



COUNTY OF NEVADA COMMUNITY DEVELOPMENT AGENCY

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October 6, 2008

Mr. Charles Watson
Advanced Geologic Exploration
P.O. Box 1956
Chester, CA 96020

Re: U08-021, Z08-006, RP08-001, EIS08-027
18272 Red Dog Road (APNs 38-390-12, 20, 21)

Dear Mr. Watson:

Thank you for submitting the combined application for the Golden Girl Placer Mine project. This project includes a Use Permit (U08-021) proposing the surface extraction of approximately 50 acres of tertiary gravels and processing them for the removal of gold, a proposed Rezone (Z08-006) to add a Mineral Extraction (ME) combining district to the subject property, a Reclamation Plan (RP08-001) proposing the restoration of the extraction site, and an Initial Study (EIS08-027). As previously noted in an email to you on September 2, 2008, the project application remains incomplete. Several items are needed to clarify the project description and proceed with the environmental analysis and application processing. The following comments constitute the Planning Department's preliminary review of the project and include modifications to the Reclamation Plan, Site Plan, Environmental Assessment, Biological Resources Assessment, Cultural Resources Survey, and other items, as follows.

A. Reclamation Plan

1. See the Reclamation Plan checklist Project Planner Jessica Hankins provided to you at the September 9, 2008, meeting, as well as the sample Reclamation Plan sent to you in September 2008.
2. You have submitted two different "Reclamation Plans," one from a County template and one from a Department of Mining and Geology template. Please submit only one comprehensive reclamation plan that includes all necessary components.
3. You are advised to retain a professional restoration biologist to prepare the revegetation/biological portion of your Reclamation Plan. The Office of Mine Reclamation, Department of Fish and Game, and the County Planning Department will be evaluating these components of the plan to determine whether they are specific enough to implement on the ground as measured against specified performance standards, and whether they would be effective and achievable. Significant costs could be incurred if the plan is not complete due to the time that would be spent revising the plan and corresponding with the various agencies. If the plan is considered inadequate by the resource/regulatory agencies, it is also possible that you could ultimately be asked to hire a qualified professional to evaluate the plan, peer review the plan, or rewrite the plan at your expense.
4. Clarify the following points, identified by item number in the document you submitted entitled "Reclamation Plan" and dated October 2001 (County template):

1. Include a detailed description of which soils will be processed (topsoils, subsoils, etc.) and how they will be processed. Describe the measures that will be taken to ensure that nutrients are not leached from topsoil and subsoil during gold processing, or, if they will be leached (e.g., from use of water through the soils in a trommel), what steps will be taken to reduce impacts from processing. The project biologist should also consider this in the revegetation portion of the plan.
- 8 and 23. Verify that you propose to mine 50 acres. The project site is approximately 75 acres, and virtually all areas are shown as proposed for mining on the site plan.
9. Provide a more detailed description of all access routes to the project site, including information about access easements you will need to obtain in order to provide legal access to the site, and the status of such easements. Be advised that the project application will not be considered complete until you show evidence of legal access on all proposed roadways, unless the plan is revised to not necessitate any off-site easements.
11. The response to this item states that several precious metals and gemstones, as well as aggregate, would be mined on the site. Based on other application materials and conversations with the project representative, it is the County's understanding that only gold would be mined, while other precious metals and gemstones found and retained would be incidental to the primary use of gold mining. Please confirm this by revising the project description as necessary. Additionally, aggregate mining is not proposed in other application materials you have submitted (e.g., Item 11b in the "Environmental Assessment" states that no aggregate will be mined) and would change the nature of the reclamation, mining, mitigation, and conditions on the project. Clarify this point and ensure that all documents contain a consistent project description.
13. This item states that the site is a former hydraulic mine overgrown with new vegetation. While this may be true for the central and much of the southern portion of the site, the northwestern and some of the southwestern areas have not been hydraulically mined. Revise the statement to provide a qualified description.
14. This item states that the proposed project is an expansion of an existing mine. While this is a historic mine site, it is not an existing mine. Revise this response to reflect this fact.
19. Provide a more detailed description of the proposed mining process, including any drawings or diagrams to illustrate the process. Additionally, this item states that "waste will be replaced into excavated areas." Clarify this statement given that the waste is actually proposed for stockpiling prior to reclamation.
21. This item says that reclamation will be done concurrently with mining. Provide more details about how this will occur concurrently (provide more timing details – when will reclamation start and finish for each phase?) and whether this will result in an increase in employees/consultants and traffic to conduct restoration.
28. This item states that the "site will be revegetated with native grasses, brush and trees at a rate comparable to the surrounding area." Clarify the meaning of this statement.
5. Clarify the following points, identified by item number in the undated document you submitted entitled "Reclamation Plan" (State Mining and Geology Board template):
 - Page 2. This item states, "There are approximately 3,000,000 cubic yards of unmined auriferous gravels on the site." Clarify if the project would result in the mining of this amount or approximately 1,250,000 cubic yards as stated in Item 12 of the Environmental Assessment. Please also clarify item 16 of the County-template reclamation plan, which states that 50,000 to 250,000 cubic yards would be mined per year, which, when multiplied by 50 years, equates to 2,500,000 to 12,500,000 cubic yards. All documents should have consistent information.

Page 4. This item states that there will not be any effects on public health and safety because “the site is private property.” This statement is misleading and should be corrected to identify potential health and safety impacts related to known mercury in the project area, downstream impacts, and any other impacts (such as wildfire potential) on neighboring properties.

Page 6. The proposed revegetation mix includes plants identified on the site. Remove non-native and invasive species, including Scotch broom. Iris and cinquefoil species should be identified.

Page 7. Identify density, cover, and richness of species for revegetation as required. Identify performance standards, implementing parties for the reclamation plan, and an approximate timeline for reclamation as completed in conjunction with project phasing.

Page 9. Describe erosion control methods in detail and include a discussion of erodibility and other relevant characteristics of site soils. This page also contains a statement that “all mining equipment will be parked or removed from the site after mining operations have been completed.” Mining equipment must be removed from the site upon project completion per Public Resources Code § 3709.

6. Other items still needed for the reclamation plan, as identified on the Reclamation Plan Objectives and Instructions list, include the following:
 - a. A drainage plan, along with best management practices you plan to employ to prevent naturally occurring hazardous materials in the soils and water from being released into onsite and offsite water bodies.
 - b. A sediment retention program (show on the drainage plan how sediments will flow into proposed basins and provide a written description).
 - c. The proposed work schedule and season(s). You are advised to limit proposed operations to the dry season.
 - d. Vegetation test plots on all representative soil/slope conditions.
 - e. Performance bonding estimate with all work shown. See the State Mining and Geology Board’s SMARA Financial Assurance Guidelines, found at http://www.conservation.ca.gov/omr/financial_assurances/.
 - f. A proposed program to monitor and maintain conservation practices implemented during the reclamation process. These conservation practices should include water conservation as noted in item C.2 below, under “Environmental Assessment.”
 - g. Proposed inspection schedule for compliance with conditions of project.
 - h. A proposed topographic map showing the configuration of the site once reclaimed, including all immediately surrounding lands.

B. Site Plan

1. Revise the site plan to show where existing ponds and other water features were prior to recent work on the site by the applicant, and where proposed settling ponds are. A review of recent and historic aerial photographs of the site reveals that there may have been several ponds on the project site until recently.
2. The site plan currently shows “dense brush” (which implies only understory vegetation) in areas that were observed by staff and the biological consultant as consisting of an overstory of mixed conifer-oak woodlands with an understory of mid-level and low-lying vegetation. The site plan should be revised to accurately represent the vegetation on the site.
3. The biological resources assessment prepared by Hanover Environmental Services states that there are three seasonal wetlands on the project site. Identify these on the site plans and identify the

appropriate buffer around them (50 feet for seasonal water features, 100 feet for perennial water features, and 100 feet for seasonal or perennial jurisdictional wetlands).

4. Identify all hydrological features in the project area (seasonal and perennial wetlands, creeks, lakes, rivers, etc.) on the site plans. Include the sluice tunnels, their drainage paths, and outlets into Greenhorn Creek.
5. Show all road names on the plan (Guy Blue, Lyle White, Red Dog).

C. Environmental Assessment

1. Include the recent information about employees living on the site in trailers as indicated in an email to Jessica Hankins on October 2, 2008. This information should be included in Item 9 of the "Environmental Assessment."
2. Include more detailed information about water usage in your project description. Add a plan that details how you will employ water conservation methods as well as measures assuring the quality and quantity of off-site discharge. Per item 2e in your Environmental Assessment, 40,000 gallons of water per day will be required for the project, while only 2,500 gallons per day of water will be pumped from the onsite wells per item 13. Demonstrate how you determined your water needs, identify how many gallons per day will be used from ponds versus wells, and quantify the size of the ponds.
3. Item A.1 in the Environmental Assessment states that "there is one seasonal pond" on the project site, while the Biological Resources Assessment indicates that there are three seasonal wetlands on the project site. This item also states that "there are currently three man-made ponds" and "a dirt access road" on the property. An aerial review of the property identifies at least one natural pond in addition to the seasonal wetlands on the property. Since this statement was made, it appears that numerous dirt access roads have been constructed or are in the process of being constructed on and off the site. Please correct these statements and identify all natural and manmade features on your site plan, including the equipment pad and staging areas that you have constructed. Identify all features that you have constructed or otherwise created as "as-built" features on the site plan.
4. Item A.3 states that the mineral recovery process will consist of "excavat[ing] and screen[ing] material." Please identify the types of material that will be processed through the washplant/trommel, including whether those materials will include topsoils and/or subsoils.
5. Item A.13 states that 2,500 gallons per day of water would be pumped for dewatering purposes. Please clarify whether dewatering would actually occur.
6. It appears that there are missing pages in the Environmental Assessment between Section A and Section B.
7. Item B.11.a.1 in the Environmental Assessment states that the project will result in only two vehicle trips per day. It is stated elsewhere that the operation could employ up to 8 people at any given time. This analysis will need to be recalculated to be consistent with actual vehicle trips generated by the proposed project.
8. Item B.11.b.5 in the Environmental Assessment states that up to 10 cubic yards will be removed daily. If this is the amount that is off-hauled, re-evaluate how many pick-up trucks would be needed to off-haul these materials (currently states that only one pick-up truck would be needed).
9. Provide a better description in Item B.11.d of onsite and offsite improvements, including all roads that have been constructed and grading that has been conducted since the property was purchased by the current owner, in addition to existing conditions. Identify the width of new roads and indicate whether work was done with or without permits. This item states that there are no offsite roads, but this is clearly inaccurate given the existing evidence that the applicant has constructed offsite roads.

D. Biological Resources Assessment

1. Revise or provide an addendum to the Biological Resources Assessment (BRA) to include an assessment of impacts to all sensitive resources protected by the County. The BRA does not appear to include a discussion of impacts to seasonal and perennial watercourses that are on project boundaries or immediately offsite. The BRA also does not include an assessment of impacts to protected trees per the Land Use and Development Code.
2. Revise the BRA to include an evaluation of historical conditions prior to purchase of the site by the project applicant. This assessment should evaluate the number and locations of roads on the site, water features, and general vegetation, and should compare those conditions to current conditions. Once as-built conditions have been evaluated relative to previous conditions, the Management Plan (see below) should provide mitigation for work that was done prior to project application and without permits.
3. Submit a Management Plan that addresses and mitigates impacts to all impacted sensitive resources, including steep slopes, water features, trees, and the special-status species identified in the BRA. The BRA that was submitted does not contain detailed mitigation for these species.
4. Provide an original color copy and an electronic copy of the Biological Resources Assessment with all figures as the black and white copy submitted has unreadable maps.
5. Include all relevant information and mitigation for biological resources in the Reclamation Plan.

E. Cultural Resources Survey

1. Revise or provide an addendum to the Cultural Resources Survey dated March 26, 2008, to include a discussion of significance of the pre-historic and historic resources on the site, as well as detailed mitigation measures that will reduce identified impacts.

F. Other

1. All violations will need to be cleared prior to the project application being deemed complete.
2. Describe what you intend to do with the existing merchantable trees on the site. A Timber Harvest Plan or Timberland Conversion Permit may be necessary to obtain from the Board of Forestry.
3. As noted in your Biological Resources Assessment, you will be required to conduct a wetland delineation and obtain the necessary jurisdictional determination from the U.S. Army Corps of Engineers prior to project approval, if the project has the potential to place dredge or fill material into the sluice canals and seasonal wetlands within the BSA, or in any offsite Waters of the U.S. The alternative is to provide evidence that the project will not affect these resources. In either event, consultation with the U.S. Army Corps of Engineers is advised.
5. Submit a groundwater study that assesses the impacts of pumping 2,500 gallons per day on nearby wells and the surrounding watershed.
7. Provide a geologic / soils report with your revised project application.
8. The Nevada County General Plan states that "areas not currently zoned "ME" may be rezoned if a significant resource can be shown to be present" (179). Provide sufficient evidence of a significant mineral resource on the site, including an explanation of how minerals were determined to be present.
9. Given the proposed project and rezone to an "ME" (Mineral Extraction) combining district, provide a revised public notice list and map that includes all properties within 1,000 feet of the subject parcels. A 1,000-foot notice area is necessary because properties and property owners within 1,000 feet could be affected by the project and rezone, as noted in Section L-II 4.3.11 of the Nevada County Land Use and Development Code.

10. Finally, please ensure that all submitted application materials contain generally consistent information so that the application can be processed in an efficient and orderly fashion.

This letter does not necessarily serve as a complete list of items that may be required for the proposed project, but lists items that will ensure the application packet is complete. Your application cannot be further processed until we receive a complete application.

You have previously been provided with copies of all letters from the resource agencies, but these comments are attached again for your convenience. Resource agencies that have provided preliminary comments on this project include the Nevada County Department of Public Works, Nevada County Department of Environmental Health, the Office of Mine Reclamation, the Bureau of Land Management, the State Regional Water Quality Control Board, the Northern Sierra Air Quality Management District, and the California Department of Fish and Game. The Planning Department expects additional letters from the Fire Protection Planner and other resource agencies based on new information they have received. Additionally, once you have submitted revised reports as described above, these agencies may submit new or revised comments.

If you have any questions, please contact Jessica Hankins at (530) 265-1345 or by email at Jessica.Hankins@co.nevada.ca.us.

Sincerely,

JORY STEWART, AICP
Planning Director

By:



Jessica Hankins, Associate Planner

cc: Tucker and Kelli White (applicants)
Sandy Jensen, Red Dog/Yuba Bet Road Association
Randy Fuller (neighboring property owner)
Barbara Rivenes, Sierra Nevada Group
Commenting agencies listed below

Enc: Comments from the following agencies (by date):

1. Tom Martin, County Surveyor, Department of Public Works ("Use Permit Application for White" – September 5, 2008)
2. Sam Longmire, Air Pollution Control Specialist, Northern Sierra Air Quality Management District ("Golden Girl Placer Mine – Environmental Assessment" – August 29, 2008)
3. William S. Haigh, Bureau of Land Management (August 28, 2008)
4. Jeff Huggins, Water Resources Control Engineer, Regional Water Quality Control Board ("Proposed 'Open Pit' Surface Mine" – August 27, 2008)
5. James S. Pompy, Reclamation Unit Manager, Office of Mine Reclamation ("Early Consultation/Project Description for Golden Girl Placer Mine" – August 27, 2008)
6. Kurtis Zumwalt, Program Manager, Department of Environmental health ("U08-021 Open Pit Surface Mine – August 26, 2008)
7. Jeff Huggins, Water Resources Control Engineer, Regional Water Quality Control Board ("Modified Field Sampling Plan" – August 25, 2008)
8. Dennis O'Bryant, Assistant Director, Office of Mine Reclamation ("15-Day SMARA Enforcement Notice" – August 15, 2008)
9. Carol Oz, Staff Environmental Scientist, California Department of Fish and Game ("Golden Girl Mine Sediment Release Biosignificance Report" – August 12, 2008)
10. William J. Marshall, Storm Water Section Chief, Regional Water Quality Control Board ("Notice of Violation" – June 10, 2008)