	48
EB left	130	<25	<25	<25	<25	<25	<25
16. Brunswick Rd / Project Driveway							
NB left	350	---	<25	---	<25	---	<25
EB	---	---	<25	---	<25	---	<25
17. E. Bennett Rd / Millsite Rd							
NB right	---	---	<25	---	<25	---	<25
18. Whispering Pines Ln / Project Driveway **– Not Applicable**							
19. Idaho Maryland Rd / Centennial Dr							
NB	---	<25	<25	315	335	<25	<25
WB left	130	<25	<25	<25	<25	<25	<25
20. Idaho Maryland Rd /Sutton Way							
SB right	90	<25	<25	45	45	<25	<25
SB left	---	<25	<25	<25	<25	<25	<25
ÈB	---	<25	25	98	100	<25	<25
WB	---	<25	<25	63	70	<25	<25
21. Sutton Way / Dorsey Dr							
SB right	120	<25	<25	38	38	<25	<25
SB thru	---	<25	<25	43	45	<25	<25
NB	---	<25	<25	98	98	<25	<25

Table 4.12-15
EPAP Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
EB	---	<25	<25	110	110	40	40
22. Dorsey Dr / SR 49 EB Ramps							
NB Left (2 lanes)	215	112	107	104	113	56	59
NB right	215	41	41	98	99	48	54
EB left	180	60	62	155	157	56	65
23. Dorsey Dr / SR 49 EB Ramps							
SB right	400	50	50	58	57	48	49
SB left-thru	400	53	57	154	151	67	69
EB right	155	36	39	199	196	41	41
WB left	180	81	77	184	179	84	84
24. Brunswick Rd / Loma Rica Dr							
NB right	410	~~31~~32	~~31~~30	26	26	<25	<25
SB left	400	~~133~~137	~~146~~150	135	135	~~64~~65	69~~68~~
WB left	100	~~32~~33	~~35~~36	~~160~~163	~~160~~163	~~35~~36	38

Notes:

- Highlighted values indicate queue length in excess of available storage.
- Queuing distances based on stochastic modeling.
- * indicates longest lane for multiple turn lane approaches.

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Because the proposed project is an industrial land use project, the ~~County determined that the preferred significance threshold metric shall be~~ VMT per worker (i.e., project employee) is the VMT per service population. The ~~Grass Valley~~ unincorporated Western Nevada County subarea was used as the basis ~~due to the project's proximity to the City~~ as a conservative approach. As shown in Table 4.12-4, the ~~Grass Valley~~unincorporated Western Nevada County subarea has an associated ~~home-based~~ VMT per ~~worker~~ service population of 18.~~6~~1. As shown in Table 4.12-16 ~~on a per worker basis~~, the proposed project is modeled to generate a daily rate per service population (employee) of ~~13.9~~ 14.4 VMT (~~under 2035 Plus Project Conditions~~ in the 2020 base year), which is more than 14.3 percent below the ~~Grass Valley~~ unincorporated area metric of 18.~~6~~1 VMT per worker. Therefore, the proposed project would result in a reduced VMT per service population for the applicable subarea.

Table 4.12-16
Rise Grass Valley Project Generated VMT Summary

Metric	~~2035 Future Year~~ 2020 Base Year
~~Total Daily Project VMT~~	~~1,538~~
~~Maximum Employees on Site (including Centennial employees)~~	~~111~~
Daily VMT per ~~Employee~~ Service Population	~~13.9~~ 14.4
Source: ~~Fehr & Peers~~ KD Anderson, 2020~~2~~.	

In addition, because the proposed project is anticipated to employ approximately 312 direct employees during full operations, pursuant to Section L-II 4.1.9 of the Nevada County LUDC, the project applicant would be required to submit a detailed analysis of transportation alternatives, documenting feasible measures for reducing auto dependence.

Although the overall project site is not currently served by transit and the Nevada County Transit Services Division does not have plans to bring service to the project area, the nearest bus route to either the Brunswick Industrial Site or Centennial Industrial Site is Route #3, which operates between the Tinloy Street/Bank Street Transit Center and the Nevada County Airport and passes directly by the Centennial Industrial Site. The proposed project would incorporate an area for bicycle racks at the Brunswick Industrial Site, which would provide a minimum of 11 racks (44 bicycle spaces). Pursuant to Nevada County LUDC, additional potential transportation reduction alternatives for the proposed project were identified in the Traffic Impact Analysis prepared for the proposed project, based on the Transportation Demand Management strategies included in the Vehicle Miles Traveled Implementation report prepared by Fehr & Peers for the NCTC, and include the following:

- **Commute Trip Reduction, #3.4.11, TRT-11: Provide Employer-Sponsored Vanpool/Shuttle:** This strategy would make a company sponsored vanpool/shuttle available to allow employees to commute in a single vehicle. Because employees of the proposed project are likely to be coming from throughout the area, the use of specific locations for pick up, such as existing Park-and-Ride lots in the County, would facilitate the reduction of commute vehicles.

- The proposed project could also institute a shuttle service between the project site(s) and the Tinloy Street/Bank Street Transit Center to provide a convenient location for employees to transfer from public transit or to be dropped off. A shuttle could operate several times each day, during the 7:00 AM and 7:00 PM shift changes and at the end of the administrative workday, after 3:30 PM.

- **Commute Trip Reduction, #3.4.3, TRT-3: Provide Ride-Sharing Programs:** This strategy involves the employer providing ride-share coordination and parking facilities

to provide information for employees to ride share to and from work. This strategy is intended to match employees by location resulting in a reduction of commute vehicles. Rideshare activities would provide incentives for employees commuting to and from the site. Ridesharing could be coordinated between employees along a similar route from their residence to the work site. The use of existing Park-and-Ride lots may provide a location for employees to meet and commute together, reducing the number of vehicles in the roadway network. Three Caltrans Park-and-Ride locations exist in Nevada County, two in Penn Valley and one in Grass Valley; all are located along SR 20. A Park-and-Ride location also exists in Auburn for employees commuting along SR 49 from Placer County. Incentives may include the use of high-occupancy vehicle (HOV) lanes, less maintenance on a single vehicle due to reduced use, and cost sharing between employees/employer.

Given that the proposed project would result in a VMT per ~~worker~~ service population ratio that is greater than 14.3 percent below the subarea mean for the ~~Grass Valley~~ unincorporated Western Nevada County subarea of 18.~~6~~1, impacts associated with a conflict or being inconsistent with CEQA Guidelines section 15064.3, subdivision (b), would be ***less than significant***.

Mitigation Measure(s)

None required.

Page 4.12-91, DEIR Chapter 4.12, Impact 4.12-6, Mitigation Measure 4.12-6(b), is hereby revised to make minor changes based on further County input.

4.12-6(b) *Prior to ~~commencement of engineered fill~~ any hauling of project materials (e.g., engineered fill, soil, rocks, etc.) on County or City roads, 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.*

The above minor changes are not substantive and do not change the efficacy of the mitigation measure.

Pages 4.12-97, 4.12-102, 4.12-108 through 4.12-111, and 4.12-112 through 4.12-115, DEIR Chapter 4.12, Section 4.12.4, Tables 4.12-18, 4.12-19, 4.12-22, and 4.12-23 are hereby revised on the following pages.

The foregoing revisions to Chapter 4.12, Transportation, do not change the conclusions of the analysis in the DEIR. The revisions do not trigger any of the criteria set forth in CEQA Guidelines Section 15088.5(a) necessitating the recirculation of a DEIR subsequent to public review. The revisions correct errors and/or provide additional clarification to information and analysis already conveyed.

Table 4.12-18
Project Traffic Hours Intersection LOS – Cumulative Plus Project Conditions (Scenario #1)

Location - Jurisdiction	Control	6:30 – 7:30 AM				3:30 – 4:30 PM				6:30 – 7:30 PM				Meets Traffic Signal Warrant?
		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project		
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
1. Neal St/Tinloy St ‡	Signal	A	6.7	A	6.9	A	9.0	A	9.0	B	11.7	B	12.2	N/A
2. S. Auburn St/Tinloy St ‡	Signal	A	7.2	A	7.1	A	9.9	A	9.5	A	9.0	A	9.1	N/A
3. E. Bennett Rd/Tinloy St/SR 49 WB Off-Ramp ‡	SB/WB Stop	A	4.1	A	4.1	A	8.0	A	7.6	A	4.4	A	4.5	Yes*
4. E. Bennett Rd/Hansen Way/SR 49 EB On-Ramp ‡	AWS	A	9.6	A	9.6	C	18.3	C	18.3	B	10.7	B	10.8	Yes*
5. Main St/Idaho Maryland Rd/SR 49 WB Ramps ‡	Roundabout	A	5.1	A	5.3	A	8.3	A	8.4	A	4.9	A	5.1	N/A
6. Idaho Maryland Rd/SR 49 EB Ramps ‡	AWS	B	~~12.7~~13.5	B	13.3	~~B~~C	~~19.4~~22.7	B	19.6	B	~~11.9~~12.1	B	12.0	N/A
7. Idaho Maryland Rd/Railroad Ave ‡	AWS	B	~~11.5~~11.9	B	11.7	~~B~~C	~~19.3~~24.0	B	19.4	B	~~12.2~~12.8	B	12.4	N/A
8. Main St/Brunswick Rd/W. Olympia Dr ‡	Signal	A	~~6.1~~6.3	A	6.2	B	~~14.0~~14.6	B	14.2	A	~~9.8~~9.9	A	9.7	N/A
9. Brunswick Rd/SR 49 WB Off-Ramp/Maltman Dr ‡	Signal	B	~~17.1~~17.6	B	18.1	B	~~16.9~~17.2	B	17.2	B	~~16.1~~16.3	B	16.4	N/A
10. Brunswick Rd/SR 49 EB Ramps ‡	Signal	A	~~8.3~~8.2	A	8.4	B	14.9	B	14.8	A	~~8.9~~8.6	A	8.7	N/A
11. Brunswick Rd/Sutton Way ‡	Signal	A	~~5.3~~5.5	A	5.2	C	~~28.2~~28.9	C	30.2	B	~~10.7~~10.3	B	10.5	N/A
12. Brunswick Rd/Idaho Maryland Rd ‡ NB Left SB Left EB WB	EB/WB Stop	B	~~17.3~~17.8	B	18.5	C	~~31.6~~32.8	C	32.5	B	~~18.1~~18.2	B	18.7	N/A
13. Brunswick Rd/Whispering Pines Ln ‡ NB Left EB	EB Stop	A B	8.4 11.0	A B	8.7 11.4	A C	9.4 19.3	A C	9.4 19.9	A B	~~8.3~~8.4 11.0	A B	8.5 11.3	Yes*
14. Brunswick Rd/E. Bennett Rd/Greenhorn Rd †	AWS	B	~~11.0~~11.3	B	13.0	~~C~~D	~~23.7~~25.6	D	27.2	B	~~10.9~~11.2	B	12.6	Yes*
15. Brunswick Rd/SR 174 † SB EB Left	SB Stop	A B	~~7.7~~7.8 ~~12.8~~12.9	A B	7.8 13.4	A **E**	7.8 **46.2**	A **E**	7.8 **48.9**	A C	~~8.2~~7.4 ~~17.5~~12.7	A B	7.4 13.1	Yes*
16. Brunswick Rd/Project Driveway † NB Left EB	EB Stop	Not Studied		A B	7.8 11.4	Not Studied		A B	8.5 12.9	Not Studied		A B	8.1 12.2	Yes*
17. E. Bennett Rd/Millsite Rd † NB	NB Stop	Not Studied		A	8.6	Not Studied		A	8.7	Not Studied		A	8.6	No
18. Whispering Pines Ln/Centennial Industrial Site Driveway ‡ NB WB Left	NB Stop	Not Studied		A A	9.7 7.8	Not Studied		A A	9.1 7.5	Not Studied		A A	8.7 7.4	No
19. Idaho Maryland Rd/Centennial Dr ‡ NB WB Left	NB Stop	A	~~6.7~~6.8	A	6.6	B	11.5	B	11.5	A	7.5	A	7.4	N/A
20. Idaho Maryland Rd /Sutton Way ‡	AWS	A	~~8.0~~8.1	A	8.4	B	14.2	B	14.5	A	7.9	A	8.1	Yes*
21. Sutton Way/Dorsey Dr ‡	AWS	A	9.0	A	9.1	**F**	**213.1**	**F**	**214.3**	B	10.4	B	10.5	Yes*
22. Dorsey Dr/SR 49 EB Ramps ‡	Signal	A	8.9	A	8.6	B	14.8	B	15.0	A	8.7	A	8.9	N/A
23. Dorsey Dr/SR 49 WB Ramps ‡	Signal	A	5.6	A	5.5	B	17.6	B	16.9	A	8.2	A	8.4	N/A
24. Brunswick Rd/Loma Rica Dr †	Signal	B	~~11.9~~12.1	B	11.6	B	~~14.8~~15.3	B	15.5	A	~~8.1~~8.2	A	8.2	N/A

- AWS = all way stop
- † = Nevada County jurisdiction
- ‡ = Grass Valley jurisdiction
- **Bold** indicates intersection operates below the applicable threshold of significance
- * = meets warrant in 3:30 PM hour

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-19
Project Traffic Hours Intersection LOS – Cumulative Plus Project Conditions (Scenario #2)

Location - Jurisdiction	Control	6:30 – 7:30 AM				3:30 – 4:30 PM				6:30 – 7:30 PM				Meets Traffic Signal Warrant?
		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project		
		LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	LOS	Average Delay (veh/sec)	
1. Neal St/Tinloy St ‡	Signal	A	6.7	A	7.2	A	9.0	A	9.7	B	11.7	B	12.4	N/A
2. S. Auburn St/Tinloy St ‡	Signal	A	7.2	A	7.2	A	9.9	B	10.0	A	9.0	A	9.0	N/A
3. E. Bennett Rd/Tinloy St/SR 49 WB Off-Ramp ‡	SB/WB Stop	A	4.1	A	4.0	A	8.0	A	7.6	A	4.4	A	4.5	Yes*
4. E. Bennett Rd/Hansen Way/SR 49 EB On-Ramp ‡	AWS	A	9.6	A	9.6	C	18.3	C	18.3	B	10.7	B	10.8	Yes*
5. Main St/Idaho Maryland Rd/SR 49 WB Ramps ‡	Roundabout	A	5.1	A	5.3	A	8.3	A	8.4	A	4.9	A	5.0	N/A
6. Idaho Maryland Rd/SR 49 EB Ramps ‡	AWS	B	~~12.7~~13.5	B	~~13.3~~14.3	~~B~~C	~~19.4~~22.7	~~B~~C	~~19.6~~23.1	B	~~11.9~~12.1	B	~~12.0~~12.3	N/A
7. Idaho Maryland Rd/Railroad Ave ‡	AWS	B	~~11.5~~11.9	B	~~11.7~~12.1	~~B~~C	~~19.3~~24.0	~~B~~C	~~19.4~~24.3	B	~~12.2~~12.8	B	~~12.4~~13.0	N/A
8. Main St/Brunswick Rd/W. Olympia Dr ‡	Signal	A	~~6.1~~6.3	A	~~6.5~~6.2	B	~~14.0~~14.6	B	~~14.3~~14.1	A	~~9.8~~9.9	B	~~10.2~~10.0	N/A
9. Brunswick Rd/SR 49 WB Off-Ramp/Maltman Dr ‡	Signal	B	~~17.1~~17.6	B	~~17.7~~17.9	B	~~16.9~~17.2	B	~~17.8~~17.1	B	~~16.1~~16.3	B	~~16.4~~16.0	N/A
10. Brunswick Rd/SR 49 EB Ramps ‡	Signal	A	~~8.3~~8.2	A	~~8.2~~7.8	B	14.9	B	~~14.9~~15.0	A	~~8.9~~8.6	A	~~8.7~~8.9	N/A
11. Brunswick Rd/Sutton Way ‡	Signal	A	~~5.3~~5.5	A	~~5.3~~5.1	C	~~28.2~~28.9	C	~~30.0~~29.9	B	~~10.7~~10.3	B	~~10.7~~10.6	N/A
12. Brunswick Rd/Idaho Maryland Rd ‡ NB Left SB Left EB WB	EB/WB Stop	B	~~17.3~~17.8	B	~~18.5~~19.2	C	~~31.6~~32.8	C	~~33.0~~34.3	B	~~18.1~~18.2	B	~~18.8~~19.0	N/A
13. Brunswick Rd/Whispering Pines Ln ‡ NB Left EB	EB Stop	A B	~~8.4~~8.5 11.0	A B	8.7 11.6	A C	9.4 19.3	A C	~~9.4~~9.5 20.0	A B	~~8.3~~8.4 11.0	A B	8.5 ~~11.3~~11.4	Yes*
14. Brunswick Rd/E. Bennett Rd/Greenhorn Rd †	AWS	B	~~11.0~~11.3	B	13.0	~~C~~D	~~23.7~~25.6	D	~~27.2~~29.4	B	~~10.9~~11.2	B	~~12.6~~13.0	Yes*
15. Brunswick Rd/SR 174 † SB EB Left	SB Stop	A B	~~7.7~~7.8 ~~12.8~~12.9	A B	7.8 ~~13.4~~13.0	A **E**	7.8 **46.2**	A **E**	7.8 **48.9**	A C	~~8.2~~7.4 ~~17.5~~12.7	A B	7.4 13.1	Yes*
16. Brunswick Rd/Project Driveway † NB Left EB	EB Stop	Not Studied		A B	7.8 11.4	Not Studied		A B	8.5 12.9	Not Studied		A B	8.1 12.2	Yes*
17. E. Bennett Rd/Millsite Rd † NB	NB Stop	Not Studied		A	8.6	Not Studied		A	8.7	Not Studied		A	8.6	No
18. Whispering Pines Ln/Centennial Industrial Site Driveway ‡	NB Stop	Not Studied		Not Applicable		Not Studied		Not Applicable		Not Studied		Not Applicable		
19. Idaho Maryland Rd/Centennial Dr ‡ NB WB Left	NB Stop	A	~~6.7~~6.8	A	~~6.6~~6.7	B	~~11.5~~11.8	B	~~11.5~~11.8	A	7.5	A	~~7.4~~7.5	N/A
20. Idaho Maryland Rd /Sutton Way ‡	AWS	A	~~8.0~~8.1	A	~~8.4~~8.5	B	14.2	B	14.5	A	7.9	A	8.1	Yes*
21. Sutton Way/Dorsey Dr ‡	AWS	A	9.0	A	9.1	**F**	**213.1**	**F**	**214.3**	B	10.4	B	10.5	Yes*
22. Dorsey Dr/SR 49 EB Ramps ‡	Signal	A	8.9	A	8.7	B	14.8	B	15.3	A	8.7	A	9.3	N/A
23. Dorsey Dr/SR 49 WB Ramps ‡	Signal	A	5.6	A	5.8	B	17.6	B	17.6	A	8.2	A	8.5	N/A
24. Brunswick Rd/Loma Rica Dr †	Signal	B	~~11.9~~12.1	B	~~11.6~~11.8	B	~~14.8~~15.3	B	~~15.5~~16.0	A	~~8.1~~8.2	A	~~8.2~~8.4	N/A

Notes:
- AWS = all way stop
- † = Nevada County jurisdiction
- ‡ = Grass Valley jurisdiction
- **Bold** indicates intersection operates below the applicable threshold of significance
- * = meets warrant in 3:30 PM hour

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-22
Cumulative Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
1. Neal St / Tinloy St							
EB	70	84	80	116	115	119	120
WB	150	115	103	106	109	131	140
2. S. Auburn St / Tinloy St							
NB through	80	73	75	137	136	98	102
NB through-left	80	44	45	63	66	44	44
SB	75	86	84	139	134	123	133
WB	95	68	70	113	113	103	101
3. E. Bennett Rd / Tinloy St – SR 49 WB Off-Ramp							
NB left turn	60	28	28	41	40	33	34
NB through	150	46	44	66	64	46	49
4. E. Bennett Rd / Hansen Way – SR 49 EB On-Ramp							
SB left turn	60	<25	<25	40	40	<25	<25
SB through	150	<25	<25	145	145	45	45
5. E. Main St / Idaho Maryland Rd - SR 49 WB Ramps							
NB	---	<25	<25	32	32	<25	<25
SB	---	<25	<25	70	72	25	25
EB	---	39	41	86	88	34	36
WB	---	<25	<25	66	68	32	33
6. Idaho Maryland Rd / SR 49 EB Ramps							
NB right	---	~~39~~40	~~51~~53	~~48~~50	~~48~~50	<25	<25
NB left	355	~~81~~86	~~87~~92	~~151~~152	~~151~~152	~~5~~520	~~52~~53
WB	90	~~61~~65	~~68~~74	~~260~~276	~~266~~300	74~~72~~	~~78~~81
7. Idaho Maryland Rd / Railroad Ave							
EB	90	~~123~~134	~~136~~150	~~166~~181	~~166~~181	51~~47~~	57~~53~~
8. E. Main St / Brunswick Rd – W. Olympia Dr							
NB left	110	<25	<25	<25	<25	<25	<25
NB right	125	~~42~~44	~~43~~46	~~130~~133	~~139~~135	~~59~~65	~~62~~61
SB left (2 lanes)	355	~~68~~67	~~67~~65	~~175~~180	~~176~~175	~~106~~102	~~109~~106

Table 4.12-22
Cumulative Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
WB left (2 lanes)	150	~~43~~44	44	~~97~~104	~~102~~98	67~~75~~	~~71~~69
WB right	150	~~47~~52	~~51~~56	149	~~159~~152	79~~69~~	~~74~~82
9. Brunswick Rd / SR 49 WB Off-Ramp – Maltman Dr							
NB left	100	<25	~~28~~29	~~68~~76	~~66~~71	53~~54~~	~~53~~52
NB right	100	~~30~~32	~~30~~29	~~131~~122	~~117~~118	91~~84~~	~~85~~76
SB left (2 lanes)	260	~~134~~144	~~142~~148	~~148~~150	~~151~~149	144~~140~~	~~133~~139
SB right	260	~~45~~49	~~46~~44	84	86	52~~54~~	~~56~~51
EB	160	~~61~~60	65	~~202~~199	~~203~~201	~~128~~133	~~141~~139
WB left	145	~~61~~66	~~61~~58	~~106~~108	~~106~~105	92~~90~~	~~93~~95
10. Brunswick Rd / SR 49 EB Ramps							
NB left	200	~~141~~147	~~152~~151	~~215~~223	~~218~~224	~~180~~173	~~177~~179
NB right	---	~~106~~115	~~102~~117	~~262~~261	~~258~~254	95~~110~~	~~97~~103
11. Brunswick Rd / Sutton Way							
NB left (2 lanes)	280	~~58~~60	~~55~~61	~~435~~467	~~545~~511	~~141~~146	~~136~~150
SB left	190	~~38~~37	37	~~115~~113	~~110~~101	51~~52~~	57
SB right	180	---	---	---	<25	---	---
EB left (2 lanes)	185	~~61~~57	~~53~~58	~~127~~147	~~138~~137	70~~66~~	~~63~~69
EB right	250	~~52~~53	~~50~~51	~~224~~215	~~220~~222	~~98~~104	~~96~~114
WB left	125	~~48~~49	~~49~~47	~~177~~170	~~179~~182	74~~84~~	~~79~~77
12. Brunswick Rd / Idaho Maryland Rd							
NB left	540	~~90~~92	~~108~~112	~~151~~152	~~166~~170	56	~~76~~77
SB left	120	<25	<25	188	188	~~103~~104	~~106~~108
EB left	150	34	25	74	74	39	~~39~~40
WB left	175	~~100~~104	~~99~~101	68	68	43	~~43~~44
13. Brunswick Rd / Whispering Pines Ln							
NB left	210	<25	<25	<25	<25	<25	<25
EB left	110	<25	<25	58	60	<25	<25
14. Brunswick Rd / E. Bennett Rd – Greenhorn Rd							
NB left	225	<25	<25	<25	<25	<25	<25
SB left	260	<25	<25	<25	<25	<25	<25

Table 4.12-22
Cumulative Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
EB	---	<25	<25	<25	<25	<25	<25
WB	---	<25	<25	<25	<25	<25	<25
15. Brunswick Rd / SR 174							
SB left	90	25	28	248	260	45	48
EB left	130	<25	<25	<25	<25	<25	<25
16. Brunswick Rd / Project Driveway							
NB left	350	---	<25	---	<25	---	<25
EB	---	---	<25	---	<25	---	<25
17. E. Bennett Rd / Millsite Rd							
NB right	---	---	<25	---	<25	---	<25
18. Whispering Pines Ln / Project Driveway							
NB	---	---	<25	---	<25	---	<25
WB left	100	---	<25	---	<25	---	<25
19. Idaho Maryland Rd / Centennial Dr							
NB	---	~~28~~29	29	~~285~~302	~~285~~302	29	30
WB left	130	<25	<25	<25	<25	<25	<25
20. Idaho Maryland Rd /Sutton Way							
SB right	90	<25	<25	48	48	<25	<25
SB left	---	<25	<25	35	35	<25	<25
ÈB	---	<25	<25	105	105	<25	<25
WB	---	<25	<25	55	60	<25	<25
21. Sutton Way / Dorsey Dr							
SB right	120	<25	<25	28	28	<25	<25
SB thru	---	<25	<25	190	190	<25	<25
NB	---	30	30	1333	1340	58	60
EB	---	25	25	188	188	<25	25
22. Dorsey Dr / SR 49 EB Ramps							
NB Left (2 lanes)	215	98	103	125	120	58	54
NB right	215	59	57	97	100	62	59
EB left	180	63	60	180	177	65	67

Table 4.12-22
Cumulative Plus Project Queues (Scenario #1)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
23. Dorsey Dr / SR 49 EB Ramps							
SB right	400	53	52	63	64	49	49
SB left-thru	400	43	42	165	162	64	67
EB right	155	41	44	218	217	40	42
WB left	180	73	74	253	250	108	111
24. Brunswick Rd / Loma Rica Dr							
NB right	410	32	~~32~~31	27	27	<25	<25
SB left	400	~~134~~137	~~146~~151	~~147~~148	~~147~~148	~~69~~70	~~74~~75
WB left	100	~~35~~36	38	178	178	~~33~~7	~~38~~39

Notes:

- Highlighted values indicate queue length in excess of available storage.
- Highlighted values indicate queue length in excess of available storage with more than 25-foot increase from No Project condition.
- Queuing distances based on stochastic modeling.
- * indicates longest lane for multiple turn lane approaches.

Source: KDAnderson & Associates, Inc., 2022~~1~~.

Table 4.12-23
Cumulative Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
1. Neal St / Tinloy St							
EB	70	84	86	116	117	119	118
WB	150	115	116	106	110	131	144
2. S. Auburn St / Tinloy St							
NB through	80	73	76	137	144	98	97
NB through-left	80	44	46	63	69	44	45
SB	75	86	84	139	137	123	129
WB	95	68	69	113	117	103	93
3. E. Bennett Rd / Tinloy St – SR 49 WB Off-Ramp							
NB left turn	60	28	26	41	40	33	34
NB through	150	46	47	66	64	46	48
4. E. Bennett Rd / Hansen Way – SR 49 EB On-Ramp							
SB left turn	60	<25	<25	40	40	<25	<25
SB through	150	<25	<25	145	145	45	45
5. E. Main St / Idaho Maryland Rd - SR 49 WB Ramps							
NB	---	<25	<25	32	32	<25	<25
SB	---	<25	<25	70	71	25	25
EB	---	39	41	86	88	34	34
WB	---	<25	<25	66	67	32	32
6. Idaho Maryland Rd / SR 49 EB Ramps							
NB right	---	~~39~~40	~~51~~53	~~48~~50	~~48~~50	<25	<25
NB left	355	~~81~~86	~~87~~92	~~151~~152	~~151~~152	~~50~~52	~~52~~53
WB	90	~~61~~65	~~68~~74	~~260~~276	~~266~~300	~~72~~74	~~78~~81
7. Idaho Maryland Rd / Railroad Ave							
EB	90	~~123~~134	~~136~~150	~~166~~181	~~166~~181	~~47~~51	~~53~~57
8. E. Main St / Brunswick Rd – W. Olympia Dr							
NB left	110	<25	<25	<25	<25	<25	<25
NB right	125	~~42~~44	~~43~~45	~~130~~133	~~134~~136	~~59~~65	~~70~~68

Table 4.12-23
Cumulative Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
SB left (2 lanes)	355	~~68~~67	~~66~~73	~~175~~180	~~177~~173	~~106~~102	~~117~~116
WB left (2 lanes)	150	~~43~~44	~~47~~46	~~97~~104	~~106~~100	~~75~~67	~~73~~71
WB right	150	~~47~~52	~~55~~58	~~149~~149	~~155~~168	~~69~~79	~~73~~81
9. Brunswick Rd / SR 49 WB Off-Ramp – Maltman Dr							
NB left	100	<25	<25	~~68~~76	69~~70~~	~~54~~53	~~51~~52
NB right	100	~~30~~32	~~30~~28	~~131~~122	~~128~~121	~~84~~91	~~83~~78
SB left (2 lanes)	260	~~134~~144	~~144~~151	~~148~~150	~~149~~158	~~140~~144	~~140~~147
SB right	260	~~45~~49	~~50~~46	84	~~86~~82	~~54~~52	52
EB	160	~~61~~60	~~62~~68	~~202~~199	~~205~~204	~~128~~133	~~139~~147
WB left	145	~~61~~60	~~65~~60	~~106~~108	~~107~~108	~~90~~92	~~89~~94
10. Brunswick Rd / SR 49 EB Ramps							
NB left	200	~~141~~147	~~153~~137	~~215~~223	~~225~~230	~~180~~173	179
NB right	---	~~106~~115	~~94~~103	~~262~~261	~~259~~263	~~110~~95	~~96~~98
11. Brunswick Rd / Sutton Way							
NB left (2 lanes)	280	~~58~~60	~~56~~55	~~435~~467	~~490~~507	~~141~~146	~~139~~140
SB left	190	~~38~~37	39	~~115~~113	~~113~~116	~~52~~51	54
SB right	180	---	---	---	---	---	---
EB left (2 lanes)	185	~~61~~57	~~60~~57	~~127~~147	134	~~66~~70	62
EB right	250	~~52~~53	50	~~224~~215	~~208~~224	~~98~~104	95
WB left	125	~~48~~49	~~47~~50	~~177~~170	~~181~~180	~~84~~74	79
12. Brunswick Rd / Idaho Maryland Rd							
NB left	540	~~90~~92	~~108~~113	~~151~~152	~~166~~170	56	77
SB left	120	<25	<25	188	188	~~103~~104	~~107~~109
EB left	150	34	<25	74	74	39	~~39~~40
WB left	175	~~100~~104	~~99~~102	68	68	43	44

Table 4.12-23
Cumulative Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
13. Brunswick Rd / Whispering Pines Ln							
NB left	210	<25	<25	<25	<25	<25	<25
EB left	110	<25	<25	58	60	<25	<25
14. Brunswick Rd / E. Bennett Rd – Greenhorn Rd							
NB left	225	<25	<25	<25	<25	<25	<25
SB left	260	<25	<25	<25	<25	<25	<25
EB	---	<25	<25	<25	<25	<25	<25
WB	---	<25	<25	<25	<25	<25	<25
15. Brunswick Rd / SR 174							
SB left	90	25	28	248	260	45	48
EB left	130	<25	<25	<25	<25	<25	<25
16. Brunswick Rd / Project Driveway							
NB left	350	---	<25	---	<25	---	<25
EB	---	---	<25	---	<25	---	<25
17. E. Bennett Rd / Millsite Rd							
NB right	---	---	<25	---	<25	---	<25
18. Whispering Pines Ln / Project Driveway – Not Applicable							
19. Idaho Maryland Rd / Centennial Dr							
NB	---	~~28~~29	29	~~285~~302	~~285~~302	29	30
WB left	130	<25	<25	<25	<25	<25	<25
20. Idaho Maryland Rd /Sutton Way							
SB right	90	<25	<25	48	48	<25	<25
SB left	---	<25	<25	35	35	<25	<25
ÈB	---	<25	<25	105	105	<25	<25
WB	---	<25	<25	55	60	<25	<25
21. Sutton Way / Dorsey Dr							
SB right	120	<25	<25	28	28	<25	<25

Table 4.12-23
Cumulative Plus Project Queues (Scenario #2)

Location	Length*	No Project EPAP 6:30 – 7:30 AM Queue (feet)	Plus Project EPAP 6:30 – 7:30 AM Queue (feet)	No Project EPAP 3:30 – 4:30 PM Queue (feet)	Plus Project EPAP 3:30 – 4:30 PM Queue (feet)	No Project EPAP 6:30 – 7:30 PM Queue (feet)	Plus Project EPAP 6:30 – 7:30 PM Queue (feet)
SB thru	---	<25	<25	190	190	<25	<25
NB	---	30	30	1333	1340	58	60
EB	---	25	25	188	188	<25	25
22. Dorsey Dr / SR 49 EB Ramps							
NB Left (2 lanes)	215	98	101	125	128	58	52
NB right	215	59	60	97	101	62	63
EB left	180	63	63	180	174	65	75
23. Dorsey Dr / SR 49 EB Ramps							
SB right	400	53	52	63	59	49	49
SB left-thru	400	43	38	165	161	64	69
EB right	155	41	42	218	220	40	49
WB left	180	73	76	253	249	108	114
24. Brunswick Rd / Loma Rica Dr							
NB right	410	32	~~32~~31	27	27	<25	<25
SB left	400	~~134~~137	~~146~~151	~~147~~148	148~~14~~	~~69~~70	~~74~~75
WB left	100	~~35~~36	38	178	178	~~36~~37	~~38~~39

Notes:

- Highlighted values indicate queue length in excess of available storage.
- Highlighted values indicate queue length in excess of available storage with more than 25-foot increase from No Project condition.
- Queuing distances based on stochastic modeling.
- * indicates longest lane for multiple turn lane approaches.

Source: KDAnderson & Associates, Inc., 2022~~1~~.

7 References

DEIR Chapter 7, is hereby revised to include the following additional citations:

U.S. Fish and Wildlife Service (USFWS). 1992. Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls.

State of California. 2009. Addendum and Final Initial Study and Mitigated Negative Declaration Osborne Hill Trail Network Project State Clearinghouse #2008112086 (within the Empire Mine State Historic Park). Department of Parks and Recreation, Sacramento, California (January 2009).

Roberts, S.L. 2017. Chapter 3: California Spotted Owl Habitat Characteristics and Use. In USDA Forest Service General Technical Report PSW-GTR-254: The California Spotted Owl Current State of Knowledge.

The foregoing revisions to Chapter 7, Reverences, do not change the conclusions of the analysis in the DEIR.

4. Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the EIR for the proposed project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR prepared for the proposed project. This MMRP is intended to be used by Nevada County staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR.

The EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by Nevada County. The table attached to this report identifies the mitigation measures, the monitoring action for each mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The County will be responsible for monitoring compliance.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

The table also includes a list of the Conditions of Approval (COAs) referenced within Chapter 2, Responses to Comments, of this EIR that will be required of the proposed project, as well as the monitoring agency, implementation schedule, and an area for sign-off indicating compliance for each COA. The COAs included in this chapter are not exhaustive; a complete list of COAs will be included in the staff report prepared for the proposed project.

MITIGATION MONITORING AND REPORTING PROGRAM Idaho-Maryland Mine Project					
Impact Number	**Impact**	**Mitigation Measures**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
4.1 Aesthetics					
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.	*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*	Nevada County Planning Department	In conjunction with submittal of Improvement Plans	

MITIGATION MONITORING AND REPORTING PROGRAM Idaho-Maryland Mine Project					
Impact Number	**Impact**	**Mitigation Measures**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		removed during construction, shall be repaired or replaced in kind with equivalent size"; • *A Note on the Plan, certified by a Licensed Landscape Architect, Landscape Designer 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*			

MITIGATION MONITORING AND REPORTING PROGRAM Idaho-Maryland Mine Project					
Impact Number	**Impact**	**Mitigation Measures**	**Monitoring Agency**	**Implementation Schedule**	**Sign-off**
		shrubs. Native vegetation shall be included in all 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.*			
4.1-4	Long-term changes in visual character associated with the proposed project in combination with cumulative development.	*Implement Mitigation Measure 4.1-2.*	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2	
4.3 Air Quality, Greenhouse Gas Emissions, and Energy					
4.3-1	Conflict with or obstruct implementation of the applicable air quality plan.	*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.*	Nevada County Planning Department	Prior to the initiation of construction and noted on Improvement Plans	

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		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 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.*			

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		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:* • *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*	Nevada County Planning Department	Prior to the initiation of construction	

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			(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.* *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.	*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,*	Northern Sierra Air Quality Management District (NSAQMD)	Prior to the initiation of any clearing, grading, or construction activities	

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		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. Sweeping or vacuuming on public roads shall be conducted so as to avoid peak AM and PM traffic hours.* • *A gravel pad designed and maintained to effectively clean tires of exiting vehicles, or 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*			

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		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;* *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,*			

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		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* *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:*			

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		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 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*			

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			"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.*			
4.3-7	Generation of GHG emissions that may have a significant impact on the environment.	*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,*	Nevada County Planning Department	Prior to the approval of construction drawings	

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		concrete/industrial saws, pumps, aerial lifts, air compressors, and other comparable equipment types to the extent commercially available; *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*	Nevada County Planning Department	Prior to issuance of the first grading permit	

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		metric ton carbon dioxide equivalent (MT CO2e) 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 2,345 MT CO2e, which was calculated by subtracting 1,100 MT CO2e (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*			

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		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 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*			

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		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,* *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 and AB 32 (the California Global Warming Solutions Act of 2006) to the extent applicable to voluntary offsets.* *Further, any carbon offset used to reduce the project's GHG emissions shall be a carbon offset that represents the past reduction or sequestration of one MT of*			

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		CO2e 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 in addition to: (1) any greenhouse gas emission reduction otherwise required by law or regulation; (2) any other GHG emissions reduction that otherwise would occur; and (3) is consistent with Health and Safety Code Section 38562(d)(2);* *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 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*			

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		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 Verra establish and require carbon offset projects to comply with*			

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		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).* *Additionally, the County shall require that all carbon offsets purchased by the Project applicant shall originate from inside the state of California.* ***Reporting and Enforcement Standards:*** *Prior to issuance of requested grading permits, Rise shall submit a report to the*			

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		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. 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, and information sufficient for the County to verify that the purchased offsets meet the requirements identified within this mitigation. *To ensure consistent and effective enforcement of this mitigation measure and to assist the County with its review of the report described above, an implementation process timeline and associated flow chart for the implementation and administration of this mitigation measure's requirements has*			

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		been prepared and is attached as Appendix F to the FEIR. *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 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. In the event that the project is out of compliance with this Mitigation Measure and fails to demonstrate compliance after receiving notice of said violation, the County shall have authority to impose administrative penalties, take legal action to force compliance, or to start*			

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		proceedings to suspend or revoke the Project's permits.			
4.4 Biological Resources					
4.4-1	Have a substantial adverse effect to special-status plant species either directly or through habitat modifications.	*Pine Hill Flannelbush* *4.4-1(a) i. Prior to issuance of grading permits for the Centennial Industrial Site, the project applicant shall obtain an Incidental Take Permit (ITP) from CDFW for Project-related impacts to the Pine Hill Flannelbush. During the consultation process with CDFW, the Centennial Pine Hill Flannelbush Habitat Management Plan (Matuzak 2021) (HMP) shall be revised if required by CDFW, and must be approved by CDFW prior to implementation. This HMP shall include habitat enhancement and conservation easement requirements. If the USFWS determines that the plants within the Study Area are the federally endangered Pine Hill flannelbush prior to project implementation, then a USFWS Biological Opinion must also be secured, and the USFWS would also need to approve the HMP prior to implementation. Note that the measures outlined below are minimum measures, and additional measures may be required by CDFW to be included in the HMP during consultation.* *Prior to issuance of grading permits for the Centennial Industrial Site, implement project-specific mitigation measures 1-3*	Nevada County Planning Department U.S. Fish and Wildlife Service (USFWS) California Department of Fish and Wildlife (CDFW)	Prior to the issuance of grading permits for the Centennial Industrial Site	

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		outlined below consistent with the County and CDFW approved HMP, as well as the Habitat Enhancement and Conservation Easement. 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, 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).*			

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		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 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)*			

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		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, 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.* ii. *<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*			

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		recruitment, as Pine Hill flannelbush need fire for successful germination, and root sprouts. *iii. <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 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*	Nevada County Planning Department	Prior to the issuance of grading permits for the Centennial Industrial Site and Brunswick Area (i.e., Brunswick Industrial Site and East Bennett Road ROW)	

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		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 for those special-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.*			

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		If any special-status plant species are found, and they are located in an area where impacts are proposed, then the special-status plants shall be completely avoided until a Habitat Management Plan (HMP) is developed and approved by the Nevada County Planning Department. If the plant is listed on the federal or state Endangered Species lists or is state listed as rare, then development of this plan shall be conducted in consultation with USFWS and/or CDFW, respectively, and a BO and/or an ITP shall be obtained prior to impacts. 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. Note that transplantation and monitoring specifics are examples only, and final details will be developed based on the species to be impacted, if any. *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;*			

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		• *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* • *a qualified biologist shall be onsite during all vegetation and ground disturbing activities that are within the vicinity of special-status plants and weekly monitoring of the protective fencing along fencing along the buffer zone.* *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*			

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		• *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 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	*Foothill Yellow-Legged Frog* *4.4-2(a)* *Pre-construction Survey and Avoidance and Minimization Measures. A pre-construction survey shall be conducted by a qualified*	Nevada County Planning Department	No more than 14 days prior to disturbance within and directly	

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	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.	*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 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.*	CDFW	adjacent to (i.e., riparian zone) the South Fork Wolf Creek and Wolf Creek	

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		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.			
		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*	Nevada County Planning Department	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	

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		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. Work in the area shall cease and fencing or other protective measures shall be employed to excluded and prevent access to the area until the identified turtle has cleared the area. *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.* *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*			

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		construction, and post construction erosion control. *California Red-Legged Frog* *4.4-2(c)* *<u>Pre-construction Survey and Avoidance and Minimization Measures.</u> 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 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*	Nevada County Planning Department	Prior to the initiation of construction activities within areas of suitable habitat on both the Centennial and Brunswick Industrial Sites	

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		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.* *<u>Watercourse/Wetlands/Riparian Areas Management Plans.</u> 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,*			

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		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)* *<u>Pre-construction Survey and Avoidance and Minimization Measures.</u> 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 and wet meadow 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 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*	Nevada County Planning Department CDFW	No more than 14 days prior to the implementation of any ground disturbance within or directly adjacent to any perennial marsh habitat within the Centennial and Brunswick Industrial Sites	

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		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 exclusionary fencing installation between the species habitat and the proposed disturbance areas. 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*			

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		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 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.*	Nevada County Planning Department	No more than seven days prior to disturbance within the areas of the Centennial and Brunswick Industrial Sites that contain disturbed or developed surfaces and annual grassland vegetation community	

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		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. The qualified biologist shall have all required permits before commencing species specific surveys. 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)* *<u>Pre-construction Survey and Avoidance and Minimization Measures</u>. 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 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*	Nevada County Planning Department	No more than seven days prior to disturbance of any structures or riparian and forested woodlands within the Centennial Industrial Site and Brunswick Area	

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		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 a qualified bat biologist has determined the young bats are no longer roosting and the breeding roost has dispersed from the structure or riparian and forested woodlands they are found in.			
		Nesting Birds *4.4-2(g)* *Pre-construction Survey and Avoidance and Minimization Measures. Prior to initiation of ground-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*	Nevada County Planning Department	Within seven days prior to commencement of ground-disturbing activities for any phase of project construction, if construction is expected to occur	

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		removal, including one daytime survey and one nighttime survey targeted at California spotted owl, consistent with the USFWS (1992) California spotted owl survey protocol. 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. Removal of any trees within the Brunswick Area would occur between September 1st and January 31st to ensure that no nesting birds, raptors, or owls would be impacted by the proposed IMM project. *If any active nests are located within the proposed disturbance area, including active nests within riparian habitat for the yellow-breasted chat, willow flycatcher, yellow warbler, and olive-sided flycatcher, an appropriate buffer zone shall be established around the nests, as determined by the project biologist. The biologist shall mark the*		during the raptor nesting season (February 1 to August 31)	

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		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 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 and/or the willow flycatcher, a State listed species, is documented nesting during the pre-construction surveys for nesting birds. Additionally, an ITP could be required by CDFW if complete avoidance of willow flycatcher is not feasible. 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	*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'*	Nevada County Planning Department	Prior to initiation of ground-disturbing activities	

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	Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	*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.* *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 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*** o *Limit construction to periods of extended dry weather and the dry summer season, if feasible;* o *Establishing the areas around active stream channels and wetlands as Environmentally*	Nevada County Planning Department	Prior to, during, and after ground disturbance activities within non-disturbance buffers	

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		Sensitive Area where those areas will not be impacted by construction or thereafter; o *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;* o *Use appropriate machinery and equipment to limit disturbance within and directly adjacent to these areas;* o *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;* o *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*			

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		o *Implement Best Management Practices during and following construction.* • ***Restoration of Areas Adjacent to Impacted Streams*** <u>*Centennial Industrial Site*</u> o *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;* o *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* o *Plant willow cuttings from the adjacent willow trees and*			

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		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. <u>*Brunswick Area*</u> o *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;* o *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*			

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		embankment on the southern side of the perennial stream. o *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.* • ***Implement BMPs During Construction*** o *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-*			

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		disturbance buffers of ephemeral and intermittent aquatic resources and 100-foot non-disturbance buffers of perennial aquatic resources. o *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 litter shall be removed from the work site immediately upon completion.* o *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*			

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		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*** o *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 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*			

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		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, be provided at a minimum 1:1 ratio 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. *The applicant must also obtain a water quality certification from the RWQCB under*	Nevada County Planning Department U.S. Army Corps of Engineers (USACE) Central Valley Regional Water Quality Control Board (RWQCB)	Prior to initiation of ground-disturbing activities	

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		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	Nevada County Planning Department CDFW	Prior to initiation of ground disturbing activities within the non-disturbance buffers for aquatic resources on the Centennial Industrial Site and Brunswick Area	

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			jurisdictional 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. Mitigation shall be provided at a minimum 1:1 ratio. *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.*			
4.4-6	Cumulative loss of habitat for special-status species.	*4.4-6*	*Implement Mitigation Measures 4.4-1(a-b), 4.4-2 (a-g), and 4.4-3(a-d).*	See Mitigation Measures 4.4-1(a-b), 4.4-2 (a-g), and 4.4-3(a-d)	See Mitigation Measures 4.4-1(a-b), 4.4-2 (a-g), and 4.4-3(a-d)	

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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.	*4.5-1(a)* *Prior to issuance of building permits, 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;* • *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;*	Nevada County Planning Department	Prior to issuance of building permits	

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		• *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.*			
		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) and	Nevada County Planning Department	Following initial mine dewatering, and prior to commencement of underground mining	

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			submitted to the Nevada County Planning Department.			
4.5-2	Cause a substantial adverse change in the significance of an archeological resource pursuant to CEQA Guidelines, Section 15064.5.	*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 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.*	Nevada County Planning Department	If cultural resources are discovered during construction or mining activities	

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			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.	*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 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.*	Nevada County Planning Department Sheriff-Coroner Native American Heritage Commission (NAHC)	In the event that human remains are encountered in the process of project activities	

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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.	*4.5-4* *Implement Mitigation Measures 4.5-2 and 4.5-3.*	See Mitigation Measures 4.5-2 and 4.5-3	See Mitigation Measures 4.5-2 and 4.5-3	
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 rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, and landslides.	*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 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*	Nevada County Building Department	Prior to approval of Improvement Plans	

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		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.* • *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*			

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			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.	*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:* o *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*	Nevada County Planning Department	Prior to approval of Improvement Plans	

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		attest on the Plans, with proof provided to Nevada County prior to any project grading, clearing, or tree disturbance. o *Soil stockpiling shall have proper erosion control measures applied to control runoff and prevent erosion.* o *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.* • *Obtaining coverage under the SWRQB NPDES Construction*			

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		General Permit (Order No. 2009-0009-DWQ), including: o *Submittal of a Notice of Intent (NOI) and payment of permit fee(s);* o *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*			

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		Construction General Permit are not being met.			
4.6-3	Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse, or be located on expansive soil, as defined in Table 18-1B of the UBC.	*4.6-3(a)* *The Improvement Plan submittals shall include final geotechnical engineering reports produced by a 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*	Nevada County Planning Department	Prior to approval of Improvement Plans, and not less than once per quarter.	

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		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 • *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*	Nevada County Building Department	In conjunction with submittal of Improvement Plans for the Brunswick Industrial Site	

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		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 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)*	Nevada County Building Department	In conjunction with submittal of Improvement Plans for the Centennial and Brunswick Industrial Sites	

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		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. 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.	*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:*	Nevada County Environmental Health Department	In conjunction with submittal of Improvement Plans	

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		• *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 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.*			

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		• *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:* o *10 feet from developed property lines;* o *50 feet from undeveloped property lines;* o *50 feet from seasonal drainages;* o *25 feet from center line of swales; and* o *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.*			

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		• *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.* • *Any leaks shall be fixed immediately to avoid unnecessary saturation of the leach trenches.*			
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.	*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).*	Nevada County Environmental Health Department	During the transport, underground storage, and use of explosives	

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		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 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.*	Nevada County Planning Department	After initial dewatering and before storage of explosives underground	
		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.*	Nevada County Planning Department	Prior to 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*	Nevada County Planning Department	Prior to the transport, storage, or use of hazardous materials or	

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			(HMBP). The County shall review and approve the HMBP prior to the use or storage of hazardous materials or explosives on-site.	Nevada County Environmental Health Department	explosives at the site	
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.	*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.*	Nevada County Planning Department Central Valley RWQCB Department of Toxic Substances Control (DTSC)	If disturbance of the mine waste beneath the southeastern paved area within the Brunswick Industrial Site is proposed as part of the project	
		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)*	Nevada County Planning Department	If unidentified or suspected contaminated soil or groundwater is encountered during site improvements	

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		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 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.	Nevada County Environmental Health Department	Prior to commencement of any construction activities	
4.8 Hydrology and Water Quality					

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4.8-1	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	*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 R5-2022-0006; 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 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.*	Nevada County Planning Department Central Valley RWQCB	At least six months prior to construction of the water treatment system	

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		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 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*	Nevada County Planning Department Central Valley RWQCB	Prior to commencement of construction activities	

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		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 Planning Department prior to termination of the C-SWPPP.*	Nevada County Planning Department Central Valley RWQCB	Prior to commencement of operations at the Brunswick Industrial Site	
		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*	Nevada County Planning Department Central Valley RWQCB	Prior to placement of CPB in the mine	

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		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 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	Nevada County Planning Department Nevada County Public Works Department Central Valley RWQCB	Prior to initiating any engineered fill placement activities at the Centennial or Brunswick Industrial Sites	

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		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. The RoWD must also include a report on the physical and chemical characteristics of the waste, in compliance with Water Code section 13260(k), that could affect its potential to cause pollution or contamination as well as a report that evaluates the potential of the discharge of mining waste to produce, over the long term, acid mine drainage, the discharge or leaching of heavy metals, or the release of other hazardous substances. The WDR's will require continuous and routine characterization and classification (Cal Code regs Title 27 section 22480(b)) of the mining waste to evaluate any possible changes in the geological or geochemical nature of the waste. The applicant will prepare and implement a Waste Characterization Plan (Characterization Plan) which will be incorporated into the approved WDR. The purpose of the Characterization Plan is to continually evaluate the different forms of mining wastes and to appropriately classify these wastes as Group A, Group B, or Group C based on an assessment of the potential risk of water quality degradation posed by each waste. Through the WDR these wastes			

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			will be required to be managed, treated, stored, or disposed of in a manner that is protective of water quality. The applicant shall not sell or utilize waste rock and tailings from the Project for construction aggregate or fill purposes offsite (i.e. sites other than the applicants Brunswick and Centennial sites) unless such material has been tested and confirmed to qualify as Group C mining waste under California Code of Regulations Section 22480 and the approved WDR. The specific methods, volumes and frequency of characterization will be established in the approved WDR.			
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.	*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 and groundwater quality information shall be obtained from the project groundwater monitoring wells and collected on a quarterly basis, and submitted in report form to the Nevada County Environmental Health*	Nevada County Environmental Health Department Nevada County Public Works Department	Prior to the dewatering of the mine and on an ongoing basis	

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		Department, and used to generate the following information: *1) Water-level and groundwater quality 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*			

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		on responses of the measured groundwater levels of the project 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	Nevada County Environmental Health Department	If, based on the GMP, it is determined that mining operations are resulting in a significant impact to any well(s)	

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		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 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 to NID and County standards.* *2) Construction of main water piping, interconnecting the existing NID pipelines at E. Bennet Road and Whispering Pines Lane in accordance with NID standards and NID approved engineering design.* *3) Construction of service lateral piping in accordance with NID*	Nevada County Environmental Health Department	Prior to commencement of initial mine dewatering	

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		standards and NID approved engineering design. *4) Installation of water meters at property line in accordance with NID standards and NID approved engineering design.* *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 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*			

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		process. *10) All easements necessary for construction and ongoing maintenance of the new pipeline shall be acquired by the applicant and conveyed to NID prior to acceptance of the new potable line.* *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 the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	*4.8-3* *As part of the Improvement Plan submittal process, the applicant shall submit a Final Drainage Report to the Nevada County Planning and Public Works Departments 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 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*	Nevada County Planning Department Nevada County Public Works Department	Prior to approval of Improvement Plans	

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	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?	*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.	*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 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.*	Nevada County Planning Department	Prior to, during, and after ground disturbance activities within the 100-foot floodplain buffer	

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		• *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.* • *No significant increase in impermeable surfaces shall occur within 100 feet of the 100-year floodplain. The only added impervious surface shall be*			

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		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 appropriate replacement plantings as recommended by the*			

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			project biologist and as pursuant to the project Reclamation Plan.			
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.	*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.* • *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.*	Nevada County Planning Department	Noted on Improvement Plans, and during construction of the potable water line along East Bennett Road	

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		• *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.	*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 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.*	Nevada County Planning Department	Prior to commencement of hauling	

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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.	*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 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*	Nevada County Planning Department	Within 30 days of installation and operation of mine-related equipment at the Brunswick Industrial Site	

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		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 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*			

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		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 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*			

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			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.	*4.10-4*	*The project applicant shall conduct a project-specific Ground Vibration Monitoring Program, as set forth in this mitigation measure. As part of the Ground Vibration Monitoring Program, the mine shall employ between eight and ten seismographs, which shall be installed prior to any onsite blasting, and used during all 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 Vibration Monitoring Program. One seismograph shall be located*	Nevada County Planning Department	Prior to any on-site blasting, during all blasting of levels above the 1,000-foot level, and monthly	

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			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, on a monthly basis, for review.*			
4.12 Transportation						
4.12-1	Conflict with a program, plan, ordinance, or policy addressing study intersections under EPAP Plus Project Conditions.	*4.12-1(a)*	*<u>Brunswick Road/Idaho Maryland Road</u> – 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.*	Nevada County Community Development Agency	Prior to issuance of building permits	

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		4.12-1(b)	*<u>SR 174/Brunswick Road</u> – 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%.*	Nevada County Planning Department	Prior to issuance of building permits	
		4.12-1(c)	*<u>Idaho Maryland Road/Centennial Drive</u> - 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.*	Nevada County Community Development Agency	Prior to issuance of building permits	
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).	*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;*	Nevada County Public Works Department City of Grass Valley	Prior to the commencement of construction and issuance of Encroachment Permits	

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		• *Identification of arrival/departure times that would minimize traffic impacts;* • *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*			

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		signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs); • *Removing traffic obstructions during emergency evacuation events; and* • *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 any hauling of project materials (e.g., engineered fill, soil, rocks, etc.) on County or City roads, the project applicant shall enter into separate road maintenance agreements*	Nevada County	Prior to any hauling of project materials (e.g., engineered fill, soil, rocks, etc.) on	

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		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.	City of Grass Valley	County or City roads	
		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.	Nevada County Public Works Department	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	Grass Valley Engineering Division	Prior to the County issuing any permits for work on the Centennial Industrial Site, the project applicant shall submit plans to	

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		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.		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.	
		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.	Nevada County Planning Department	Prior to commencement of operations, the project applicant shall obtain an encroachment permit from Nevada County for the noted sign installation to be funded by the applicant.	
		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.	Nevada County Planning Department	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	

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					the project driveway to Brunswick Road.	
4.12-8	Conflict with a program, plan, ordinance or policy addressing study intersections under Cumulative Plus Project Conditions.	*4.12-8(a)*	*SR 174/Brunswick Road – Implement Mitigation Measure 4.12-1(b).*	See Mitigation Measure 4.12-1(b)	See 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.*	City of Grass Valley Nevada County Community Development Agency	Prior to issuance of building permits	
4.12-10	Conflict with a program, plan, ordinance or policy addressing intersection queues under the cumulative scenario.	*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.*	City of Grass Valley Nevada County Planning Department	Prior to commencement of project operations	
4.13 Wildfire						
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	*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*	Nevada County Fire Marshall's Office	In conjunction with submittal of Improvement Plans	

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	uncontrolled spread of a wildfire.	*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;* • *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;*			

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		• *long-term maintenance schedule and safety practices, addressing at a minimum:* o *Removal of fire prone fuels and dead material.* o *Removal of branches beneath large trees.* o *Maintenance of live plants, bushes, shrubs, and trees.* o *Removal of needles and leaves and other combustible debris and litter from roofs and gutters.* o *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.* o *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.* o *Seasonal removal of all dead and dying vegetation to reduce vegetation volume and ladder fuels.*			

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		o *Coordination with adjacent property owners, as applicable, to maintain tree canopies, vegetation and ladder fuels on an annual basis.* o *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."*			
Conditions of Approval					
COA-1	APM-AQ-1: Exhaust Emission Controls *The following measures shall be implemented during construction, operation, and reclamation to reduce exhaust emissions:* • *All off-road diesel-fueled equipment and emergency generators owned by Rise Grass Valley Inc. shall be equipped with Tier 4 Final engines.* • *Unnecessary construction vehicle idling time shall be minimized. The ability to limit construction vehicle idling time is dependent on the sequence of activities and when and where vehicles are needed or staged. Certain vehicles, such as large diesel-powered vehicles, have extended warm-up*		Nevada County Planning Department	During construction, operation, and reclamation activities	

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		times following start-up that limit their availability for immediate use. Where such diesel-powered vehicles are required for repetitive construction tasks, these vehicles may require more idling time. The project shall apply a "common sense" approach to vehicle use such that idling is reduced as much as possible below the maximum of 5 consecutive minutes required by regulation (13 CCR 2449 and 2485). If a vehicle is not required for use immediately or continuously for activities or for other safety-related reasons, its engine shall be shut off. • *All off-road equipment shall be maintained in accordance with manufacturer's specifications. All equipment shall be checked by a qualified mechanic, and equipment shall be confirmed that it is in proper condition prior to operation.*			
COA-2		APM-AQ-2: Surface Fugitive Dust Controls *The following measures shall be implemented to reduce surface fugitive dust emissions:* • *During construction, operation, and reclamation, all exposed soil surfaces (e.g., unpaved disturbed areas, unpaved parking areas, and unpaved staging areas, and soil piles) shall be adequately wetted to ensure that no visible dust crosses the property boundary, except when rains are occurring. As an alternative to watering, inactive soil piles shall be covered to minimize wind erosion.* • *During construction, all on-site roadways shall be paved as soon as possible after grading and any unpaved gravel roads shall be treated with chemical stabilizers in order to control fugitive dust.*	Nevada County Planning Department	During construction, operation, and reclamation activities	

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COA-3		APM-AQ-3: ASUR Plan *Rise Grass Valley Inc. shall implement the ASUR Plan, which incorporates measures designed to minimize asbestos in engineered fill produced by the project, as well as minimize the emission of asbestos-containing dust from the underground mine (see Appendix E.2). The ASUR Plan builds on the provisions of applicable regulations, including the two CARB ATCMs for naturally occurring asbestos (i.e., ATCM for Surfacing Applications [17 CCR 93106] and ATCM for Construction, Grading, Quarrying and Surface Mining Operations [17 CCR 93105]), and includes additional measures beyond what is required in the ATCMs in order to limit any potential emission of asbestos dust and to protect human health and the environment. The ASUR Plan incorporates routine asbestos testing by TEM and an Asbestos Inventory to ensure that average mined material and engineered fill contains less than 0.01 percent asbestos by mass of PCM equivalent units.*	Nevada County Planning Department	During project operations	
COA-4	*In the event that sand tailings or waste rock material is transported from the Brunswick Site prior to 2033 to locations other than the Centennial Site, all transport of such material shall be accomplished using electric vehicles.*		Nevada County Planning Department	In the event that sand tailings or waste rock material is transported from the Brunswick Site prior to 2033 to locations other than the Centennial Site	
COA-5	*Except for the construction of the proposed Service Shaft, all underground blasting for production, tunnelling, and raising would take place more than 500 feet below ground surface and no underground mining will take place outside of the area denoted on the maps included in Appendix A of the Final EIR.*		Nevada County Planning Department	During blasting activities	
COA-6	*The following measures have been added to the Domestic Well Monitoring Program, and shall be included as a condition of approval for the Project:* *1) Property owner's shown in Table 1 will be contacted at least three months prior to commencement of the required 12-month groundwater monitoring period and the company will request permission to inspect and install monitoring equipment at the well.*		Nevada County Planning Department	As part of the Domestic Well Monitoring Program implementation	

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		2) Property owners who respond and grant permission for well monitoring will be added to the Domestic Well Monitoring Program. *3) The well will be inspected to determine the characteristics of the well, including location, well depth, casing and screen depth, static water level, and well yield. A water quality sample will be taken during the inspection.* *4) Instrumentation will be installed to measure water level on a periodic basis (such as 1 or 4 hours) and pumping rates (to correlate water level with the wells use). Data from the instruments will be transmitted by telemetry.* *5) Water level data will be collected for at least 12 months prior to the commencement of mine dewatering and will continue throughout the period of initial mine dewatering (dewatering of the historic mine workings) and for at least the first 5 years of operations.* *6) All data collected and reports generated will be provided to the property owner and to Nevada County.* *7) All costs of well monitoring will be paid by the company and well monitoring equipment will remain the property of the company. A property owner may terminate well monitoring upon request and the company will remove any installed monitoring equipment.* *8) For any well that is monitored under the Domestic Well Monitoring Program, monitoring results will be used to supplement the analysis from the Groundwater Monitoring Plan to determine whether an individual groundwater well is expected to be impacted or has been impacted by dewatering operations, using the threshold set forth in the Well Mitigation Plan.*			
COA 7	*The applicant shall be required to install all noise reducing project features and equipment included in the Project Description, and assumed in the noise impact analysis included in Chapter 4.10 of the DEIR. While the applicant is not required to use the specific brands and models assumed in the DEIR, the applicant shall be required to demonstrate that the noise reducing project features and equipment actually installed as part of the project achieve the same or better noise reduction as was assumed in the DEIR. The applicant shall be required to provide specifications on all installed noise reduction features and equipment to the County*		Nevada County Planning Department	During construction, operation, and reclamation activities	

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	to verify that the noise reductions comply with the assumptions in the DEIR. Further, the County will verify and enforce use and operation of noise reduction equipment and features through implementation of Mitigation Measure 4.10-3.				
COA 8	*The applicant shall be required to use only electrical, pneumatic, or battery powered mining equipment in the underground mine.*		Nevada County Planning Department	During mining activities	
COA 9	*The project will not burn vegetative material. Processing of vegetation before placement of engineered fill will be done by chipping.*		Nevada County Planning Department	During construction, operation, and reclamation activities	
COA 10	*The applicant will be required to provide one-week notice of any expected flow interruptions when feasible, and notice of any spill or contaminating event. Additionally, the applicant will be required to provide NID access to real-time flow data of South Fork Wolf Creek directly downstream from the Project's discharge, with 15-minute interval data, with a trend history of at least one week. The County will not require the flow data to be publicly available, but the data may be made publicly available at the applicant's or NID's discretion.*		Nevada County Planning Department	One week prior to, and during, any expected flow interruptions, and in the event of any spill or contaminating event	
COA 11	*To ensure that reclamation will proceed in compliance with the approved Reclamation Plan, the County shall require security that will be released upon satisfactory performance. The Project Applicant may post security in the form of a surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the County and the State Mining and Geology Board as specified in State regulations, and which the County reasonably determines are adequate to perform reclamation in accordance with the mining operation's approved Plan.*		Nevada County Planning Department	Prior to commencement of mining operations	
COA 12	*Except for the construction of the proposed Service Shaft, all underground blasting for production, tunnelling, and raising would take place more than 500 feet below ground surface and no underground mining will take place outside of the area denoted on the maps included in Appendix A of the Final EIR.*		Nevada County Planning Department	Prior to approval of improvement plans and during construction and operation	