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Date: Dec. 13, 2019

To: Matt Kelley, Senior Planner, Nevada County  
matt.kelley@co.nevada.ca.us  
(530) 265-1423

Regarding: Idaho Maryland Mine project application for Conditional Use Permit and Reclamation Plan by Rise Grass Valley, Inc.

Dear Mr. Kelley,

Thank you for the opportunity to provide input on this proposed project.

In light of the fact that this unremediated mine has been identified as one of their top concerns by the EPA due to its proximity to town, water, etc., we request that the County hold a public scoping meeting to allow our comments to be fully aired and our questions answered before a next step is taken.

Extensive pre-project monitoring of soils, water quality, air quality, noise, traffic, cultural features, groundwater levels, road capacity and other issues will be needed, to establish baseline data, which may be required by various agencies.

Based on our experiences with other mining projects, areas that should be carefully studied include:

Air quality:

- dust from surface operations at both Brunswick and Centennial sites, in consideration of high levels of naturally occurring asbestos, lead, arsenic, etc.
- dust from truck transport
- hot brake linings from truck transport
- exhaust from all aspects of the project, especially diesel exhaust from truck transport
- greenhouse gas emissions from all aspects of the project

Water quality and quantity:

- dewatering quality
  - adequacy of water treatment plans (only iron and manganese are listed in the project description; other toxins, sediments, and solids are likely to be produced as well; note

- that arsenic and metals such as chromium are commonly found in the discharge from the underground workings)
  - failure-mode water treatment plans (long-term power outages, equipment failure, etc.)
  - testing (in comparison to baseline) of various metrics including but not limited to temperature, pH, metals, bacteria, turbidity, conductivity, etc.
  - enforcement plans for outflow water quality violations, including conditions for stop-work
  - potential for Clean Water Act violation exists if mercury is found at even trace levels in the soil
- dewatering quantity
  - potential for continuous erosion, scouring, and liberation of entombed creekbed toxins including mercury, arsenic, etc. as a result of intentional continuous flood stage or near-flood stage of South Fork of Wolf Creek
- stormwater management
  - the classic '100 year event' standard (for setbacks etc.) is documented to be insufficient due to climate change
  - gold processing waste water quality and quantity
- plans for quality and quantity impacts of a breach or overflow of detention pond and other detention facilities
- downstream impacts (for downstream communities, residences, agencies, and other stakeholders) of all of the above considerations, including legal liability issues
- the proposed Bennett water pipeline, if done as a separate project, would likely require its own CEQA review, and should be evaluated in that context
- potential for domestic well dewatering beyond the planned Bennett pipeline zone, including legal liability issues and long-term domestic water supply costs (e.g. monthly NID costs vs domestic well costs)
- groundwater recharge impacts of new impermeable surfaces
- cost of water quality and quantity monitoring, before, during, and after the project; minimum parameters should include flow, temperature, pH, conductivity, turbidity, pHab, nutrients, bacteria, benthic macroinvertebrate counts, and fish counts for all impacted reaches; include all data in publicly accessible real time database, and share with State Water Quality Control Board; analyze data, design restoration projects accordingly, and continue monitoring until goals are achieved.
- design water treatment facility for ongoing water discharge, in perpetuity, from underground workings after the project - similar to systems currently used at legacy Empire Mine and legacy Northstar Mine; identify long term funding source for maintenance and operating costs

#### Soil and sediments:

- soil disturbance, releasing naturally occurring and previously entombed contaminants including arsenic, asbestos, lead, etc.
- soil contamination due to on-site spills of various oils and chemicals

#### Engineered fill:

- how would revegetation of the solid engineered fill slopes be accomplished? How would the vegetation be maintained over time?

- is the engineered fill any less prone to release of contaminants during future construction than is the current surface material at those sites?
- does the engineered fill provide a public benefit?
- does the engineered fill increase the property value or marketability of the parcels where it is placed?
- would the engineered fill qualify as an EPA Brownfield and therefore require additional cleanup before it could be developed?

#### Health and Safety:

- risk of hazmat events, both on-site and along transport routes, including staffing and cost issues
- risk of explosions, cave-ins, etc.
- need to incorporate input from Federal Mine Safety and Health Administration
- long-term occupational exposure to chemicals, dust, exhaust, etc.
- wildfire impacts (i.e. release of chemicals in the event a wildfire crosses the landscape, potential fire risks due to use of explosives, etc.)
- truck transport safety issues (potential for accidents; travel during snow, ice, rain, etc.)
- adjacent and regional property health and safety and quality-of-life impacts due to air quality, dust, odors, noise, traffic, etc.
- public safety agencies (fire, law enforcement, medical) - how many additional officers and firefighters will the applicant be paying for, and in what jurisdictions? Include considerations of crime rate trends from around the country when mining or other extractive projects are opened.

#### Noise and vibration:

- on-site above-ground and below-ground operations (equipment, processing, blasting, crushing, truck loading, on-site truck transport and engineered fill placement at both sites, etc.)
- truck transport between sites and offsite
- vibration and seismic impacts, due to blasting, heavy equipment, etc., to landowners and local businesses that may be sensitive to vibration
- given the issues and complaints and contention due to previous drilling operations by the applicant, and the overall project description, we assume that long term noise will be a significant impact; the design should meet standard as per Nevada County General Plan Noise Element, Policy 9.1.2. E. 1. a., b., and c. Inspections should be ongoing, should be available for quick on-demand response to specific complaints, and should not be announced or scheduled with the applicant ahead of time. Violations should be able to trigger an immediate stop-work order for the specific activity causing the violation.

#### Reclamation:

- investigate and scrutinize applicant's claims that waste rock and tailings placed underground in any form will "never" release contaminants to the environment
- since the cleanup of existing mining tailings and contamination is a precondition of operations at both sites, and has unknown scope, the cleanup at both sites should be completed in advance
- continuous quality assurance inspections (including staffing and cost considerations) of ongoing reclamation efforts, both above ground and below ground must be carried out

Traffic:

- comprehensive traffic study is needed
- consider regional traffic and safety impacts of offsite trucking of waste rock and tailings, cement, etc. both before and after the engineered fill projects are completed
- include other local and regional projects that are already approved or will potentially be approved prior to, or in the same time frame as, the start of the Idaho Maryland project, which would significantly change the context of, or invalidate, the traffic studies for this project

Financial stability:

- does the company have adequate finances and bonding to cover the liabilities that such an operation could incur?
- is the financial assurance mechanism (bond, etc.) for reclamation robust enough to cover all costs that would otherwise be borne by the county in the event that the applicant abandons the project, e.g. due to bankruptcy?
- financial assurance mechanism required by SMARA must include costs of reclaiming the site including the potential unknown costs of abating legacy physical or chemical hazards that may be affected by this current mining operation, as well as fully remediating any legacy mining features that are disturbed during the course of the decades of mining proposed in this permit

Jobs:

- investigate and scrutinize the claims of number of jobs, especially given the applicant's disclaimers about uncertainty of the scale of the project
- how many of the jobs would be imported versus available to locals?
- how will zoning change and mining operations impact the attractiveness of the community for employers, tourism, and how will it impact the goals of Grass Valley strategic plan and the Grass Valley General Plan?

Housing:

- since many of the project's jobs would likely be filled by workers moving into the area, does the area have enough affordable housing in place?

Thank you for your consideration.

Ralph Silberstein, President  
Community Environmental Advocates Foundation  
CEA Foundation