

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF FINDINGS**

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Oro de Amador Remedial Action Plan		SITE CODING: 102258-11
PROJECT ADDRESS: 160-acre property located between North Main Street and New York Ranch Road, Jackson	CITY: Jackson	COUNTY: Amador
PROJECT SPONSOR: City of Jackson	CONTACT: Susan Peters, Environmental & Land Use Planning Consultant	PHONE/ EMAIL: (209) 223-1646 smpaicp@gmail.com
Approval Action Under Consideration by DTSC: ☐ Removal Action Workplan ☐ Interim Removal ☐ Initial Permit Issuance ☐ Permit Re-Issuance ☐ Corrective Measure Study/Statement of Basis ☐ Permit Modification ☐ Closure Plan ☒ Remedial Action Plan ☐ Regulations ☐ Other (specify): Summary of Findings Report		
STATUTORY AUTHORITY: ☐ California H&SC, Chap. 6.5☒ California H&SC, Chap. 6.8☐ Other (specify):		
PROJECT DESCRIPTION: The Remedial Action Plan (RAP) was developed to remediate soil impacted by arsenic and other metals at the City of Jackson owned Oro de Amador property (Site). The proposed remedial action includes onsite consolidation of contaminated waste, installation of a soil cap over the consolidated area, offsite disposal of excavated materials that exceed hazardous waste criteria, implementation of a land use covenant (LUC) and other land use restrictions to allow for the controlled reuse for a regional sports facility and public open space by the City of Jackson. The Site is approximately 160 acres, a large portion of which was historically used for storing mine tailings from the nearby former Kennedy Mine, for processing of mine tailings at an onsite cyanide treatment plant, and for disposal of the processed mine tailings. It is located within the city limits of Jackson, California, near the junction of State Routes (SR) 49 and 88. The Site is located east of North Main Street and west of New York Ranch Road, immediately north of downtown Jackson. Residential neighborhoods are adjacent to the south, east, and west. The Amador County Assessor's Parcel Numbers for the Site are 020-070-031, 020-070-037 and 020-070-040. The Site is mostly vacant with only remnants of mine-related structures including the foundations of the cyanide treatment plant and tailings dam. Based on previous investigations, it was determined that the Site includes three contaminated areas: • The Lakebed Area where mine tailings from the offsite Kennedy Mine were impounded; • The Cyanide Process Area (cyanide treatment plant) where the mine tailings were reprocessed; and • The Tailings Pile where the reprocessed mine tailings were disposed.		

The selected remedy detailed in the RAP is onsite consolidation, which includes the following project activities:

- Excavation of isolated tailings deposits, transport within the Site, and placement of the tailings at the Tailings Pile as engineered fill;
- Post-excavation sampling and analysis to verify that the isolated tailings deposits were removed;
- Re-grading of the Tailings Pile and capping of the Tailings Pile with clean fill;
- Routing of surface water drainage away from the Tailings Pile to reduce meteoric water infiltration;
- Fencing and posting of the Lakebed Area and Cyanide Process Area (cyanide treatment plant) to restrict public use; and
- Recordation of an LUC and execution of an operation, monitoring and maintenance (OM&M) agreement for the Tailings Pile cap and fencing of the Lakebed Area and Cyanide Process Area.

Offsite disposal will be required for excavated materials that exceed hazardous waste criteria. Provided that soil verification sampling and analysis results meet the remedial goals, the excavation areas would be suitable for recreational, commercial, or industrial land use. Future residential land use would be restricted.

Project activities will include significant truck traffic for import of clean cover soil to cap the Tailings Pile. Trucks would access the Site via SR 49, turning northeast on SR 88, and after ½ mile, left on Court Street and then right on New York Ranch Road. The trucks would travel ½ mile north on New York Ranch Road before turning left into the Site. Empty trucks would follow the reverse route. An estimated 82,850 cubic yards of clean cover soil would be imported to the Site or borrowed from the Site. If all of the soil is imported, and each truck transports 18 cubic yards of soil, an estimated 4,600 truck trips would be required. It is estimated that the project will take place over approximately four months.

The RAP presents a conceptual design for this remedial action and requires the preparation of a *Remedial Design and Implementation Plan* (RDIP) containing engineering plans and specifications for the proposed waste capping and procedures for fugitive dust mitigation, air monitoring, verification sampling and analysis, and Site restoration. The RDIP will include an *Operation and Maintenance Plan* (O&M Plan) and *Monitoring and Reporting Plan* (MRP) to specify future operation, maintenance, and monitoring requirements.

The City of Jackson's development of the recreational facility will follow implementation of the RAP and will incorporate approximately 7 acres of developed parkland, and several acres of undeveloped parkland (i.e. walking trails); some of the Site (the Lakebed Area and Cyanide Process Area) will remain undeveloped and inaccessible to the public.

All of the potential environmental impacts associated with the project activities detailed in the RAP were analyzed as part of the City of Jackson's Initial Study/Mitigated Negative Declaration, dated September 2025 for the Oro de Amador project.

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: City of Jackson
Lead Agency's Environmental Document: Oro de Amador Remedial Action Plan, Mitigated Negative Declaration
Date Adopted/Certified: 9/22/2025
State Clearinghouse Number: 2025080224

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

- ☒ The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision
- ☒ The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.
- ☒ DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.
- ☒ Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

The City's Mitigation Monitoring and Reporting Program document is provided as Attachment A to this Statement of Findings. The measures that are applicable to this project are listed below and are detailed in Attachment A.

☐ Aesthetics	Mitigation Measure:
☐ Agricultural Resources	Mitigation Measure:
☐ Air Quality	Mitigation Measure:
☐ Agricultural Resources	Mitigation Measure:
☒ Biological Resources	Mitigation Measure: MM 4.1: Rare Plant Surveys MM 4.2: Western Pond Turtle

	MM 4.3: Nesting Bird Survey MM 4.4: Mature Tree Mitigation MM 4.5: Bat Pre-Construction Surveys and Suitable Roost Tree Removal
☐ Cultural Resources	Mitigation Measure:
☐ Energy	Mitigation Measure:
☐ Geology / Soils	Mitigation Measure:
☐ Greenhouse Gas Emissions	Mitigation Measure:
☐ Hazards / Hazardous Materials	Mitigation Measures:
☐ Hydrology / Water Quality	Mitigation Measure:
☐ Land Use / Planning	Mitigation Measure:
☐ Mineral Resources	Mitigation Measure:
☐ Noise	Mitigation Measure:
☐ Population / Housing	Mitigation Measure:
☐ Public Services	Mitigation Measure:
☐ Recreation	Mitigation Measure:
☐ Transportation / Traffic	Mitigation Measure:
☐ Tribal Cultural Resources	Mitigation Measure:
☐ Utilities / Service Systems	Mitigation Measure:
☐ Wildfire	Mitigation Measure:

☒ Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and will be implemented to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

- ☒ Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.
- ☒ Such changes or alterations are within the responsibility and jurisdiction of the City of Anaheim not DTSC.
- ☒ Such changes have been adopted by this public agency or can and should be adopted by this public agency.
- ☐ Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons: N/A

BASED ON THE ABOVE FINDINGS, DTSC CONCLUDES:

- ☒ The proposed Project will not result in significant and unavoidable effects to the environment.

☐ The proposed Project will result in significant and unavoidable effects to the following environmental resources:

- | | |
|--|---|
| ☐ Air Quality | ☐ Mineral Resources |
| ☐ Agricultural Resources | ☐ Noise |
| ☐ Biological Resources | ☐ Population/Housing |
| ☐ Cultural Resources | ☐ Public Services |
| ☐ Energy | ☐ Recreation |
| ☐ Geology/ Soils | ☐ Transportation/Traffic |
| ☐ Greenhouse Gas Emissions | ☐ Tribal Cultural Resources |
| ☐ Hazards/Hazardous Materials | ☐ Utilities/ Service Systems |
| ☐ Hydrology/ Water Quality | ☐ Wildfire |

Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

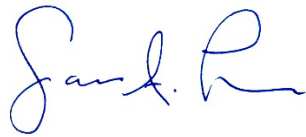
In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to

render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC's responsibilities under the California Health and Safety Code.

☒ None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

☒ In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor's Office of Planning and Research / State Clearinghouse.

D. CERTIFICATION



Project Manager's Signature

12/18/2025

Date

Sarah Larese

Project Manager's Name

Sr. Environmental Scientist
(Specialist)

Title

714-484-5321

Phone #



Branch Chief's Signature

12/18/2025

Date

Eileen Mananian, M.S.

Branch Chief's Name

Environmental Program Manager 1
(Supervisory)

Title

714-484-5349

Phone #

Attachment A
City of Jackson's
Final Environmental Impact Report
Mitigation Monitoring and Reporting Program
(MMRP)

Note: Not all mitigation measures in this MMRP are applicable to the RAP. See table in the Statement of Findings for applicable mitigation measures.

ATTACHMENT A MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) for the City of Jackson Oro De Amador Project is provided in Table A-1 and prepared in compliance with requirements of California Public Resources Code Section 21081.6 and Section 15097 of the California Environmental Quality Act Guidelines. In general, the City shall be responsible for implementing and monitoring the measures identified below. Table A-1 describes each mitigation measure and identifies the responsible agency, timing, and monitoring requirements.

Table A-1

Mitigation Monitoring and Reporting Program Checklist

Mitigation Measure Description	Monitoring Responsibility	Timing	Monitoring Requirement
Mitigation Measure 4.1: Rare Plant Surveys. To protect special status plant species, a minimum of two focused rare plant surveys shall be conducted prior to construction during the blooming season for the species listed above (May-July). Surveys shall be spaced a minimum of three weeks apart during the blooming period. Exact survey timing shall be determined by the qualified biologist. Survey results shall be summarized in a Botanical Survey Report consistent with the Protocols for Surveying and Evaluating Impacts to special-status Native Plant Populations and Natural Communities. If rare plants are discovered during these surveys, the Project Proponent shall coordinate with City of Jackson to develop a plan for avoiding project impacts to rare plants. The project may not commence until an avoidance and minimization plan is approved by the City of Jackson.	City of Jackson	During Plan Development	Complete pre-construction survey.
Mitigation Measure 4.2: Western Pond Turtle. Within 24 hours prior to initiation of construction or ground-disturbing activities, a qualified biologist shall survey the site for western pond turtles and/or their nests. If western pond turtle is encountered during surveys, a site specific avoidance, minimization, and/or relocation plan shall be prepared for review and approval by the City of Jackson. This plan shall be submitted prior to starting construction activities within the areas where pond turtles were discovered. Measures included in the approved impact avoidance plan shall be implemented during project activities.	City of Jackson	Prior to construction	Complete pre-construction survey to identify and protect any active nests within the construction disturbance zone.

Mitigation Measure Description	Monitoring Responsibility	Timing	Monitoring Requirement
Mitigation Measure 4.3: Nesting Bird Survey. If project-related activities are scheduled between February 1 to August 31 (the typical nesting season), a focused survey for nests shall be conducted by a qualified biologist within no greater than fifteen (15) calendar days prior to the beginning of Project-related activities. A qualified biologist shall survey a minimum radius of 500-feet for migratory birds and 1/2-mile for raptors around the Project area that can be accessed by the project proponent. The results of the survey shall be provided to the City of Jackson upon completion. If no active nests are found, project activities may proceed as scheduled. • Active Nests. If an active nest is found, active nests should be avoided, and a no disturbance or destruction buffer shall be determined and established by a qualified biologist. The buffer shall be kept in place until after the breeding nesting season or the qualified biologist confirms the young have fledged, are foraging independently, and the nest is no longer active for the season. The extent of these buffers shall be determined by the qualified biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. • Project Delay. If a lapse in project-related work of fourteen (14) calendar days or longer occurs, the qualified biologist shall complete another focused survey before Project work can be reinitiated. • Project Proponent Responsibility. It is the project proponent responsibility to comply with Fish and Game Code Sections 3503, 3503.5, and 3513 regardless of the time of year.	City of Jackson	Prior to construction	Complete pre-construction survey to identify and protect any active nests within the construction disturbance zone.
Mitigation Measure 4.4: Mature Tree Mitigation. CDFW recommends replanting all native trees removed with a DBH greater than 4 inches at a 5:1 ratio. Replacement trees should be of native origin and to the extent feasible, trees should be planted on-site. If on site mitigation is not feasible, in-kind mitigation can be considered for an alternate location, or a donation to a local tree mitigation program or conservation fund could be considered.	City of Jackson	Prior to final post-RAP development	Include final tree mitigation plan in agency project approval staff report.

Mitigation Measure Description	Monitoring Responsibility	Timing	Monitoring Requirement
Mitigation Measure 4.5: Bat Pre-Construction Surveys and Suitable Roost Tree Removal. A CDFW-approved qualified biologist shall conduct a habitat assessment for potentially suitable bat tree roosting habitat, March 1 to April 15 or August 31 to October 15 prior to Project activities. If the habitat assessment reveals suitable bat habitat within trees, and tree removal is scheduled from April 16 through August 30 and/or October 16 through February 28, then presence/absence surveys shall be conducted two to three days prior to any tree removal or trimming. If presence/absence surveys are negative, then tree removal may be conducted by following a two-phased tree removal system. If presence/absence surveys indicate bat occupancy, then the occupied trees shall only be removed from March 1 through April 15 and/or August 31 through October 15 by following the two-phased tree removal system. The two-phased removal system shall be conducted over 2 consecutive days and under supervision of a qualified biologist. On the first day (in the afternoon), limbs and branches are removed by a tree cutter using chainsaws or other hand tools only. Limbs with cavities, crevices, or deep bark fissures are avoided, and only branches or limbs without those features are removed. On the second day, the entire tree shall be removed. The City of Jackson should consult with a qualified bat biologist to determine suitable buffers around roost and/or hibernaculum sites. Buffers may vary depending on species and Project activity being performed.	City of Jackson	Prior to construction	Complete pre-construction survey to identify and protect any active roosts within the construction disturbance zone.
Mitigation Measure 17.1: Park trail design Park trail design shall be augmented with a minimum of two additional pedestrian and/or bicycles access points of entry.	City of Jackson	Prior to final post-RAP development	Include final access plan in agency project approval staff report.
Mitigation Measure 19.1: Water Will Serve Letter The City shall obtain a “Wholesale Water Will Serve Commitment” from the Amador Water Agency prior to service.	City of Jackson	Prior to final post-RAP development	Include will serve letter in agency project approval staff report.