



**COMMUNITY DEVELOPMENT/RESOURCE AGENCY
ENVIRONMENTAL COORDINATION SERVICES**
County of Placer

**NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Mitigated Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

PROJECT: Eagle Nest Mine Reclamation Amendment Project (PLN24-00384)

PROJECT DESCRIPTION: The Eagle's Nest Mine (Red Ink Maid and Big Seam Mines; California mine ID# 91-31-0020) dump expansion project purpose is to allow the existing and vested Eagle's Nest mining operation to continue its operations as it expands its underground workings into new ore-bodies and to allow for emergency access to an underground emergency exit portal.

PROJECT LOCATION: 26600 Mosquito Ridge Road, Foresthill, Placer County

APPLICANT: Ian Merkel, Eagle's Nest Mining, LLC

The comment period for this document closes on September 22, 2025. A copy of the Mitigated Negative Declaration is available for public review at the County's web site:

<https://www.placer.ca.gov/2826/Negative-Declarations>

Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm. Comments may be sent to cdraecs@placer.ca.gov or 3091 County Center Drive, Suite 190, Auburn, CA 95603.

Delivered to 300' Property Owners on August 23, 2025.



COMMUNITY DEVELOPMENT/RESOURCE AGENCY
Environmental Coordination Services
County of Placer

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

Title: Eagle Nest Mine Reclamation Amendment	Project # PLN24-00384
Description: The Eagle's Nest Mine (Red Ink Maid and Big Seam Mines; California mine ID# 91-31-0020) dump expansion project purpose is to allow the existing and vested Eagle's Nest mining operation to continue its operations as it expands its underground workings into new ore-bodies and to allow for emergency access to an underground emergency exit portal	
Location: 2660 Mosquito Ridge Road, Placer County	
Project Owner: United States of America	
Project Applicant: Ian Merkel, Eagle's Nest Mining, LLC	
County Contact Person: Meghan Schwartz	530-745-3132

PUBLIC NOTICE

The comment period for this document closes on **September 22, 2025**. A copy of the Mitigated Negative Declaration is available for public review at the County's web site (<https://www.placer.ca.gov/2826/Negative-Declarations>), It is also available for review during normal business hours, at the same link, via computer kiosks at the Placer County Libraries, the Placer County Community Development Resource Agency (3091 County Center Drive, Auburn) and Tahoe (775 N. Lake Boulevard, Tahoe City), and the County Clerk's Office (3715 Atherton Road, Rocklin, 95765). Property owners within 300 feet of the subject site shall be notified by mail of the upcoming meeting before the **Planning Commission**. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.



COMMUNITY DEVELOPMENT/RESOURCE AGENCY
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INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section D) and site-specific studies (see Section J) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an Environmental Impact Report (EIR), use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

Project Title: Eagles Nest Mine Conditional Use Permit	Project # PLN24-00384
Entitlement(s): Conditional Use Permit	
Site Area: 294.4 acres	APN: 254-210-001
Location: 26600 Mosquito Ridge Road, Foresthill, Placer County	

A. BACKGROUND:

Project Description:

The project proposes an amendment to the existing Eagle’s Nest Reclamation Plan to allow for the addition of an approximately one acre new dump site (Dump Site 6) located on a historic mining hydro scar for the depositing of overburden materials extracted during the mining process that are determined to lack value. The proposed project would entail the construction of a retaining wall at the top of existing Dump Site 5, the extension of a road between Dump Site 5 and Dump Site 6, and an additional retaining wall at the toe of Dump Site 6. The project also proposes an extension of an existing unmaintained road to the east of the site which would serve as an emergency exit to an existing historic mine portal.

The reclamation plan amendment follows the reclamation strategy established on the site for Dump Sites 1 through 5 as approved by Placer County in December 2006, which entailed the creation of six foot deep pocket plantings on the face of the dump site which would be filled with salvaged topsoil from the inside perimeter of the dump and planted with site native seeds (i.e., acorns and pine cones) in late fall. The standard for tree plantings would be 50 trees per acre planted with 50 percent Canyon Live Oak and 50 percent Ponderosa Pine. Final reclamation of the site would include the removal of all roads not required by PG&E or the United States Forest Service (USFS) and the planting of native plants and seeds in their place. All surface structures would be removed.

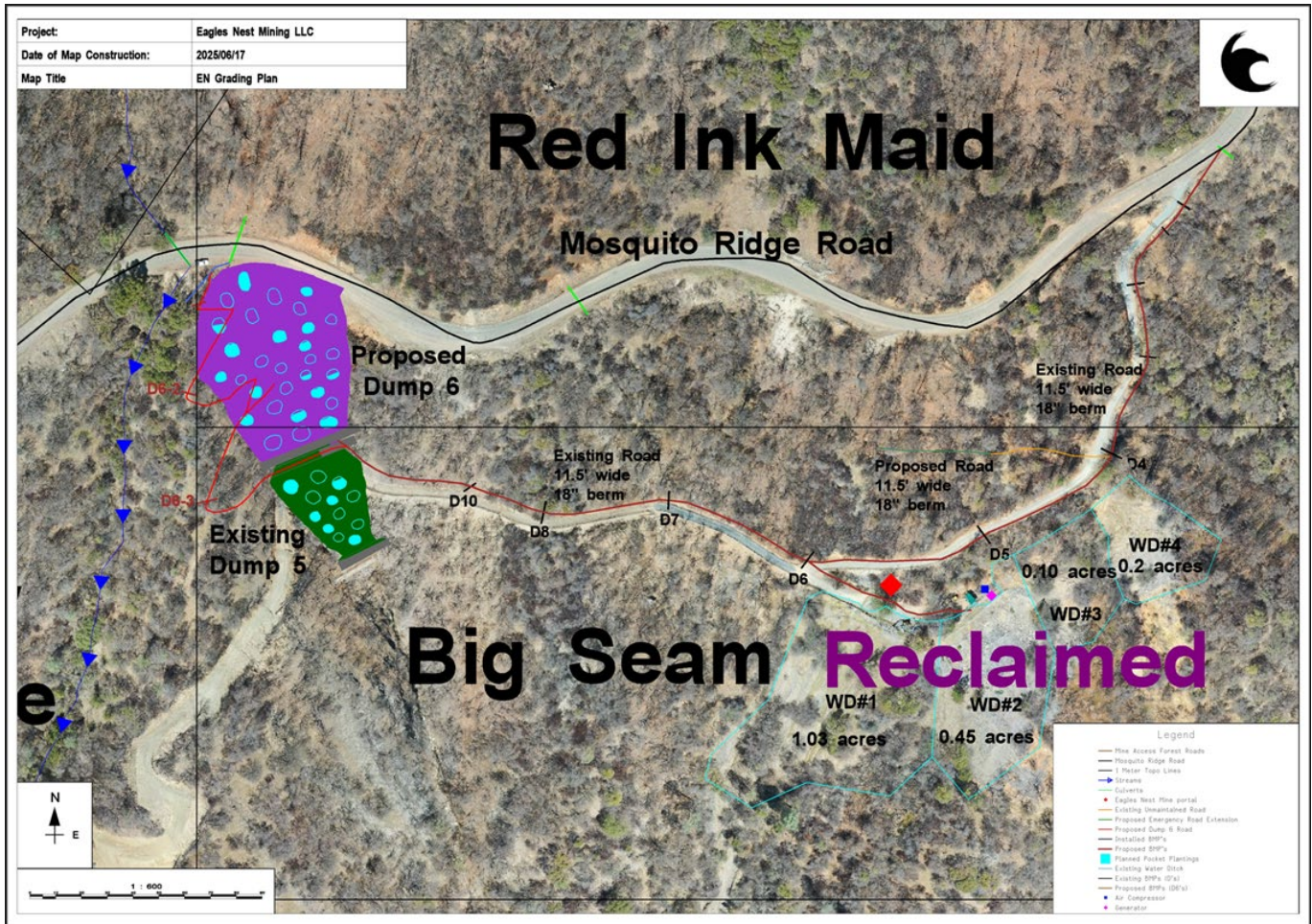


FIGURE 1- PROJECT SITE PLAN

Project Site (Background/Existing Setting):

Mining at the site dates to the initial mine claim filing in 1907. The mine is located within the Tahoe National Forest and has been operating with a USFS approved Plan of Operation (PoO) since 1987. The dumping of overburden materials on Dump Site 5 is currently 1,500 cubic yards per year, however with the proposed project, the volume could increase up to 2,571 cubic yards per year. Upon Dump Site 5 reaching capacity, Dump Site 6 would absorb this 2,571 annual cubic yards of dumped material through the mine’s closure in December 2038. Existing mine operation occurs Tuesday through Friday from 7:00 am to 5:30 pm year round with six full time employees and one part time employee. With the proposed project, up to four additional full time employees may be hired.

Dump Site 6 is proposed on a historic mine scar and has been previously disturbed. In September 2022, the Mosquito Fire burned 76,788 acres, including vegetation across the subject property. The site has had some regrowth since, but is generally covered with burned or dead vegetation. Topographic variation of the site is significant ranging in elevation between approximately 1,800 feet and 2,200 feet above sea level.

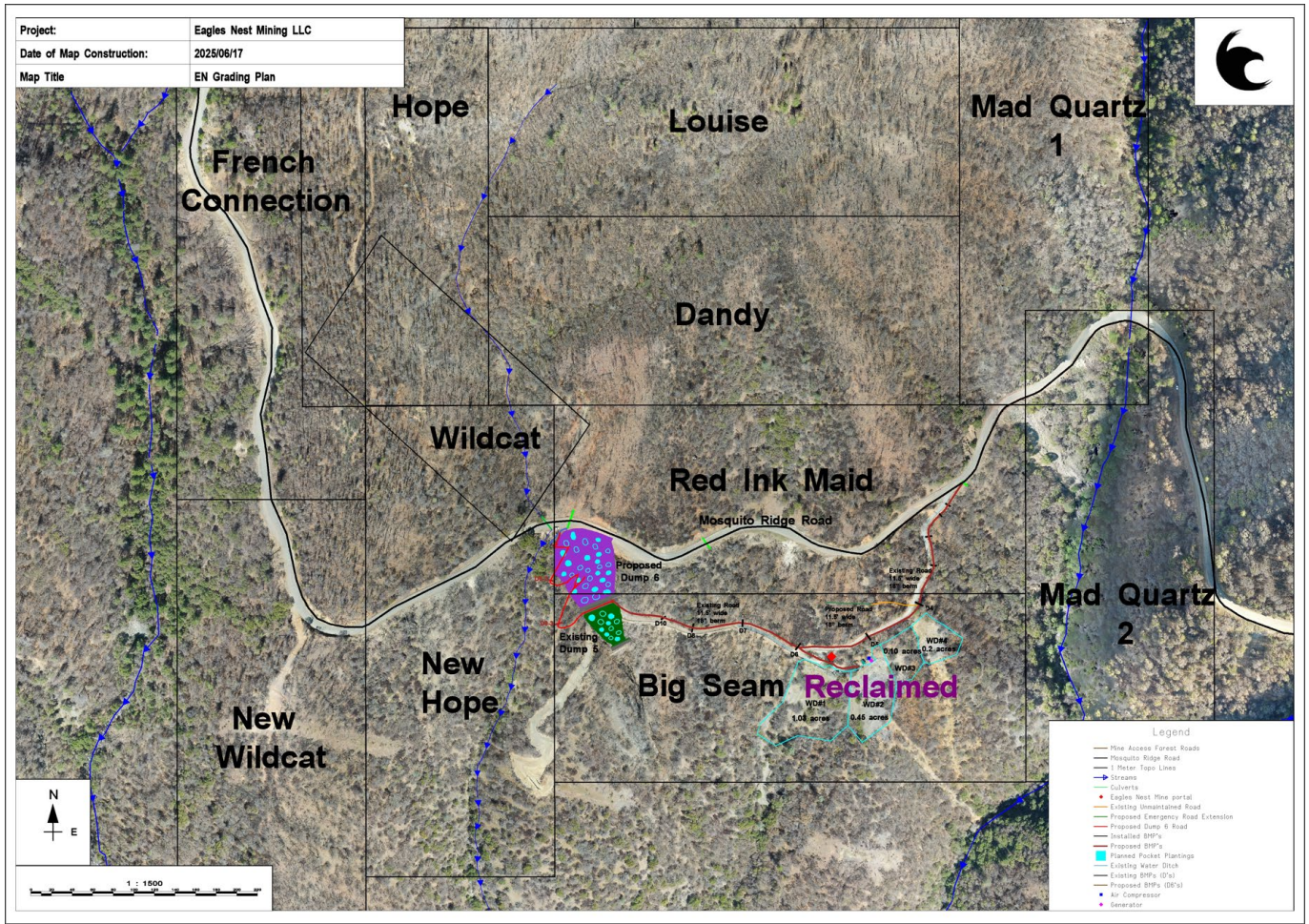


Figure 2 –Vicinity Map

B. Environmental Setting:

Location	Zoning	General Plan/Community Plan Designations	Existing Conditions and Improvements
Site	Forest, Combining Minimum Building Site of 160 Acres (FOR-B-X 160 AC. MIN.)	Timberland 80 Acre Minimum	Mine Related Improvements and Dump Site. Vacant Land
North	Forest, Combining Minimum Building Site of 160 Acres (FOR-B-X 160 AC MIN.)	Timberland 80 Acre Minimum	Vacant
South	Water Influence Combining Minimum Building Site of 160 Acres. Forest Combining Minimum Building Site of 160 Acres. Farm, Combining Minimum Building Site of 20 Acres, Combining PD=0.05 (W-B-X 160 AC. MIN., FOR-B-X 160 AC. MIN., F-B-X 160 AC. MIN., PD = 0.05)	Timberland 80 Acre Minimum	Vacant
East	Forest, Combining Minimum Building Site of 160 Acres (FOR-B-X 160 AC MIN.)	Timberland 80 Acre Minimum	Vacant
West	Forest, Combining Minimum Building Site of 160 Acres (FOR-B-X 160 AC MIN.)	Timberland 80 Acre Minimum	Vacant

C. NATIVE AMERICAN TRIBES: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Pursuant to Assembly Bill 52, invitations to consult were sent on January 22, 2025 to tribes who requested notification of proposed Projects within this geographic area. The United Auburn Indian Community (UAIC) of the Auburn Rancheria reviewed the Tribal Historic Information System (THRIS) database and subsequently declined consultation – UAIC requested the standard Mitigation Measure for Inadvertent Discoveries to be included for this Project.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

D. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Foresthill Divide Community Plan EIR

E. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If

there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as “Less Than Significant with Mitigation Measures,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)			X	
3. In non-urbanized areas, 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). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)				X

Discussion Item I-1, 2, 3:

A scenic vista is generally considered to be a location from which the public can experience unique and exemplary high-quality views, including panoramic views of great breadth and depth, often from elevated vantage points for the benefit of the general public. While undeveloped or mostly undeveloped areas may have a natural aesthetic quality, there are no scenic vistas designated by the Placer County General Plan.

Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e. development on a scenic hillside). Scenic views and vistas are generally available to a greater number of persons than are private views. Private views, in contrast, are those which are only available from vantage points located on private property. Unless specifically protected by an ordinance or other regulation, private views are not considered under CEQA (*Ocean View Estates Homeowners Assn., Inc v. Montecito Water Dist.* [2004] 116 Cal. App. 4th 396, 401-402). Therefore, impairment of private views is not considered to be a significant impact.

The proposed project involves the filling of a historic mining scar with mining deposits within a prior disturbed and burned area, and the reclamation of land upon mining completion with the planting of native species within planter wells within the dump site area. Given the disturbed and burned baseline condition of the site, the proposed reclamation scope, and the lack of designated scenic vistas within the County, the Project would have a less than significant impact on a scenic vista. The proposed project is not located along a state scenic highway, as such it would not substantially damage scenic resources within a state scenic highway. Therefore, the proposed project would have a less than significant impact. No mitigation measures are required.

Discussion Item I-4:

The project does not propose any structures or features capable of causing substantial light or glare that would adversely affect day or nighttime views of the area. No project features involve the addition of windows or lighting. The proposed project does not propose nighttime operation or the use of any vehicles in the nighttime hours that would have headlights contributing to nighttime glare/ light pollution. Therefore, there is no impact.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring				X

Program of the California Resources Agency, to non-agricultural use? (PLN)				
2. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)			X	
4. Result in the loss of forest land or conversion of forest land to non-forest use? (PLN)			X	
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? (PLN)			X	
6. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X

Discussion Item II-1, 2, 6:

A review of the California Department of Conservation’s California Important Farmland Finder Map was conducted which determined that the proposed project is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore the proposed project would not result in impacts to such lands. The Subject Property is zoned Forest, Combining Minimum Building Site of 160 Acres which does allow for agricultural activities such as crop production, however given the terrain of the vicinity, it is not conducive to such activities. Further the proposed project would not result in an incompatibility in land use should such activities commence on surrounding properties, and would not conflict with any land use policies related to the buffering of agricultural operations. The property is not subject to a Williamson Act contract. Therefore, there would be no impact to farmland, or agricultural uses. Therefore, there is no impact.

Discussion Item II-3, 4, 5:

The property is zoned Forest, Combining Minimum Building Site of 160 Acres. Placer County Code Section 17.12.010 defines the Forest zoning district as being “intended to designate portions of the mountainous areas of Placer County where the primary land uses would relate to the growing and harvesting of timber and other forest products, together with public and commercial recreational uses. Pursuant to Section 17.12.010.B of the Placer County Code (Allowable Land Uses And Permit Requirements), surface and subsurface mining may be permitted within the Forest zoning district with the granting of a Conditional Use Permit, which is the action requested for the proposed project. Therefore the proposed project does not require the rezoning of Forest land. The site has been previously disturbed by hydraulic mining and is located within a historic hydroscar. Vegetation on the site was burned in 2022 by the Mosquito Fire. Therefore given this baseline, the proposed project would not result in the conversion of existing forest land to non-forest use.

While the site has been previously disturbed, the reclamation plan calls for the revegetation of the previously disturbed area with the creation of planter wells planted with native trees and shrubs which would work towards the reforestation of the previously disturbed site. As the proposed project is an allowable use within the Forest zoning district with the issuance of a Conditional Use Permit, it would not result in the need for a rezone or conflict with existing zoning. As its current condition is disturbed and lacking vegetation, the proposed project would not result in the loss or conversion of forest land. Therefore there is a less than significant impact. No mitigation measures are required.

III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (AQ)			X	

2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (AQ)			X	
3. Expose sensitive receptors to substantial pollutant concentrations? (AQ)		X		
4. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? (AQ)			X	

Discussion Item III-1, 2:

The proposed project is located within the Mountain Counties Air Basin (MCAB) portion of Placer County and is under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The MCAB is designated non-attainment for the federal and state ozone standards (ROG and NO_x), and nonattainment for the state particulate matter standard (PM₁₀). The proposed project requests approval of a Conditional Use Permit to allow an amendment to the existing Eagle’s Nest Mine Reclamation Plan to allow for the addition of an approximately one acre new dump site (Dump Site 6) located on a historic mining hydro scar for the depositing of materials extracted during the mining process that are determined to lack value.

A project would not conflict with or obstruct the implementation of the regional air quality plan, if the project emissions were anticipated within the emission inventory contained in the regional air quality plan, referred to as the State Implementation Plan (SIP), and would not exceed the PCAPCD CEQA thresholds adopted October 13, 2016, as follows:

PCAPCD CEQA THRESHOLDS FOR CRITERIA POLLUTANT EMISSIONS

- 1) Construction Threshold of 82 pounds per day for Reactive Organic Gases (ROG), Oxides of Nitrogen (NO_x), and particulate matter smaller than 10 microns (PM₁₀);
- 2) Operational Threshold of 55 pounds per day for ROG, NO_x and 82 pounds per day for PM₁₀; and
- 3) Cumulative Threshold of 55 pounds per day for ROG, NO_x and 82 pounds per day for PM₁₀.

The daily maximum emission thresholds represent an emission level below which the project’s contribution to criteria pollutant emissions would be deemed less than significant. This level of operational emissions would be equivalent to a project size of approximately 617 single-family dwelling units, or a 249,100 square foot commercial building.

During construction of the proposed project, various types of equipment and vehicles would temporarily operate. Construction exhaust emissions would be generated from construction equipment, demolition, vegetation clearing and earth movement activities, construction workers’ commute, and construction material hauling. The project related long-term operational emissions would result from vehicle exhaust, utility usage, and water/wastewater conveyance. Project construction and operational activities would generate air pollutant emissions of criteria pollutants, including ROG, NO_x, and PM₁₀.

The proposed project would result in an increase in regional and local emissions from construction of the project, but would be below the PCAPCD’s thresholds. In order to reduce construction related emissions, the proposed project would be conditioned to list the PCAPCD’s Rules and Regulations on all construction plans.

- Rule 202—Visible Emissions. Requires that opacity emissions from any emission source not exceed 20 percent for more than three minutes in any one hour.
- Rule 217—Cutback and Emulsified Asphalt Paving Materials. Prohibits the use of the following asphalt materials for road paving: rapid cure cutback asphalt; slow cure cutback asphalt; medium cure cutback asphalt; or emulsified asphalt.
- Rule 218—Application of Architectural Coatings. Requires architectural coatings to meet various volatile organic compound (VOC) content limits.
- Rule 228—Fugitive Dust.
 - Visible emissions are not allowed beyond the project boundary line.
 - Visible emissions may not have opacity of greater than 40 percent at any time.
 - Track-out must be minimized from paved public roadways.

With compliance with APCD Rules and Regulations, impacts related to short-term construction-related emissions would be less than significant.

For the operational phase, the project does not propose to increase density beyond the development anticipated to occur within the SIP. Further, buildout of the proposed project would not exceed the PCAPCD's screening criteria and therefore would not exceed the PCAPCD's Project-level thresholds of significance. No mitigation measures are required.

Discussion Item III-3:

Certain air pollutants are classified by the ARB as toxic air contaminants, or TACs, which are known to increase the risk of cancer and/or other serious health effects. Localized concentrations of Carbon Monoxide (CO) can be a TAC and are typically generated by traffic congestion at intersections. The anticipated traffic resulting from the seven employees of the mine would not impact the nearby intersections' ability to operate acceptably and would therefore not result in substantial concentrations of CO emissions at any intersection.

The construction of the proposed project would result in short-term diesel particulate matter (DPM) emissions from heavy-duty onsite equipment and off-road diesel equipment. The California Air Resources Board (ARB) has identified DPM from diesel exhaust as a toxic air contaminant, with both chronic and carcinogenic public health risks. The nearest sensitive receptor, a residential dwelling, is located over a mile from the project site.

The ARB, PCAPCD, and Placer County recognize the public health risk reductions that can be realized by idling limitations for on-road and off-road equipment. The proposed project would be required to comply with the following idling restriction (five minute limitation) requirements from ARB and Placer County Code during construction activity, including the use of both on-road and off-road equipment:

- California Air Resources Board In-use Off-road Diesel regulation, Section 2449(d)(3): Off-road diesel equipment shall comply with the five minute idling restriction. Available via the web: www.arb.ca.gov/regact/2007/ordiesl07/froal.pdf
- Placer County, Code Section 10.14. Available via the web: <http://qcode.us/codes/placercounty/>

Portable equipment and engines (i.e., back-up generators) 50 horsepower (hp) or greater, used during construction activities and operation require either a registration certificate issued by ARB, based on the California Statewide Portable Equipment Registration Program (PERP) or an Authority to Construct (ATC) permit issued by PCAPCD to operate. The proposed project would be conditioned to obtain all necessary permits from the ARB and PCAPCD prior to construction. Compliance with State and Local regulations, potential public health impacts would be less than significant. No mitigation measures are required.

Sensitive receptors would not be exposed to substantial pollutant concentrations given the dispersive properties of DPM, the temporary nature of the mobilized equipment use, and their distance from the Project. Additionally, the Project would not result in substantial CO emissions at intersections. Short-term construction and operationally-generated Toxic Air Contaminant emissions would not expose sensitive receptors to substantial pollutant concentrations and therefore would have a less than significant effect. No mitigation measures are required.

The Project is within an area that is most likely to contain naturally occurring asbestos (NOA). NOA was identified as a TAC in 1986 by the ARB. For individuals living in areas of NOA, there are many potential pathways for airborne exposure. Exposure to soil dust containing asbestos can occur under a variety of scenarios, including children playing in the dirt, dust raised from unpaved roads and driveways covered with crushed serpentine rock/soil, grading and earth disturbance associated with construction activity, quarrying, gardening, and other human activities. People exposed to low levels of asbestos may be at elevated risk of lung cancer and mesothelioma.

A project located in an area mapped as "Most Likely" to contain NOA, is subject to the requirements of Placer County Air Pollution Control District's Rule 228: Fugitive Dust as well as the California Air Resources Board (ARB) Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations.

For projects with a disturbed area of **greater than one acre**, and in an area "Most Likely" to contain NOA or "High NOA" zone, an Asbestos Dust Mitigation Plan (ADMP) must be prepared and submitted to the District for review and approval before a grading permit will be issued. Once approved, the ADMP must be implemented at the start and maintained throughout the duration of activities. The requirement for an ADMP also applies when NOA, ultramafic

rock, or serpentine rock is discovered after the initiation of earth-disturbing activities, and must be submitted to the District within 14 days of discovery. Impacts associated with airborne asbestos would be reduced to a less-than-significant level with implementation of the following mitigation measures.

Mitigation Measure Item III-3:

MM III.1

During construction activity, the following measures shall be implemented. For additional information, visit the PCAPCD's website at <https://www.placer.ca.gov/1621/NOA-Construction-Grading>.

- a. The applicant shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17 Section 93105 ("Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations") and obtain approval by the Placer County APCD. The Plan shall include all measures required by the State of California and the Placer County APCD.
- b. If asbestos is found in concentrations greater than 5 percent, the material shall not be used as surfacing material as stated in state regulation CCR Title 17 Section 93106 ("Asbestos Airborne Toxic Control Measure-Asbestos Containing Serpentine"). The material with naturally-occurring asbestos can be reused at the site for sub-grade material covered by other non-asbestos-containing material

MM III.2

The applicant shall include the following standard notes on all construction plans associated with the Project. (PLN-AQ):

- a. Prior to construction activity, an Asbestos Dust Mitigation Plan shall be submitted to the Placer County Air Pollution Control District (APCD). The Dust Control Plan shall be submitted to the APCD a minimum of 21 days before construction activity is scheduled to commence. The Dust Control Plan can be submitted online via the fill-in form: <http://www.placerair.org/dustcontrolrequirements/dustcontrolform>.
- b. Construction equipment exhaust emissions shall not exceed the APCD Rule 202 Visible Emissions limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by the APCD to cease operations, and the equipment must be repaired within 72 hours.
- c. Dry mechanical sweeping is prohibited. Watering of a construction site shall be carried out to mitigate visible emissions. (Based on APCD Rule 228 / Section 301).
- d. The contractor shall apply water or use methods to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. (Based on APCD Rule 228 / section 304)
- e. During construction activity, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust or visible emissions from crossing the project boundary line. (Based on APCD Rule 228 / section 401.2)
- f. The contractor shall suspend all grading operations when fugitive dust exceeds the APCD Rule 228 (Fugitive Dust) limitations. Visible emissions of fugitive dust shall not exceed 40% opacity, nor go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed APCD Rule 228 limitations. (Based on APCD Rule 228 / section 302 & 401.4)
- g. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean by keeping dust, silt, mud, dirt, and debris from being released or tracked offsite. Wet broom or other methods can be deployed as control and as approved by the individual jurisdiction. (Based on APCD Rule 228 / section 401.5)
- h. The contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are high enough to result in dust emissions crossing the boundary line, despite the application of dust mitigation measures. (Based on APCD Rule 228 / section 401.6)
- i. To minimize wind-driven dust during construction, the prime contractor shall apply methods such as

- surface stabilization, the establishment of a vegetative cover, paving (or use of another method to control dust as approved by Placer County). (Based on APCD Rule 228 / section 402)
- j. The contractor shall not discharge into the atmosphere volatile organic compounds caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance unless such manufacture or use complies with the provisions of Rule 217 Cutback and Emulsified Asphalt Paving Materials.
 - k. During construction, open burning of removed vegetation is only allowed under APCD Rule 304 Land Development Smoke Management. A Placer County Air Pollution Control District permit could be issued for land development burning, if the vegetation removed is for residential development purposes from the property of a single or two-family dwelling or when the applicant has provided a demonstration as per Section 400 of the Rule that there is no practical alternative to burning and that the Air Pollution Control Officer (APCO) has determined that the demonstration has been made. The APCO may weigh the relative impacts of burning on air quality in requiring a more persuasive demonstration for more densely populated regions for a large proposed burn versus a smaller one. In some cases, all of the removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. (Based on APCD Rule 304)
 - l. Any device or process that discharges 2 pounds per day or more of air contaminants into the atmosphere, as defined by Health and Safety Code Section 39013, may require an APCD permit. Developers/contractors should contact the APCD before construction and obtain any necessary permits before the issuance of a Building Permit. (APCD Rule 501)
 - m. The contractor shall utilize existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
 - n. The contractor shall minimize idling time to a maximum of 5 minutes for all diesel-powered equipment. (Placer County Code Chapter 10, Article 10.14).
 - o. Idling of construction-related equipment and construction-related vehicles shall be minimized within 1,000 feet of any sensitive receptor (i.e., house, hospital, or school).

Discussion Item III-4:

Mining activities uses are not typically associated with the creation of objectionable odors. However, the proposed project would result in additional air pollutant emissions during the construction phase, generated by diesel-powered construction equipment. During construction, any odors would be temporary and intermittent in nature, and would consist of diesel exhaust that is typical of most construction sites. Furthermore, the Project would comply with PCAPCD Rule 205, which prohibits the discharge of air contaminants or other materials that could cause injury, detriment, nuisance, or annoyance to a considerable number of people, cause damage to property, or endanger the health and safety of the public. Compliance with Rule 205 would keep objectionable odors to a less than significant level. No mitigation measures are required.

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service or National Marine Fisheries Service? (PLN)		X		
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, identified in local or regional plans, policies or regulations, or regulated by the California Department of Fish & Wildlife, U.S. Fish & Wildlife		X		

Service, U.S. Army Corps of Engineers, or Regional Water Quality Control Board? (PLN)				
3. Have a substantial adverse effect on federal or state protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN)			X	
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)		X		
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)			X	
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X
7. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)		X		
8. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X

As part of the review of the reclamation plan for Dump Sites 1 through 5, a Biological Evaluation, dated May 7, 2004 was prepared by the Foresthill Ranger District of the United States Forest Service (USFS). The Biological Evaluation reviewed the effects of the mine on federally listed threatened and endangered species, Forest Service sensitive, and watchlist plant species known or suspected to occur within the Foresthill Ranger District of the Tahoe National Forest. Subsequently, an Environmental Assessment (EA) was prepared for the site which included the area now proposed for Dump Site 6. On September 8, 2004, a Finding of No Significant Impact (FONSI) was made by the USFS supported by the EA and prepared pursuant to the National Environmental Protection Act (NEPA). The following discussion is based on the findings and conclusions of that evaluation, noting that since such time, the vegetation on the proposed project site was burned by the Mosquito Fire in September, 2022.

Discussion Item IV-1,4,7 :

The EA determined that the proposed project would “not affect any endangered, threatened, sensitive species, or rare or watchlist plants because none are known to exist in the area”. Noting this determination and the subsequent Mosquito Fire in September, 2022, USFS provided correspondence that additional NEPA review would not be required noting that the proposed project would not result in impacts to species or habitat already analyzed by the EA and determined not to be impacted by the FONSI. Notwithstanding, there is the potential for nesting birds and raptors to occupy the site during the nesting season (February 1 through August 31). Mitigation measures have been included to address this, requiring a preconstruction nesting bird survey and buffer in the case that nesting birds are found on-site. With the incorporation of these measures, there would be a less than significant impact.

Mitigation Measure Item IV-1:

MM IV.1

Nesting Birds.

A qualified biologist shall conduct a preconstruction nesting bird survey (can be conducted concurrently with raptor surveys, as appropriate) of all areas associated with construction activities, and a 100-foot buffer (as accessible) around these areas, within three days prior to commencement of construction during the nesting season (February 1 through August 31). If active nests are found, a 100-foot no-disturbance buffer around the nest shall be established. If there is biological justification for a reduction in the buffer (e.g., intervening topography, intervening vegetation, species-specific characteristics or nesting information, etc.) the buffer distance may be modified by recommendation of a qualified biologist in consultation with the CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures

MM IV.2

Nesting Raptors.

A qualified biologist shall conduct a preconstruction survey for nesting raptors within the Study Area and a 500-foot buffer (as accessible), within three days of commencement of project activities (can be conducted concurrently with nesting bird surveys, as appropriate). If an active raptor nest is located, a 500-foot no-disturbance buffer shall be established. If there is biological justification for a reduction in the buffer (e.g., intervening topography, intervening vegetation, species-specific characteristics or nesting information, etc.) the buffer distance may be modified by recommendation of a qualified biologist in consultation with CDFW and Placer Conservation Authority (PCA) staff. The buffer shall be maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival. Once the young are independent of the nest, no further measures are necessary. This shall be included as a note on the improvement/grading plans.

Discussion Item IV-2:

Notwithstanding the lack of waterways in the immediate vicinity of the proposed project, the proposed project is approximately 0.56 mile from the Middle Fork of the American River. As the Project involves the dumping of unusable rocky deposits associated with mining activities filling a historic hydroscar and the expansion of an existing roadway, there is the potential for sediment-laden runoff, particularly during storm events which could potentially end up within the waterway if not properly mitigated. With the incorporation of best management practices (BMPs) applied as mitigation, and the proposed project's distance from waterways, potential impacts would be reduced to less than significant.

Mitigation Measures Item IV-2:

MM IV.3

The widening of the road must remain in compliance with the Central Valley Regional Water Board's Waste Discharge Requirements (WDRs) and be included in the Eagles Nest Mine WDR Order R5-2007-0181. In addition, the road widening must comply and be included in the Storm Water Pollution Prevention Plan (SWPPP) Waste Discharge Identification Number 5S311029579 and related BMPs. Compliance will be evaluated during annual inspections conducted by Placer County's division of Engineering and Surveying.

MM IV.4

The expansion of the waste rock disposal area (Dump Site 6) must remain in compliance with the Central Valley Water Board's Waste Discharge Requirements (WDRs) and be included in the Eagles Nest Mine WDR Order R5-2007-0181. In addition the waste rock expansion must comply with the Storm Water Pollution Prevention Plan Waste Discharge Identification Number 5S311029579. Compliance will be evaluated during annual inspections conducted by Placer County's division of Engineering and Surveying.

Discussion Item IV-3,5

The FONSI prepared for the reclamation of Dump Sites one through five concluded that there will be no significant effect on the unique characteristics of the area such as wetlands, wild and scenic rivers, or ecologically critical areas as no such features exist. Noting the FONSI determination and the subsequent Mosquito Fire in September, 2022, USFS provided correspondence that additional NEPA review would not be required noting that the proposed project would not result in impacts to species or habitat already analyzed by the EA and determined not to be impacted by the FONSI. The Project would also not conflict with any local ordinance or policy protecting biological resources as it is outside of the Placer County Conservation Program; is meeting minimum setbacks from waterways; and located within a recently burned site which has no trees which would require mitigation. Therefore, there would be a less than significant impact. No mitigation is required.

Discussion Item IV-6, 8:

The proposed project is located outside of the Placer County Conservation Program and is not located within any other local, regional, or state conservation plan. Due to the Mosquito Fire, and the associated burning of vegetation on site, the site lacks Oak Woodlands which would require mitigation. The reclamation plan proposes the planting of 50 trees per acre with 50 percent composed of Canyon Live Oaks (*Quercus chrysolepis*), and 50 percent Ponderosa Pine (*Pinus ponderosa*) reintroducing trees to the previously burned area. Therefore, there is no impact.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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		Measures		
1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)			X	
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)			X	
3. Disturb any human remains, including those interred outside of dedicated cemeteries? (PLN)		X		
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)			X	
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)			X	

On November 15, 2024, a records search was completed by the North Central Information Center (NCIC) to determine if there are any historical or cultural resources documented within the proposed project area. The records search included a review of the California Historic Resources Information System’s (CHRIS) maps for cultural resource site records and survey reports within a quarter mile radius of the Project. The following discussion is based on the conclusions as contained within the letter from the NCIC dated November 15, 2024.

Discussion Item V-1, 2:

The CHRIS review concluded that the proposed project area does not contain recorded historic-period cultural resources. The CHRIS review further concluded that there are no recorded historic-period cultural resources within a quarter mile radius of the site. Therefore there is low potential for locating historic period cultural resources within the proposed project area. Regarding indigenous period/ ethnographic period resources, the CHRIS review concluded that there are no records within the proposed project area nor records within a quarter mile radius of the site. Therefore there is low potential for indigenous/ ethnographic period cultural resources and historic resources on the property and the Project would have a less than significant impact. No mitigation measures are required.

Discussion Item V-3:

No human remains are known to be buried at the proposed project site. However, there is the possibility that site activity associated with the proposed project could potentially damage or destroy previously undiscovered human remains. Accordingly, this is a potentially significant impact. Therefore, implementation of the following mitigation measure would reduce any impacts to less than significant.

Mitigation Measures Item V-3:

MM V.1

Unanticipated Human Remains

Prior to ground disturbance all workers shall be alerted of the potential to encounter human remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, they shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall provide recommendations within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Discussion Item V-4, 5:

Pursuant to Assembly Bill 52, invitations to consult were sent on January 22, 2025 to tribes who requested notification of proposed projects within this geographic area. The United Auburn Indian Community (UAIC) of the Auburn Rancheria reviewed the Tribal Historic Information System (THRIS) database and subsequently declined consultation. The UAIC did not express concerns related to impacts of the proposed project on cultural values or the religious or sacred use of the property. No other culturally-affiliated tribes responded to the offer to consult. Refer to

Section XVIII below for additional discussion regarding Tribal Cultural Resources. No mitigation measures are required.

VI. ENERGY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (PLN)			X	
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (PLN)				X

Discussion Item VI-1:

Per the reclamation plan amendment, existing equipment that would continue to be used in conjunction with the proposed project includes a Jarvis Clark Load Haul Dump with 50.1 braking horsepower, an El Mac Haul Truck with 75.1 braking horsepower, a Epiroc Jumbo Drill with 73.8 braking horsepower, a Diamec 232 Core Drill with 26.8 braking horsepower, a Volvo EC60E mini-excavator with 57 braking horsepower, an Atlas Copco XAS 188 Air Compressor with 49.6 horsepower, and an Atlas Copco QAS 70 Generator with 99 horsepower. The key form of energy utilized by this equipment is diesel fuel. The frequency and duration of the use of this equipment is proposed to maintain the operational baseline condition.

Energy would be used to construct the proposed project, and once constructed, energy would be used for the lifetime of the mine (anticipated closure date of December 21, 2038). All construction equipment and operation thereof is regulated by the California Air Resources Board (CARB) In-Use Off-Road Diesel Vehicle Regulation. CARB standards for construction equipment include measures to reduce emissions from vehicles by subjecting fleet owners to retrofit or accelerated replacement/repower requirements and imposing idling limitations on owners, operators, renters, or lessees of off-road diesel vehicles. The proposed project construction would also be required to comply with all applicable Placer County Air Pollution Control District (PCAPCD) rules and regulations.

Energy use associated with operation of the proposed project would be typical of mining uses, requiring diesel powered machinery and electricity generation. While the project proposes a new dump site, day to day operation would continue as currently operating and would not result in the intensification of the use, but would rather allow for the baseline intensity to be continued with the new dump area. Activities which result in new operational energy demands are not proposed

The proposed project would result in an impact if it would result in the inefficient use or waste of energy. The proposed project is required to comply with all applicable standards and regulations regarding energy conservation and fuel efficiency, which would ensure the efficient use of energy to the maximum extent practicable. Accordingly, the proposed Project would not be considered to result in a wasteful, inefficient, or unnecessary use of energy, and impacts related to construction and operational energy would be considered less than significant. No mitigation measures are required.

Discussion Item VI-2:

The Placer County Sustainability Plan (PCSP), adopted by the Placer County Board of Supervisors on January 28, 2020, includes goals and policies for energy efficiency. The proposed project is consistent with the PCSP. Therefore, there is no impact.

VII. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

1. Result in substantial soil erosion or the loss of topsoil? (ESD)		X		
2. Be located on a geologic 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? (ESD)			X	
3. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial direct or indirect risks to life or property? (ESD)			X	
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? (EH)				X
5. Directly or indirectly destroy a unique paleontological resource or unique geologic or physical feature? (PLN)			X	
6. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)		X		
7. Result in substantial change in topography or ground surface relief features? (ESD)		X		
8. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, seismic-related ground failure, or similar hazards? (PLN, ESD)		X		

Discussion Item VII-1, 6, 7:

This proposed project site consists of a Lode Gold mine generating an estimated 2,600 cubic yards of waste material annually. Five waste dump sites exist on the property from previous and ongoing mining operations. Waste dumpsites 1-4 are considered reclaimed by the USFS. Waste Dump Site 5 is receiving waste material generated by current mining operations. A sixth dump site, an access road, and an emergency access road are being proposed to allow mining operations to continue once Waste Dump Site 5 has been completely filled. Proposed Waste Dump Site 6 is located just north of Waste Dump Site 5.

According to the United States Department of Agriculture (USDA) Soil Survey of Placer County and the United States Department of Agriculture - Natural Resources Conservation Service Web Soil Survey, the proposed project is located on soils classified as Deadwood (2 to 100 percent slopes).

The Deadwood series consists of shallow, somewhat excessively drained soils formed in material weathered from hard metasedimentary rocks. The surface layer of Deadwood soil is litter and duff, 1 to 2 inches thick. The subsoil is dark gray to very dark gray gravelly sandy loam, 1 to 4 inches thick. At a depth of 4 to 14 inches is light yellowish brown to dark brown extremely gravelly sandy loam. At a depth of 14 inches is hard metasedimentary rock. The permeability is moderately rapid and the surface runoff is very low to medium.

To construct the proposed improvements, and during the ongoing mining operations, disruption of soils on-site would occur, including dump site preparation, filling of the dump site, road construction, and compaction. Although the surface disturbance is relatively minimal compared to other SMARA sites in Placer County, any substantial topographic or ground surface relief feature impacts may be potentially significant due to the steep natural slopes (up to 85%) in the area proposed for Dump Site 6 unless mitigation measures to stabilize the slopes of all waste-dump areas and access roads related to the proposed project are implemented to ensure slope stability. The disruption of the soil increases the risk of erosion and creates a potential for contamination of storm runoff with disturbed sediment or other pollutants introduced through typical grading practices. BMPs would be implemented to reduce erosion potential to a less than significant level.

The NEPA Environmental Assessment for the site includes mitigation measures that address the potential for soil disruptions, soil erosion, and topography changes by requiring BMPs (Best Management Practices) for all disturbed areas while the mine is in operation, and describes the required actions for reclamation once the mine is no longer operational. It has been determined the mitigation measures described in the NEPA documents are adequate and shall be implemented for this proposed Waste Dump Site 6. Discussion of environmental effects is found in Chapter

3 of the NEPA Environmental Assessment, while the mitigation is found in Appendix A (see attached documents). Correspondence with the USFS (email from Sarah Ridenour-Chamberlin dated 4/7/25) confirms that the mitigation measures described in the previous NEPA documents are adequate for the Proposed Waste Dump Site 6.

The proposed project's site specific impacts associated with soil disruptions, soil erosion and topography changes can be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures Item VII-1, 6, 7:

MM VII.1

BMPs (Best Management Practices) shall be implemented for all disturbed areas, including proposed Waste Dump #6 area while the mine is in operation, and reclamation is required once the mine is no longer operational. See Chapter 3 of the NEPA Environmental Assessment and associated mitigation in Exhibit B.

Discussion Item VII-2:

The project proposes a Mechanically Stabilized Earth wall ("MSE". This is a type of Gabion wall, often referred to as a "Hilfiker" wall) for mine waste rock placement, designed by NV5 (see Technical Report, Waste Dump Site 6 dated October 12, 2022). The MSE wall is constructed with welded-wire baskets filled with waste rock generated from underground mining activities. A relatively minor amount of excavation is required to prepare the base key (two feet deep). The excavated material will be stockpiled for later use related to final reclamation activities, including for pocket plantings to reestablish vegetation on reclaimed areas. The total surface disturbance would be approximately one acre, with the majority resulting from the placement of waste rock behind the proposed MSE wall. The proposed waste dump expansion would be placed within a historic hydraulic mining scar and would not result in any geologic hazards.

The proposed project is located within Placer County. The California Department of Conservation Geological Survey indicates that the proposed project site is not within an earthquake fault zone. The proposed project site is considered to have low seismic risk with respect to faulting, ground shaking, seismically related ground failure and liquefaction. There is a potential for the site to be subjected to at least moderate earthquake shaking during the useful life of the MSE wall. However, the MSE wall would be constructed in compliance with the California Building Code, which includes seismic standards.

Therefore, the impacts of unstable soil and geologic/seismic hazards are less than significant. No mitigation measures are required.

Discussion Items VII-3:

The Soil Survey does not identify significant expansive soils as a limitation of the soil types present on the site, and no permanent structures, other than the proposed MSE wall, are proposed to be constructed. Therefore, the impacts of expansive soils are less than significant. No mitigation measures are required.

Discussion Item VII-4:

The project does not proposed any changes to the previously approved method of sewage disposal. The site is approved to utilize a portable toilet which is pumped as needed to maintain a sanitary environment. Therefore, there are no impacts.

Discussion Item VII-5:

The proposed project would not directly or indirectly destroy a unique paleontological resource or unique geologic or physical feature. The EA prepared by the USFS concluded that there are no unique characteristics or historic or ecological features on the site. Further, the site has been previously disturbed by past mining activities. The proposed project scope includes the filling of a hydraulic mining scar with dirt and rocks removed from the mine. Given the Environmental Assessment's conclusions related to a lack of unique resources on site, prior site disturbance, and the limited project scope, the proposed project would result in a less than significant impact. No mitigation measures are required.

Discussion Item VII-8:

The modification and disturbance of sloped landforms carries the potential for geologic hazards, such as landslides and mudslides when not properly mitigated. The proposed project site has a significant slope with grades averaging 70 percent, and ranging up to 85 percent in some locations. To address the potential of slope instability, the Project scope includes two mechanically stabilized earth Hilfiker walls at the peak of the existing Dump Site 5 and the toe of proposed Dump Site 6. A technical report detailing the specifications of these walls was provided with the application and has been reviewed by the Engineering and Surveying Division. The EA identified implementation of Best

Management Practices (BMPs) for erosion control measures which include the continued maintenance of drainage away from waste dump areas through earthen culverts, the reseeding and planting of trees within planter wells within waste dump areas 5 and 6, and the keying of roads, and bench construction or small retaining structures. With the incorporation of these mitigation measures below the proposed project would result in a less than significant impact.

Mitigation Measures VII-8:

MM VII.2

The Hilfiker walls shall be constructed and maintained consistent with the specifications identified in the NV5 Technical Report, Waste Dump #6 (Report) dated October 12, 2022 on an ongoing basis. These wall will be inspected by the Placer County Engineering and Surveys Division concurrent with annual SMARA inspections.

MM VII.3

Drainage shall be directed to flow from the culverts under Mosquito Ridge Road westward away from Dump Sites 5 and 6 via an earthen culvert, consistent with BMPs.

MM VII.4

On any road with a slope less than 75 percent, the fill slope length shall not exceed 60 running feet from the outer edge of the road to the point where the fill intercepts natural grade. Should it appear that the 60 foot slope distance may be exceeded, the toe of the slope shall be keyed in (keying in shall be defined as a feature to catch material from further downhill travel, such as a level benched surface [such as a lip of a road] or a retaining structure installed at the toe of the fill slope.) On any road with a slope that exceeds 75 percent, fill bench construction or small retaining structures shall be installed at the toe of the fill slope to stop the uncontrolled downhill travel of material, prior to the fill slope beginning.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (PLN, Air Quality)			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN, Air Quality)			X	

Discussion Item VIII-1, 2:

Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. Operational GHG emissions would result from motor vehicle trips generated by employees, as well as on-site fuel combustion from operational equipment associated with the mine. The proposed Project would result in grading, the extension of a road of the site.

The California Global Warming Solutions Act (AB32) signed into law in September 2006, requires statewide GHG emissions to be reduced to 1990 levels by 2020. AB32 established regulatory, reporting, and market mechanisms to achieve this goal and provides guidance to help attain quantifiable reductions in emissions efficiently, without limiting population and economic growth. In September of 2016, Senate Bill (SB) 32 was signed by the Governor, to establish a California GHG reduction target of 40 percent below 1990 levels by 2030.

On October 13, 2016, the Placer County Air Pollution Control District (PCAPCD) adopted CEQA significance thresholds for GHG emissions as shown below. The Bright-line Threshold of 10,000 metric tons (MT) CO₂e/yr threshold for construction and operational phases, and the De Minimis level of 1,100 MT CO₂e/yr for operational, were used to determine significance. GHG emissions from Projects that exceed 10,000 MT CO₂e/yr would be deemed to have a cumulatively considerable contribution to global climate change. For a land use Project, this level of emissions is equivalent to a Project size of approximately 646 single-family dwelling units, or 323,955 square feet of commercial space.

The De Minimis Level for the operational phases of 1,100 MT CO₂e/yr represents an emissions level which can be considered to be less than cumulatively considerable and be excluded from the further GHG impact analysis. This level of emissions is equivalent to a project size of approximately 71 single-family units, or a 35,635 square feet commercial building.

PCAPCD CEQA THRESHOLDS FOR GHG EMISSIONS

- 1) Bright-line Threshold of 10,000 metric tons of CO₂e per year for the construction and operational phases of land use Projects as well as the stationary source Projects
- 2) Efficiency Matrix for the operational phase of land use development Projects when emissions exceed the De Minimis Level, and
- 3) De Minimis Level for the operational phases of 1,100 metric tons of CO₂e per year.

Buildout of the proposed project would not exceed the PCAPCD’s screening criteria and therefore would not exceed the PCAPCD’s Bright-line threshold, or De Minimis level and therefore would not substantially hinder the State’s ability to attain the goals identified in SB 32. Thus, the construction and operation of the proposed project would not generate substantial greenhouse gas emissions, either directly or indirectly, which may be considered to have a significant impact on the environment, nor conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and is therefore considered to have a less than significant impact. No mitigation measures are required.

IX. HAZARDS & HAZARDOUS MATERIALS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (EH)			X	
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EH)			X	
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (AQ)				X
4. 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? (EH)				X
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (PLN)				X
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (PLN)			X	
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (PLN)		X		

Discussion Item IX-1:

The use of hazardous substances during normal construction and mining activities is expected to be limited in nature and would be subject to standard handling and storage requirements. Accordingly, impacts related to the release of hazardous substances are considered less than significant. No mitigation measures are required.

Discussion Item IX-2:

The new ore body is not known to contain any hazardous materials and therefore a release of hazardous materials into the environment would not be anticipated. As stated above, minimal hazardous materials are used in the mining process and the impact is considered less than significant. No mitigation measures are required.

Discussion Item IX-3:

There are no existing or proposed school sites within one-quarter mile of the project site. Therefore, there is no impact.

Discussion Item IX-4:

The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, there are no impacts.

Discussion Item IX-5:

The proposed project is not located within an airport land use plan or within two miles of an airport and is not within an airport land use plan. Therefore the proposed project would not result in a safety hazard or excessive noise for people residing or working in the proposed project area related to proximity to aircraft overflight. Therefore, there is no impact.

Discussion Item IX-6:

The proposed project area's existing street system functions as the primary emergency evacuation route. The proposed project site is located within the Foresthill Fire Protection District's jurisdictional area (FFPD). Application materials were routed to FFPD and no concerns related to the ability to serve the proposed project, or impacts resulting from the proposed project on FFPD's ability to serve the greater community were raised. The proposed project's design and layout would not impair or physically interfere with this emergency evacuation route or impede an emergency evacuation plan. Therefore a less than significant impact on emergency routes/plans would be anticipated. No mitigation measures are required.

Discussion Item IX-7:

According to the FEMA National Risk Index, the proposed project site is located within a relatively high area for wildfire, however is outside of a state responsibility area. Given the history of fires occurring on the property in both 1960 and 2022, the property is susceptible to wildland fires. The project proposes the extension of a gravel road to serve as an emergency access road and a new mining waste rock dump site (Dump Site 6) with no structures proposed which would be susceptible to loss by wildland fire. With the proposed project, up to four additional employees may be hired to work on site. With the additional employees, additional people would be on the property and exposed to potential injury or death resulting from wildfire. However, a Fire Prevention and Control Plan (Plan) has been developed for the operation with the purpose of preventing and suppressing fires and includes measures such as the use of spark arrestors, and the clearing of vegetation proximate to the use of vehicles. This Plan has been reviewed and approved by the USFS and added as a condition of the Plan of Operation. With the adherence to the Plan incorporated as mitigation, the proposed project would result in a less than significant impact.

Mitigation Measures IX-7:

MM IX.1

As an ongoing measure, comply with all provisions of the Eagle's Nest Mine Fire Plan (Exhibit C), consistent with the USFS Plan of Operations.

X. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade ground water quality? (EH)				X
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (EH)				X

<p>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:</p> <p>a) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>b) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? (ESD)</p>			X	
<p>4. Create or contribute runoff water which would include substantial additional sources of polluted runoff or otherwise substantially degrade surface water quality either during construction or in the post-construction condition? (ESD)</p>		X		
<p>5. Place housing or improvements within a 100-year flood hazard area either as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map which would:</p> <p>a) impede or redirect flood flows; or</p> <p>b) expose people or structures to risk of loss, injury, or death involving flooding</p> <p>c) risk release of pollutants due to project inundation? (ESD)</p>			X	
<p>6. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (EH)</p>				X

Discussion Item X-1:

There are no new potable water sources proposed for the project. Mine workers would continue to bring their own drinking water supply for use on the project site. Therefore, there is no impact.

Discussion Item X-2:

The proposed project would not be utilizing groundwater. Therefore, there is no impact.

Discussion Item X-3:

The proposed project site is located on steep slopes (up to 85%) which naturally drain south to the Middle Fork American River and is not prone to flooding. The proposed access and emergency access road improvements are minor (approximately 0.1 acre of the approximately 1 acre of total disturbance proposed with this application). The subject parcel is 294.4 acres and a total of 3.2 acres has been previously disturbed as result of previously approved Waste Dumps Sites 1-5. The waste material would be placed within an historic hydraulic mining scar and would not substantially alter the natural drainage pattern of the area, substantially increase the surface peak flow and volumetric runoff, or exceed the capacity of drainage systems as the previously approved NEPA documents included a requirement to maintain and deepen an existing ditch below Mosquito Ridge Road to divert stormwater runoff away from the historic hydraulic mining scar if necessary. Therefore, the impacts are less than significant. No mitigation measures are required.

Discussion Item X-4:

Approximately 1 acre would be disturbed as a result of the dump site expansion and onsite road widening. Potential water quality impacts are present both during proposed project construction and after proposed project development. Construction and mining activities would disturb soils and cause potential introduction of sediment into stormwater during rain events. Through the implementation of Best Management Practices (BMPs) for minimizing contact with potential stormwater pollutants at the source and erosion control methods, this potentially significant impact would be reduced to less than significant levels throughout the process of constructing the expanded dump site and road widening. The proposed project could potentially introduce contaminants such as oil and grease, sediment, nutrients, metals, organics and trash resulting from the placement of the waste material, and construction and mining operations. Erosion potential and water quality impacts are always present and occur when protective vegetative cover is removed, and soils are disturbed. This proposed project would reduce pollutants in stormwater discharges to the maximum extent practicable and prevent non-stormwater discharges from leaving the site, both during and after construction, as outlined in Chapter 3 of the NEPA document.

The current and proposed project is required to comply with all Regional Water Quality Control Board requirements and the current and proposed Reclamation Plan requires the site to be replanted with native species upon completion of mining activities which would reduce this potentially significant impact to less than significant levels.

Mitigation Measures Item X-4:

MM X.1

All water quality BMPs required by the USFS, as indicated in the submitted Reclamation Plan, shall be implemented during construction of the dump site expansion for Waste Dump #6 and throughout the operating life of the mine. The current Stormwater Pollution Prevention Plan (SWPPP) for the mine site and Waste Dump #5, shall be updated to include Waste Dump #6.

MM X.2

The project shall comply with Regional Water Quality Control Board and United States Forest Service requirements.

Discussion Item X-5:

Proposed project is not located within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency (FEMA). The ultimate project improvements are not proposed within a FEMA or local 100-year flood hazard area and no flood flows would be impeded or redirected after construction of any improvements.

Therefore, the impacts of/to flood flows and exposing people or structures to flooding risk is less than significant. No mitigation measures are required.

Discussion Item X-6:

There would be no conflicts with existing groundwater quality control or management plans. Therefore, there is no impact.

XI. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (EH, ESD, PLN)			X	
3. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)			X	
4. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)			X	

Discussion Item XI-1:

The project proposes the extension of a gravel road and a new mining waste rock dump site (Dump Site 6) on an existing mine within a previously disturbed area. Surrounding properties are vacant. The proposed project would not result in the obstruction of access or the bifurcation of an existing land use in the surrounding vicinity. Therefore the proposed project would not divide an established community and there would be no impact. Therefore, there is no impact.

Discussion Item XI-2:

The subject Property is located within the Forest, Combining Minimum Building Site of 160 Acres zoning district which allows mining with the granting of a Conditional Use Permit. The Proposed Project is consistent with all applicable provisions of the County’s mining and reclamation ordinance (Placer County Code Section 17.56.270). The Project is not in conflict with any General Plan Policy or regulation adopted for the purpose of avoiding or mitigating an

environmental impact. Therefore there is a less than significant impact. No mitigation measures are required.

Discussion Item XI-3, 4:

The proposed project is surrounded by vacant land on all sides. Mining on the property is a longstanding use and is documented to have occurred from at least 1907 to present. The proposed project would allow for the continuance of mining operations on the property through 2038 including completion of Dump 6 reclamation. As such, the proposed project would not result in economic or social changes that would result in adverse physical changes to the environment. Therefore the proposed project would result in a less than significant impact. No mitigation measures are required.

XII. MINERAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)			X	
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion Item XII-1:

Placer County Code Section 17.56.270.A.1 recognizes that “the extraction of minerals is essential to the continued well-being of the County and the needs of society”. The Eagle’s Nest Mine currently extracts native gold in quartz resulting in an increase in the commercial availability of native gold, without which the mining operation would be unexplored and the resource would remain unavailable to the region and residents of the state. Implementation of the proposed project would aid in the continuance of such extraction with the additional waste dump proposed, and enhance safety associated with such extraction with the addition of an emergency access road. The project does not propose any activity that would result in the loss of such valuable mineral resources. Therefore, there is a less than significant impact. No mitigation measures are required.

Discussion Item XII-2:

The proposed project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore there is no impact.

XIII. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generation of a substantial temporary or 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? (PLN)			X	
2. Generation of excessive groundborne vibration or groundborne noise levels? (PLN)			X	
3. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion Items XIII-1, 2:

The proposed project would result in the continuation of the existing mining use on the property with the associated dumping of waste rock and materials on a new dump site (Dump Site 6) immediately north of an existing dump site (Dump Site 5). The project does not propose any new activity or increase the intensity or frequency of the use beyond the baseline condition. The County Noise Ordinance (Placer County Code Section 9.36) sets decibel standards at property lines shared with sensitive receptors, which are defined by Section 9.36.020 of the Placer County Code as land uses which have a reasonable sensitivity to noise such as residential and institutional uses. All surrounding properties are vacant with no sensitive receptors within a radius greater than one mile, therefore the standards prescribed by the Placer County Noise Ordinance are not applicable. Moreover, the mining use already exists and would not increase in intensity as a result of the project. Based on this discussion, the proposed project would not result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of established standards or generate excessive groundborne vibration or noise levels beyond the baseline condition and there would be a less than significant impact. No mitigation measures are required.

Discussion Items XIII-3:

The proposed project is not located within the vicinity of a private airstrip, an airport land use plan, or within two miles of a public airport or public use airport. Therefore, there is no impact.

XIV. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial unplanned population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion Item XIV-1:

The project does not propose new homes nor does it enhance infrastructure that would be conducive to population growth. Therefore it would not induce unplanned population growth and would have no impact. Therefore, there is no impact.

Discussion Item XIV-2:

The proposed project scope would not result in the displacement of existing people or housing, therefore there is no impact. Therefore, there is no impact.

XV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)			X	
3. Schools? (ESD, PLN)				X

4. Parks? (PLN)				X
5. Other public facilities? (ESD, PLN)			X	
6. Maintenance of public facilities, including roads? (ESD, PLN)			X	

Discussion Item XV-1:

The proposed project site is located within the Foresthill Fire Protection District’s jurisdictional area (FFPD). Application materials were routed to FFPD and no concerns related to the ability to serve the proposed project or impacts resulting from the proposed project on the ability to serve the greater community were raised. Therefore the proposed project would result in a less than significant impact. No mitigation measures are required.

Discussion Item XV-2:

Application materials were routed to the Placer County Sheriff’s Office. No concerns or impacts to service were raised. Based on this, a less than significant impact would result from the proposed project. No mitigation measures are required.

Discussion Item XV-3:

Due to the use of the proposed project site as an existing mining site with no residential component, there would be no impact to schools resulting from the proposed project. Therefore, there is no impact.

Discussion Item XV-4:

The proposed project site would not create the demand for additional recreational facilities as it does not result in additional population in the vicinity above the baseline conclusion. Furthermore, at the conclusion of the current mining operations, the site would be fully reclaimed for passive recreation associated with the site’s location in the Tahoe National Forest. Therefore, given the lack of increased population resulting from the proposed project. Therefore, there is no impact.

Discussion Item XV-5, 6:

Given that there would not be an increase in population resulting from the proposed project, there would not be an increase in the use of public facilities. Therefore as the proposed project would not result in an increase in users, there would not be the need for increased maintenance of public facilities when compared to the baseline condition. As such, there would be a less than significant impact on public facilities and their maintenance. No mitigation measures are required.

XVI. RECREATION:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion Item XVI-1:

The proposed project would not result in an increase in the use of existing parks or recreational facilities. The existing mining operation currently has six full-time employees and one part-time employee. With the proposed project, up to four new employees may be hired, however there are no neighborhood or regional parks in the vicinity of the operation. Further the additional four employees would be insignificant in triggering a requirement for such facilities to be constructed. Therefore, there is no impact.

Discussion Item XVI-2:

The proposed project does not propose nor does it require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, there is no impact.

XVII. TRANSPORTATION – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with a program, plan, ordinance or policy, except LOS (Level of Service) addressing the circulation system (i.e., transit, roadway, bicycle, pedestrian facilities, etc.)? (ESD)			X	
2. Substantially increase hazards to vehicle safety due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)			X	
3. Result in inadequate emergency access or access to nearby uses? (ESD)			X	
4. Result in insufficient parking capacity on-site or off-site? (ESD, PLN)		X		
5. Would the project result in VMT (Vehicle Miles Traveled) which exceeds an applicable threshold of significance, except as provided in CEQA Guidelines section 15064.3, subdivision (b)? (PLN)				X

Discussion Item XVII-1:

The proposed project is accessed from privately maintained Mosquito Ridge Road on USFS property, which connects to the County maintained portion of Mosquito Ridge Road approximately 6 miles west of the project site. The proposed project would not conflict with any existing policies or preclude anticipated future policies, plans, or programs supporting the circulation system. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion Item XVII-2:

The proposed project is proposing a new access road and Emergency Access road connecting to the USFS maintained segment of Mosquito Ridge Road on USFS property. This segment of Mosquito Ridge Road serves the subject mine, nearby utility facilities, and other low intensity uses such as recreational destinations located in the Tahoe National Forest. No improvements or changes to the road network are proposed with this project. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion Item XVII-3:

The proposed project proposes an Emergency Vehicle access road and does not prohibit access to adjacent parcels. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion Item XVII-4:

With the potential for four new employees, the proposed project would result in additional parking demand, however access for the additional proposed staff is proposed via a company shuttle with employee parking at the company's main office located at 24615 Foresthill Road which has sufficient off street parking available to accommodate the additional employee vehicles. Therefore with the incorporation of mitigation applied for offsite employee parking, the proposed project would not result in insufficient parking capacity and there would be a less than significant impact.

Mitigation Measures XVII-4:

MM XVII.1

For the four new employees proposed with the proposed project, access to the site shall be provided via a company shuttle. Employee vehicles shall be parked at the mining office located at 24615 Foresthill Road.

Discussion Item XVII-5:

In 2018, the Secretary of the Natural Resources Agency promulgated and certified CEQA Guidelines Section 15064.3 to implement Public Resources Code Section 21099(b)(2). Public Resources Code Section 21099(b)(2) states that, “upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.”

In response to PRC 21099(b)(2), CEQA Guidelines Section 15064.3 notes that “Generally, vehicle miles traveled is the most appropriate measure of transportation impacts.” As of July 1, 2020, the requirement to analyze transportation impacts in CEQA using Vehicle Miles Traveled (VMT) went into effect.

The amended Placer County Transportation Study Guidelines were adopted by the Placer County Board of Supervisors on June 22, 2021. Chapter 4 provides screening criteria and thresholds of significance for purposes of evaluating CEQA impacts. Pursuant to the screening criteria, small projects which generate less than 110 average daily trips screen out of further VMT analysis and can be found below the VMT thresholds of significance. As there may be up to 11 employees who visit the site four times per week with no other regular visitors, the proposed project can be classified as a small project as it would generate less than the 110 average daily trip threshold established by the screening criteria. Therefore, the proposed project would not exceed applicable thresholds of significance. Therefore, there is no impact.

XVIII. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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, and that is:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (PLN)		X		
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (PLN)		X		

The United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Indians and are traditionally and culturally affiliated with the proposed project area. The Tribe possess the expertise concerning tribal cultural resources in the area and are contemporary stewards of their culture and the landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe’s goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

Discussion Item XVIII-1, 2:

Pursuant to Assembly Bill 52 (Chapter 532, Statutes of 2014), consultation requests were sent to tribes traditionally and culturally affiliated with the proposed Project area on January 22, 2025.

The identification of Tribal Cultural Resources (TCR) for this proposed project by UAIC included a review of pertinent literature and historic maps, and a records search using UAIC’s Tribal Historic Information System (THRIS). UAIC’s THRIS database is composed of UAIC’s areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the CHRIS North Central Information Center (NCIC) as well as historic resources and survey data. No Tribal

Cultural Resources were identified within the Project site.

The UAIC declined to consult under AB 52, and no other culturally-affiliated tribes responded to the consultation offer.

The possibility for discovery of previously unknown/unidentified TCRs could occur from ground disturbance associated with the Project. Thus, the proposed Project could have the potential to impact a TCR. However, potential impacts to TCRs would be reduced to less than significant with implementation of the following mitigation measures.

Mitigation Measures Item XVIII-1:

MM XVIII.1

If any suspected TCRs, including but not limited to cultural features, midden/cultural soils, artifacts, exotic rock (non-native), shell, bone, shaped stones, or ash/charcoal are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the Project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Placer County Community Development Resource Agency shall be immediately notified, and the Tribal Representative in coordination with the County shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

Treatment:

The culturally affiliated Tribe shall consult with the County to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and Placer County shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Work at the TCR discovery location shall not resume until authorization is granted by the Placer County Community Development Resource Agency in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the Placer County Coroner and the culturally affiliated Tribe shall be contacted immediately. Upon determination by the Placer County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the Project proponent to define appropriate treatment and disposition of the burials.

XIX. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water			X	

drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (EH, ESD, PLN)				
2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (EH)				X
3. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (EH, ESD)				X
4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (EH)			X	
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (EH)			X	

Discussion Item XIX-1:

The proposed project would not result in the relocation or construction of new utility or service systems. The project does not propose the intensification of the use but rather facilitates continued operation with the addition of Dump Site 6 and the addition of an emergency access road. As intensification is not proposed, the project would not require construction or expansion of wastewater treatment, electric power, natural gas, or telecommunication facilities. Regarding stormwater drainage, water would be diverted away from Dumpsite 6 during construction with post construction runoff being absorbed into the unconsolidated dump material. Surface and groundwater would be protected from siltation and pollutants in accordance with the incorporation of the USFS BMPs which could include the keying (benching) of roadways. Potential BMPs are currently in use at the site and do not have the potential to cause a significant environmental impact. Therefore there would be a less than significant impact. No mitigation measures are required.

Discussion Item XIX-2:

There are no new potable water sources proposed for the project. Mine workers would continue to bring their own drinking water supply for use on the project site. Therefore, there is no impact.

Discussion Item XIX-3:

The proposed project site is not within an area served by a wastewater treatment provider. The employees of the mine would continue to use portable toilets. Therefore, there is no impact.

Discussion Item XIX-4, 5:

The proposed project is located in an area of the County that is served by the local franchised refuse hauler (Recology) that hauls solid waste to a landfill with sufficient permitted capacity. The mining operation is not expected to generate excess solid waste. The mine operator would bring all solid waste to the landfill as needed. The impacts are less than significant. No mitigation measures are required.

XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially impair an adopted emergency response plan or emergency evacuation plan? (PLN)			X	
2. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (PLN)		X		

3. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) the construction or operation of which may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (PLN)		X		
4. Expose people or structures to significant risks, including downslope or downstream flooding, mudslides, or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (PLN)		X		

Discussion Item XX-1:

The site is located within the Foresthill Fire Protection District's jurisdictional area (FFPD). Application materials were routed to FFPD who did not express concerns related to the ability to serve the proposed project, or impacts resulting from the proposed project on the ability to serve the greater community. The FFPD subsequently issued a Will Serve letter dated July 31, 2024. The proposed project area's existing street system functions as the primary emergency evacuation route. The proposed project's design and layout would not impair or physically interfere with this emergency evacuation route or impede an emergency evacuation plan. Further, the proposed project would not result in an increase in the population of the vicinity requiring emergency service in the case of a wildfire. Therefore there would be a less than significant impact on emergency routes/ response plans. No mitigation measures are required.

Discussion Item XX-2, 3:

The site is located on slopes of up to 85 percent. While the project does not propose an increase in hours of operation, it does propose the extension of an existing roadway to serve as an emergency access point, and the addition of a dump site into a previously disturbed area and an accompanying service road. With these additions, activity and vehicle use would be occurring in areas outside of the baseline footprint, increasing the area that is susceptible to ignition by human and/or vehicle activity, however with mitigation, this would be reduced to a less than significant impact.

Mitigation Measures Item XX-2, 3:

MM XX.1

Implement Mitigation Measure MM IX.1.

Discussion Item XX-4:

The proposed project is located on an existing mining claim which currently operates on a property with slopes of up to 85 percent. Noting the extensive grade of the property, there is the potential of landslides or mudslides on the property. However with incorporation of mitigation related to erosion control, the impact would be reduced to less than significant.

Mitigation Measure Item XX-4:

MM XX.2:

Implement Mitigation Measures MM VII.1, MM VII.2, and MM VII.3, MM VII.4.

F. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

G. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:


<input checked="" type="checkbox"/> California Department of Fish and Wildlife	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input checked="" type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input checked="" type="checkbox"/> U.S. Army Corps of Engineers
<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input checked="" type="checkbox"/> U.S. Forest Service
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/>

H. DETERMINATION – The Environmental Review Committee finds that:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	The proposed project is within the scope of impacts addressed in a previously-adopted Negative Declaration, and that only minor technical changes and/or additions are necessary to ensure its adequacy for the project. An ADDENDUM TO THE PREVIOUSLY-ADOPTED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	The proposed project is within the scope of impacts addressed in a previously-certified EIR, and that some changes and/or additions are necessary, but none of the conditions requiring a Subsequent or Supplemental EIR exist. An ADDENDUM TO THE PREVIOUSLY-CERTIFIED EIR will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
<input type="checkbox"/>	Other _____

I. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Services Division, David Oulrey-Urroz, AICP, Chairperson
 Planning Services Division-Air Quality, David Oulrey-Urroz, AICP
 Engineering and Surveying Division, William Alexander
 Department of Public Works-Transportation, Katie Jackson
 DPW-Environmental Engineering Division, Sarah Gillmore, P.E.
 Flood Control and Water Conservation District, Brad Brewer
 DPW- Parks Division, Shaun Johnson
 HHS-Environmental Health Services, Danielle Pohlman
 Placer County Fire Planning/CDF, Derek Schepens and/or Dave Bookout

Signature  Date 8/23/25
 Leigh Chavez, Environmental Coordinator

J. SUPPORTING INFORMATION SOURCES: The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public

review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 775 North Lake Blvd., Tahoe City, CA 96145.

County Documents	<input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations	
	<input checked="" type="checkbox"/> Community Plan	
	<input checked="" type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input type="checkbox"/> Land Division Ordinance	
	<input checked="" type="checkbox"/> Stormwater Management Manual	
	<input type="checkbox"/> Tree Ordinance	
	<input type="checkbox"/>	
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
Site-Specific Studies	Planning Services Division	<input checked="" type="checkbox"/> Biological Study
		<input type="checkbox"/> Cultural Resources Pedestrian Survey
		<input type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input type="checkbox"/> Paleontological Survey
		<input type="checkbox"/> Tree Survey & Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input type="checkbox"/> Wetland Delineation
		<input type="checkbox"/> Acoustical Analysis
		<input checked="" type="checkbox"/> USFS Environmental Assessment
	Engineering & Surveying Division, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input checked="" type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater & Surface Water Quality BMP Plan
		<input type="checkbox"/> West or East Placer Storm Water Quality Design Manual
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
	<input type="checkbox"/> Tentative Map	
	<input type="checkbox"/>	
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
	<input type="checkbox"/>	

	Planning Services Division, Air Quality	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission & Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> CalEEMod Model Output
		<input type="checkbox"/>
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic & Circulation Plan
		<input type="checkbox"/>

Exhibit A: Mitigation Monitoring Plan

Exhibit B: Appendix A Best Management Practices Mitigation Measures

Exhibit C: Eagles Nest Mine Fire Prevention and Control Plan

MITIGATION MONITORING PROGRAM

Mitigated Negative Declaration – PLN24-00384

Eagles Nest Mine Conditional Use Permit

Section 21081.6 of the Public Resources Code requires all public agencies to establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval in order to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction, and project operations, as necessary.

Said monitoring shall be accomplished by the county’s standard mitigation monitoring program and/or a project specific mitigation reporting program as defined in Placer County Code Chapter 18.28, Mitigation Monitoring and Reporting Program.

Standard Mitigation Monitoring Program (pre-project implementation):

The following mitigation monitoring program (and following project specific reporting plan, when required) shall be utilized by Placer County to implement Public Resources Code Section 21081.6. Mitigation measures adopted for discretionary projects must be included as conditions of approval for that project. Compliance with conditions of approval is monitored by the county through a variety of permit processes as described below. The issuance of any of these permits or County actions which must be preceded by a verification that certain conditions of approval/mitigation measures have been met, shall serve as the required monitoring of those condition of approval/mitigation measures. These actions include design review approval, improvement plan approval, improvement construction inspection, encroachment permit, recordation of a final map, acceptance of subdivision improvements as complete, building permit approval, and/or certification of occupancy.

The following mitigation measures, identified in the Mitigated Negative Declaration, have been adopted as conditions of approval on the project’s discretionary permit and will be monitored according to the above Standard Mitigation

Monitoring Program verification process:

Impact Number	Impact	MM Number	Mitigation Measure	Monitoring Agency	Implementation Schedule
I. AESTHETICS					
	No Mitigation Measures				
II. AGRICULTURAL & FOREST RESOURCES					
	No Mitigation Measures				
III. AIR QUALITY					
III-3	Expose sensitive receptors to substantial pollutant concentrations? (AQ)	MM III.1	<p>During construction activity, the following measures shall be implemented. For additional information, visit the PCAPCD’s website at https://www.placer.ca.gov/1621/NOA-Construction-Grading.</p> <p>a. The applicant shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17 Section 93105 (“Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations”) and obtain approval by the Placer County APCD. The Plan shall include all measures required by the State of California and the Placer County APCD.</p> <p>b. If asbestos is found in concentrations greater than 5 percent, the material shall not be used as surfacing material as stated in state regulation CCR Title 17 Section 93106 (“Asbestos Airborne Toxic Control Measure-Asbestos Containing Serpentine”). The material with naturally-occurring asbestos can be reused at the site for sub-grade material covered by other non-asbestos-containing material</p>	Placer County Planning Services	During Construction

III-3	Expose sensitive receptors to substantial pollutant concentrations? (AQ)	MM III.2	<p>The applicant shall include the following standard notes on all construction plans associated with the Project. (PLN-AQ):</p> <p>a. Prior to construction activity, an Asbestos Dust Mitigation Plan shall be submitted to the Placer County Air Pollution Control District (APCD). The Dust Control Plan shall be submitted to the APCD a minimum of 21 days before construction activity is scheduled to commence. The Dust Control Plan can be submitted online via the fill-in form: http://www.placerair.org/dustcontrolrequirements/dustcontrolform.</p> <p>b. Construction equipment exhaust emissions shall not exceed the APCD Rule 202 Visible Emissions limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by the APCD to cease operations, and the equipment must be repaired within 72 hours.</p> <p>c. Dry mechanical sweeping is prohibited. Watering of a construction site shall be carried out to mitigate visible emissions. (Based on APCD Rule 228 / Section 301).</p> <p>d. The contractor shall apply water or use methods to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. (Based on APCD Rule 228 / section 304)</p> <p>e. During construction activity, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less unless the road surface and surrounding area is sufficiently stabilized to prevent vehicles and equipment traveling more than 15 miles per hour from emitting dust or visible emissions from crossing the project boundary line. (Based on APCD Rule 228 / section 401.2)</p> <p>f. The contractor shall suspend all grading operations when fugitive dust exceeds the APCD Rule 228 (Fugitive Dust) limitations. Visible emissions of fugitive dust shall not exceed 40% opacity, nor go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed APCD Rule 228 limitations. (Based on APCD Rule 228 / section 302 & 401.4)</p> <p>g. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean by keeping dust, silt, mud, dirt, and debris from being released or tracked offsite. Wet broom or other methods can be deployed as control and as approved by the individual</p>	Placer County Planning Services	During Construction
IV. BIOLOGICAL RESOURCES					
IV-1	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service or National Marine Fisheries Service? (PLN)	MM IV.1	<p>Nesting Birds.</p> <p>A qualified biologist shall conduct a preconstruction nesting bird survey (can be conducted concurrently with raptor surveys, as appropriate) of all areas associated with construction activities, and a 100-foot buffer (as accessible) around these areas, within three days prior to commencement of construction during the nesting season (February 1 through August 31). If active nests are found, a 100-foot no-disturbance buffer around the nest shall be established. If there is biological justification for a reduction in the buffer (e.g., intervening topography, intervening vegetation, species-specific characteristics or nesting information, etc.) the buffer distance may be modified by recommendation of a qualified biologist in consultation with the CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures</p>	Placer County Planning Services	Prior to Construction

IV-1	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service or National Marine Fisheries Service? (PLN)	MM IV.2	<p>Nesting Raptors.</p> <p>A qualified biologist shall conduct a preconstruction survey for nesting raptors within the Study Area and a 500-foot buffer (as accessible), within three days of commencement of project activities (can be conducted concurrently with nesting bird surveys, as appropriate). If an active raptor nest is located, a 500-foot no-disturbance buffer shall be established. If there is biological justification for a reduction in the buffer (e.g., intervening topography, intervening vegetation, species-specific characteristics or nesting information, etc.) the buffer distance may be modified by recommendation of a qualified biologist in consultation with CDFW and Placer Conservation Authority (PCA) staff. The buffer shall be maintained until a qualified biologist determines the young have fledged and are no longer reliant upon the nest for survival. Once the young are independent of the nest, no further measures are necessary.</p> <p>This shall be included as a note on the improvement/grading plans.</p>	Placer County Planning Services	Prior to Construction
IV-2	Have a substantial adverse effect on any riparian habitat or other sensitive natural community, identified in local or regional plans, policies or regulations, or regulated by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers, or Regional Water Quality Control Board? (PLN)	MM IV.3	The widening of the road must remain in compliance with the Central Valley Regional Water Board's Waste Discharge Requirements (WDRs) and be included in the Eagles Nest Mine WDR Order R5-2007-0181. In addition, the road widening must comply and be included in the Storm Water Pollution Prevention Plan (SWPPP) Waste Discharge Identification Number 5S311029579 and related BMPs. Compliance will be evaluated during annual inspections conducted by Placer County's division of Engineering and Surveying.	Placer County Planning Services and Placer County Engineering & Surveying	Prior to Improvement Plan Approval and Post Construction
IV-2	Have a substantial adverse effect on any riparian habitat or other sensitive natural community, identified in local or regional plans, policies or regulations, or regulated by the California Department of Fish & Wildlife, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers, or Regional Water Quality Control Board? (PLN)	MM IV.4	The expansion of the waste rock disposal area (Dump Site 6) must remain in compliance with the Central Valley Water Board's Waste Discharge Requirements (WDRs) and be included in the Eagles Nest Mine WDR Order R5-2007-0181. In addition the waste rock expansion must comply with the Storm Water Pollution Prevention Plan Waste Discharge Identification Number 5S311029579. Compliance will be evaluated during annual inspections conducted by Placer County's division of Engineering and Surveying.	Placer County Planning Services	Prior to Improvement Plan Approval and Post Construction
V. CULTURAL RESOURCES					

V-3	Disturb any human remains, including those interred outside of dedicated cemeteries? (PLN)	MM V.1	<p>Unanticipated Human Remains</p> <p>Prior to ground disturbance all workers shall be alerted of the potential to encounter human remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, they shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall provide recommendations within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.</p>	Placer County Planning Services	During Construction
VI. ENERGY					
No Mitigation Measures					
VII. GEOLOGY & SOILS					
VII-1, VII-6, VII-7	<p>VII-1: Result in substantial soil erosion or the loss of topsoil? (ESD)</p> <p>VII-6: Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)</p> <p>VII-7: Result in substantial change in topography or ground surface relief features? (ESD)</p>	MM VII.1	BMPs (Best Management Practices) shall be implemented for all disturbed areas, including proposed Waste Dump #6 area while the mine is in operation, and reclamation is required once the mine is no longer operational. See Chapter 3 of the NEPA Environmental Assessment and associated mitigation in Exhibit B.	Placer County Engineering & Surveying	Prior to and During Construction; During Project Operation.
VII-8	Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, seismic-related ground failure, or similar hazards? (PLN, ESD)	MM VII.2	The Hilfiker walls shall be constructed and maintained consistent with the specifications identified in the NV5 Technical Report, Waste Dump #6 (Report) dated October 12, 2022 on an ongoing basis. These wall will be inspected by the Placer County Engineering and Surveys Division concurrent with annual SMARA inspections.	Placer County Planning Services and Placer County Engineering & Surveying	Prior to Improvement Plan Approval and Post Construction

VII-8	Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, seismic-related ground failure, or similar hazards? (PLN, ESD)	MM VII.3	Drainage shall be directed to flow from the culverts under Mosquito Ridge Road westward away from Dump Sites 5 and 6 via an earthen culvert, consistent with BMPs.	Placer County Planning Services and Placer County Engineering & Surveying	Prior to Improvement Plan Approval
VII-8	Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, seismic-related ground failure, or similar hazards? (PLN, ESD)	MM VII.4	On any road with a slope less than 75 percent, the fill slope length shall not exceed 60 running feet from the outer edge of the road to the point where the fill intercepts natural grade. Should it appear that the 60 foot slope distance may be exceeded, the toe of the slope shall be keyed in (keying in shall be defined as a feature to catch material from further downhill travel, such as a level benched surface [such as a lip of a road] or a retaining structure installed at the toe of the fill slope.) On any road with a slope that exceeds 75 percent, fill bench construction or small retaining structures shall be installed at the toe of the fill slope to stop the uncontrolled downhill travel of material, prior to the fill slope beginning.	Placer County Planning Services and Placer County Engineering & Surveying	Prior to Improvement Plan Approval
VIII. GREENHOUSE GAS EMISSIONS					
No Mitigation Measures					
IX. HAZARDS & HAZARDOUS MATERIALS					
IX-7	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (PLN)	MM IX.1	As an ongoing measure, comply with all provisions of the Eagle's Nest Mine Fire Plan (Exhibit C), consistent with the USFS Plan of Operations.	Placer County Planning Services	During Construction and Post Construction
X. HYDROLOGY & WATER QUALITY					
X-4	Create or contribute runoff water which would include substantial additional sources of polluted runoff or otherwise substantially degrade surface water quality either during construction or in the post-construction condition? (ESD)	MM X.1	All water quality BMPs required by the USFS, as indicated in the submitted Reclamation Plan, shall be implemented during construction of the dump site expansion for Waste Dump #6 and throughout the operating life of the mine. The current Stormwater Pollution Prevention Plan (SWPPP) for the mine site and Waste Dump #5, shall be updated to include Waste Dump #6.	Placer County Engineering & Surveying	Prior to Improvement Plan Approval and During Construction

X-4	Create or contribute runoff water which would include substantial additional sources of polluted runoff or otherwise substantially degrade surface water quality either during construction or in the post-construction condition? (ESD)	MM X.2	The project shall comply with Regional Water Quality Control Board and United States Forest Service requirements.	Placer County Engineering & Surveying	Prior to Improvement Plan Approval and During Construction
XI. LAND USE & PLANNING					
	No Mitigation Measures				
XII. MINERAL RESOURCES					
	No Mitigation Measures				
XIII. NOISE					
	No Mitigation Measures				
XIV. POPULATION & HOUSING					
	No Mitigation Measures				
XV. PUBLIC SERVICES					
	No Mitigation Measures				
XVI. RECREATION					
	No Mitigation Measures				
XVII. TRANSPORTATION					
XVII-4	Result in insufficient parking capacity on-site or off-site? (ESD, PLN)	MM XVII.1	For the four new employees proposed with the proposed project, access to the site shall be provided via a company shuttle. Employee vehicles shall be parked at the mining office located at 24615 Foresthill Road.	Placer County Planning Services and Placer County Engineering & Surveying	During Operation
XVIII. TRIBAL CULTURAL RESOURCES					

XVIII-1, XVIII-2	<p>XVIII-1: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (PLN)</p> <p>XVIII-2: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (PLN)</p>	MM XVIII.1	<p>If any suspected TCRs, including but not limited to cultural features, midden/cultural soils, artifacts, exotic rock (non-native), shell, bone, shaped stones, or ash/charcoal are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the Project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.</p> <p>A Tribal Representative and the Placer County Community Development Resource Agency shall be immediately notified, and the Tribal Representative in coordination with the County shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.</p> <p>Treatment:</p> <p>The culturally affiliated Tribe shall consult with the County to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.</p> <p>The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.</p> <p>The construction contractor(s) and Placer County shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.</p> <p>Work at the TCR discovery location shall not resume until authorization is granted by the Placer County Community Development Resource Agency in coordination with the culturally affiliated Tribe.</p>	Placer County Planning Services	During Construction
XIX. UTILITIES & SERVICE SYSTEMS					
No Mitigation Measures					
XX. WILDFIRE					

XX-2, XX-3	<p>XX-2: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (PLN)</p> <p>XX-3: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) the construction or operation of which may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (PLN)</p>	MM XX.1	Implement Mitigation Measure MM IX.1.	Placer County Planning Services	See Mitigation Measures Referenced
XX-4	Expose people or structures to significant risks, including downslope or downstream flooding, mudslides, or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (PLN)	MM XX.2	Implement Mitigation Measures MM VII.1, MM VII.2, and MM VII.3, MM VII.4.	Placer County Planning Services	See Mitigation Measures Referenced

Appendix A

Mitigation Measures

Big Seam and Red Ink Maid Mining Claims

Existing Operation Area:

To reduce erosion and sediment delivery to streams, to maintain the road surface, and to accelerate reclamation that would in turn reduce sediment delivery to streams and improve visual impacts where reasonably feasible:

- Maintain drainage away from waste areas, particularly 1, 2 and 3, as approved in previous Plans of Operation.
- Maintain drainage on roads (see BMPs)

New Access Road:

There is no toe on which fill may be caught on the slope; to mitigate probable adverse environmental impacts related to erosion and sediment delivery and visual impacts:

- The roads would be constructed to minimize down slope migration of material and to facilitate future reclamation.
- The geometry of the cut and fill slope is dependent upon the slope of the existing hill. The proposed road shall be built to not exceed a width of 10 feet, including berm.
 1. On slopes less than 75% the fill slope length shall not exceed the 60 running feet from the outer edge of the road. Should it appear that the 60 foot slope distance may be exceeded, as determined by the Forest Service, the toe of the slope shall be keyed in. Key in is a term to describe a feature to catch material from further down hill travel, such as a level benched surface (such as a lip of a road) or a retaining structures installed at the toe of the fill slope to the fill slope beginning.
 - a) Another measure that may be useful to the Forest Service engineer is that the angle of repose should be about 35-40 degrees, or between 70 and 83 percent. The blocky rock material should appear to be interacting (interlocking) with itself. If there is soil in the fill, the soil shall fill in the voids between the rock. If the soil appears to interfere with the blocky rock interlock then the toe of the slope shall be keyed in. This is both a function of the size of blocky material and the quantity of soil.
 2. Slopes that exceed 75% would be full bench construction or small retaining structures would be installed at the toe of the fill slope to stop the uncontrolled downhill travel of material, prior to the fill slope beginning.

- If retaining structures are used to key in the toe of the slope they shall be made up of gabion baskets wired together (approximate size of 3 ft x 3 ft x 9 ft) with a benched ground base so the gabion baskets are on a perfectly level, well-compacted, surface. Gabion Baskets shall be properly constructed and inspected by a Forest Service engineer prior to, during, and following placement, as shall the placement site.
- All locations along the proposed access road where there is the potential of concentrated water flow, the road shall be reinforced with an armored dip, or a culvert would be installed to convey the water. There is one small ephemeral drainage in bedrock about 1/3 way from the beginning of the new road where an armored dip would work; soil must be kept out of the drain.
- There is an area at the beginning of the road that has been requested as a disposal site at the 'bone yard' or parking area. The area would have to be built up to meet the grade of the proposed road, so this is an appropriate location for the mine to temporarily dispose of mine waste, using the current spur roadbed as a toe bench area for the beginning of the new road. Waste material shall be completely caught on this toe throughout the project.
- The claimant/operator shall monitor the road for settling. If settling is occurring, the claimant shall notify the Forest Service so a determination can be made as to why the road is settling and if any actions need to be taken.
- A Forest Service Engineer certified in Road Construction would certify all construction aspects of the road.
- Lop and scatter slash, on the contour, so it does not exceed 12 inches in height from the ground over bare areas containing soil. In lieu of lop and scatter slash could be removed, chipped, or hand piled and burnt (with appropriate permits) generated from road construction.
- Retain all of the vegetation for this low standard road in place, only removing the vegetation in the road bed location.

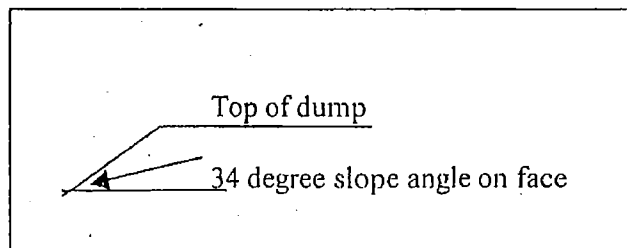
Waste Dump 5:

To mitigate movement of soil from the waste dump to any stream, failure of the waste dump, and to protect surface resources:

- Heavy brush shall be cleared as the area is filled. Light brush may remain to be buried in the fill, as some of it may sprout back through the mine waste along the edges.
- To gain capacity and life expectancy of the waste area, properly install engineered gabion baskets on the down slope end of the ravine to catch the waste rock at the

Forest Service designated place. The claimant would calculate the final amount of the material to be placed in the waste area, and from this measurement the height of the gabion would be agreed to. The gabion base would then be prepared for that height before installation of the first gabion course. The base must be level prior to gabion installation. The first course would be keyed in. Gabion baskets would be filled with coarse material so as to allow for drainage and reduce pore pressure build up. Backfill in front of the gabion wall with coarser material for drainage. A certified Forest Service Road Construction Engineer or GeoTechnical Engineer would certify the installation and construction of the gabions.

- If gabion baskets are not used, or until such time that the operator chooses to use gabion baskets or another Forest Service approved method of increasing capacity, waste material, including fines and sediments, shall not pass the beginning of the flat area prior to the drop off into the ravine downstream of the waste dump as designated on the ground by the Forest Service.
- Prevent movement of fine material (soil, sediment) down channel in the waste dump by installing and maintaining an approved erosion barrier. Material trapped in the barrier would be cleaned out periodically, in September and mid season and as necessary (after heavy rainfall). Accumulated material shall be placed where it will not travel down channel.
- Keep fines away from gabions. A filter cloth could be used, and would help to tie in the mass of gabion structure.
- Regardless if gabion baskets are used, the face of the disposal area must have a slope no greater than 1 ½:1 (H: V) for the entire length of the waste site where waste material is dumped to the top of dump as shown below. The surface of the waste dump shall not ever exceed a 34 degree slope angle on the face.



- Armor the face of the waste dump with coarse rock to control erosion during periods of inactivity, and when the dump is full.
- If a gabion toe key structure or other type of retaining structure is not used the claimant must provide the authorizing official with a supplement to the plan of operation stating how the waste material would stay on the upper end of the waste dump (above the toe on the flat bedrock area) and would not spill over into the down slope steeper area. In addition the claimant would provide information pertaining to waste dump plans for the future.

- Initially end-dump material from the end of the road. When it is safe to do so, ramp the road down into the waste dump, compact and shape the material, and continue to dump, from the bottom of the dump towards the upper end and the road. When or if possible, the disposal area should fill from the toe up. If ramping down, compacting, etc. is not done; the claimant shall provide the authorizing official with a supplement to the plan of operations regarding waste dump stability and capacity.
- These mitigation measures are based on the waste material being of a blocky rock nature. Should the material being dumped change from the blocky rock, further environmental analysis would be done, and the plan of operations may be modified as per 36 CFR 228.

All Areas, Existing and New:

- On exposed surfaces containing soil, erosion control measure should be taken, such as placing leaf litter, slash, mulching or placing erosion control blankets. For erosion control measures to be effective, proper installation is essential.

Forest Service Reclamation Plan:

The end use is defined in the TNF LRMP; the reclamation plan would be consistent with the end use. Considerations would be given the Tahoe LRMP (management area) and the Sierra Nevada Framework Plan Amendment (SNFPA).

- Salvage topsoil from the road location and waste dump and stockpile. Use this stockpiled soil and leaf litter (etc) on the new road cut and fill slope to aid in moisture holding capacity and establishing vegetation which will minimize surface erosion in the long term, and help meet visual quality objectives and retain recreation eligibility status of the Middle Fork American River. Mulch areas where stockpiled soil is not available.
- Survey the existing vegetation to determine native species that are adapted to the site. Reestablish native species that are adapted to the site, in a timely manner, when conditions are right for success of seeding or planting. Collecting seed from the on-site native species and scattering under correct conditions, on soil, on disturbed areas would be an economical way to start reestablishing native adapted species.
- During periods of inactivity, particularly in the rainy season, and after the waste dump is full, build an armored channel across the surface and down the face of the fill to not exceed 34 degrees in angle. The blocky material from the mine should be adequate material for the armored channel.
- It may be possible to divert water coming from the ravine above the Mosquito Ridge road to a culvert and ditch to the west, just below Mosquito Ridge Road. To properly

divert the water, the existing shallow ditch just below Mosquito Ridge Road will have to be cleaned out and deepened to help divert water away from the disposal area and to adjacent natural drainage to the west. It will also have to be regularly maintained to ensure that water is being diverted properly.

- Rehabilitate existing waste areas and roads by seeding or planting areas containing soil with native vegetation during the proper season to assure success.
- Treat areas where erosion is occurring to prevent sediment travel further than 20 feet from the source (TNF LRMP).
- After the road(s) is no longer needed, put it back to slope and vegetate by planting native species.

THIS PLAN IS MADE A PART OF:

Authorization For "Eagles Nest Mine" Mine Fire Plan

Fire Prevention and Mining Operations

Excerpts From State And Federal Laws

(For full and current text, meaning and proper context of laws and regulations, reference should be made to the applicable codes, manuals, directives, etc.)

PREVENTION AND FIRE CONTROL: Operator shall comply with all applicable Federal and State fire laws and regulations and shall take all reasonable measures to prevent and suppress fires on the area of operations and shall require his employees, contractors and subcontractors to do likewise. (36 CFR §228.11)

(PRC) Public Resource Code

(H&SC) Health and Safety Code

(CCR) California Code of Regulations

(CFR) Code of Federal Regulations

Section 1

CAMPFIRES

- A campfire permit is required in dispersed areas on the Tahoe National Forest. The permittee agrees to the following terms:
 1. Clear all flammable material away from the fire for a minimum of five feet in all directions to prevent escape of the fire.
 2. Have a shovel available at the campfire site for preparing and extinguishing campfires.
 3. Have a responsible person in attendance at all times.
 4. Extinguish campfire with water, using the drown, stir, and feel method.

FIRE RESTRICTIONS

- It is not uncommon for the Tahoe National Forest to impose fire restrictions during the summer and fall months when high fire danger conditions exist. During such times, the use of campfires, barbeques, fireworks, smoking, welding, blasting and internal combustion engines is prohibited.

BURN BARRELS

- Effective January 1, 2004, it is illegal to burn trash in dooryard incinerators. The burning of paper, cardboard etc., is also prohibited. Only the burning of dry vegetative materials is allowed with valid permit (LE-62) and compliance with conditions therein. (PRC 4421, 4422, 4423, 4425) (CCR title 17 sec.93113)

PERMITS FOR BURNING

- A person shall not burn any brush, stumps, logs, fallen timber, fallows, slash, grass, forest or other flammable material in any area receiving fire protection by the department or upon federal lands administered by the United States Department of Agriculture or Department of the Interior, unless the person has a written permit from the department or its duly authorized representative or the authorized federal officer on federal lands administered by the United States Department of Agriculture or Interior and in strict accordance with the terms of the permit. (PRC 4423)

SPARK ARRESTERS

A spark arrester is a device constructed of nonflammable materials specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service. (PRC 4442)

- Except as otherwise provided in this section, no person shall use, operate, or allow to be used or operated, any internal combustion engine which uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester maintained in effective working order. Spark arresters affixed to the exhaust system of engines shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.
- Engines used to provide motive power for trucks, truck tractors, buses and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code.
- Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

Section 2

EQUIPMENT

During any time of the year when burning permits are required in an area, no person shall use or operate any motor, engine boiler, stationary equipment, welding equipment, cutting torch, tar pot or grinding device which is located on or near any forest, brush or grass covered land, without doing both of the following:

- Cleaning away all flammable material, including snags, around such operation for 10 feet.
- Maintain one serviceable round point shovel and one backpack pump water type fire extinguisher ready to use at the immediate area during the operation.

No person, except any member of an emergency crew or publicly or privately owned utility service vehicle, shall use or operate any vehicle, machine, tool or equipment powered by an engine operated on hydrocarbon fuels in any industrial operation located on or near any forest, brush or grass covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion, without providing, for fire fighting purpose only, tools prescribed in this section.

- Each person shall have a serviceable shovel.
- One or more chain saws of three and one-half horsepower with a cutting bar 20 inches in length or longer shall be immediately available within the operating area, or a full set of timber falling tools shall be located in the fire toolbox.
- During any time of year when burn permits are required, a person shall not use or operate any machine equipment located on or near forest or brush covered land, without providing a minimum of 200 gallons of water under pressure equivalent to a pump, and not less than 200 feet of hose not less than one inch in

diameter for each steam-operated engine or equipment. The pump or water pressure shall be capable of applying a minimum of 40 pounds pressure at the nozzle on 200 feet of hose, nozzle to be one-fourth inch or larger in diameter. (PRC 4430) Additionally the road clearing operation shall not occur except during PAL A or B.

- During any time of the year when burning permits are required, no person shall use or operate or cause to be operated any portable tool powered by a gasoline engine on or near any forest, brush, or grass covered land, within 25 feet from any flammable material, without providing at the immediate locations one round point shovel or one fire extinguisher. The Forest Service shall specify the type and size of fire extinguisher necessary. The required fire tools shall at no time be farther than 25 feet from the operation. (PRC 4431)

The following provisions apply during the normal fire season until the end of the Forest Service fire season or longer if prescribed by law. Additional fire restrictions may be imposed if extreme circumstances occur. Special provisions, clauses, or terms and conditions will be added if land uses or contracts are for the use of any rotary head piece of equipment on National Forest System lands.

Because of unusually high wild land fire danger that occurs on the Tahoe National Forest during summer, the Forest Supervisor may post Orders which establish prohibitions of actions or activities aimed at minimizing the risk of wild land fire ignition and escape. These orders may allow an exemption to: "Person with a Forest Service permit, or other written authorization specifically authorizing the otherwise prohibited act or omission." As such, the permittee, operator, cooperater, or contractor may apply for an exemption to Orders. Only the District Ranger, or an authorized District Ranger representative can provide an exemption.

Reporting Fires: The Holder will report all fires requiring an emergency response to "911." Additionally, all fires will be reported to the Forest Service Fire Dispatcher at the Grass Valley Emergency Command Center, phone (530) 477-7237, regardless of the need for assistance or regardless of the cause.

Section 3

1. RESPONSIBILITIES:

A. Permittee, Operator, Cooperator, or Contractor shall:

- (1) abide by the requirements of this Fire Plan.
- (2) take all steps necessary to prevent others associated with this authorization from setting fires not required in completion of the authorization, shall be responsible for preventing the escape of fires set directly or indirectly as a result of operations herein authorized, and shall immediately attempt to extinguish all such fires which may escape.

B. Forest Service

The Forest Service may conduct one or more inspections for compliance with this fire plan and application of State law and local restrictions. The number, timing, and scope of such inspections will be committed at the discretion of agency employees responsible for authorization administration. Such inspections do not relieve the permittee, operator, cooperater, or contractor of responsibility for correcting violations of the fire plan or for fire safety in general, as outlined in paragraph A.2 above.

2. TOOLS AND EQUIPMENT:

A. Permittee, operator, cooperater, or contractor shall comply with the following requirements:

Shall equip all diesel and/or gasoline-operated engines, both stationary and mobile, and all flues used in any operations with spark arresters that meet Forest Service standards set forth in the National Coordinating Group publication for Multiposition Small Engines, #430-4, or General Purpose and Locomotive, #430-2. Spark arresters are not required on equipment powered by exhaust-driven turbo-charged engines or motor vehicles equipped with a maintained muffler as defined in California Public Resources Code (CPRC), Section 4442 and 4443.

Shall furnish and have available for emergency use on each piece of equipment used in conjunction with performance of the work as listed below, hand tools and/or equipment as follows (CPRC 4427, 4428 and 4431):

- (a) One shovel, one axe (or pulaski) and a fully charged fire extinguisher U.L. rated at 4-A:10-B:C, or larger, on each truck, personnel vehicle, tractor, grader and other heavy equipment.

Permittee, operator, cooperater, or contractor shall equip each mechanized harvesting machine with hydraulic systems, powered by an internal combustion engine (chipper, feller/buncher, backhoe, excavator, harvester, forwarder, stroke delimeter, etc.), with at least two 10 lb 4A/60 B-C fire extinguishers, or equivalent. In addition, concentrations of wood dust and debris shall be removed from such equipment daily.

- (b) One shovel and one backpack 5 gallon water-filled tank with pump with each welder.

- (c) As per State law, one shovel and one pressurized chemical fire extinguisher for each gasoline-powered tool, including but not restricted to chain saws, soil augers, rock drills, etc. Fire extinguishers shall be of the type and size set forth in the California Public Resources Code Section 4431. Shovel must be kept within 100 feet from each chain saw when used off cleared landing areas.

All tools and equipment required in a. thru c. above shall be in good workable condition and shall meet the following principle Forest Service specifications for fire tools:

- (a) Shovels shall be size "O" or larger and be not less than 46 inches in overall length.

- (b) Axes (or pulaskis) shall have 2-1/2 pound or larger heads and be not less than 28 inches in overall length.

3. GENERAL

A. State Law. Permittee, operator, cooperater, or contractor shall comply with all applicable laws of the State of California. In particular, see California Public Resource Codes.

B. Permits Required. Permittee, operator, cooperater, or contractor must secure a special written permit from the District Ranger or designated representative before engaging in any of the activities listed below. The terms and conditions of any of the permits required for this permit, authorization, agreement, or contract are as shown on copies attached to the Fire Plan.

- (1) Blasting and Storage of Explosives and Detonators. (Explosives Permit required by California Health & Safety Code, Section 12101.)
- (2) Burning.
- (3) Air Pollution. (Issued by local State or County Air Pollution Control Districts, as applicable.)
- (4) Camp, Lunch and Warming Fires.
- (5) Welding and Cutting.

- C. **Regulations for Burning.** Before setting any fires whatsoever, permittee, operator, cooperator, or contractor shall notify the permit administrator of his/her intentions and shall have the appropriate permits in place. Special care shall be taken to prevent scorching or causing any damage to adjacent structures, trees, and shrubbery. Piles of material to be burned shall be of such size and so placed that during burning no damage shall result to adjacent objects.
- D. **Smoking and Fire Rules.** Smoking shall not be permitted during fire season, except in a barren area or in an area cleared to mineral soil at least three feet in diameter (CPRC 4423.4). In areas closed to smoking, the permit administrator may approve special areas to be used for smoking. Permittee, operator, cooperator, or contractor supervisory personnel shall require compliance with these rules. Under no circumstances shall smoking be permitted during fire season while employees are operating light or heavy equipment, or walking or working in grass and woodlands.
- E. **Storage and Parking Areas.** Equipment service areas, parking areas, and gas and oil storage areas shall be cleared of all flammable material for a radius of at least 50 feet. Small mobile or stationary engine sites shall be cleared of flammable material for a radius of at least 15 feet from such engine.
- F. **Welding.** Permittee, operator, cooperator, or contractor shall confine welding activity to cleared areas having a minimum radius of ten feet measured from place of welding. A welding permit is required.
- G. **Blasting.** Permittee, operator, cooperator, or contractor shall use electric caps only. When blasting is necessary in slash areas, a watchperson equipped with shovel and a water-filled backpack can (5 gallon), with hand pump, shall remain in the immediate area for one hour after blasting has been completed.
- H. **Oil Filter and Glass Jugs.** Permittee, operator, cooperator, or contractor shall remove from National Forest System land all oily rags and used oil filters. The Forest Service shall prohibit use of glass bottles and jugs on operations.
- I. **Reporting Fires.** As soon as possible, after initial control action is taken, permittee, operator, cooperator, or contractor shall notify Forest Service of any fires in the work area.

4. **EMERGENCY MEASURES**

The table set forth below establishes work restrictions and fire precautions that permittee, operator, cooperator, or contractor must observe at each activity level.

Permittee, operator, cooperator, or contractor shall conform to the limitations or requirements of Project Activity Level (PAL) obtained from Forest Service before starting work each day. If practicable, Forest Service will determine the following day's activity level by 5:00 p.m. each afternoon. Activity level may be changed at any time if, in the judgment of the Forest Service, fire danger is higher or lower than predicted and such change is consistent with forest management objectives. The decision to change the activity level, and when, and how to take weather observations for that purpose, are within the discretion of Forest Service.

PAL applicable to this project shall be for fuelwood.

PROJECT ACTIVITY LEVELS

<u>LEVEL</u>	<u>PROJECT ACTIVITY</u>
---------------------	--------------------------------

- | | |
|----|--|
| A. | As required by Sections 1 through 4 above. |
|----|--|

- B. In addition to A. above, furnish Fire Patrol. When mechanized equipment with high-speed rotary head is utilized, the Fire Patrol shall remain in the operational area until 8:00 p.m., unless otherwise agreed in writing.
- C. In addition to B. above the following operations are prohibited from 1 p.m. until 8 p.m. local time.
 - a. Dead tree felling, limbing, or bucking except recently dead trees.
 - b. Operating high-speed rotary head equipment.
 - c. Blasting.
- D. In addition to C. above, the following operations are prohibited from 1 p.m. until 8 p.m. local time.
 - a. Tractor, skidder, feller-buncher (without high speed rotary head), forwarder, chipper or shovel logging operations.
 - b. Cable yarding with gravity operated logging systems employing non-motorized carriages when all blocks and moving lines are 10 feet or more above the ground, excluding the line between the carriage and the choker.
 - c. Mechanized loading and hauling, except log trucks already at the landing.
 - d. Hand felling green or recently dead material.
 - e. Power saw use at landings.
 - f. Welding or cutting of metal except by special permit.
 - g. Any other spark-emitting operation except by special permit.

The following operations are **prohibited**:

- h. Blasting between hours of 10 a.m. and 8 p.m.
- i. Cable yarding except as stated above.
- j. Mechanized operations for felling (with high speed rotary head), bucking, and limbing.
- k. Felling dead material.
- l. Road clearing and pioneering in uncleared areas.
- m. Mechanized slash disposal.

- E.
 - 1.) The following activities are prohibited:
 - a. Blasting
 - b. Welding or cutting metal
 - c. Burning
 - 2.) Following activities may operate when fire patrolperson walks from 9:00 AM until local sunset all areas once per hour that were mechanically operated that day.
 - a.) Activities that may operate all day:
 - i. Hauling and loading of logs/soil, ore decked at approved landings.
 - ii. Hauling and loading of chips/mineral material piled at approved landings.
 - iii. Equipment servicing at approved sites.
 - iv. Roads: Dust abatement or rock aggregate installation (does not include pit or quarry development)
 - v. Chainsaw or stroke delimeter operation associated with loading at approved landing sites.
 - 3.) All other Operations are permitted until 1:00 PM local time.

4.) (Additional restrictions specified by the forest.)

F. In addition to E. above all operations are prohibited except:

- a. Trucks at landing may be loaded and can leave area.
- b. Equipment at landings may be serviced.
- c. Roads: dust abatement or rock/aggregate installation.

The daily PAL for your project can be listened to on (530-478-6176). Use the fuelwood PAL.

All of the precautions listed above apply unless the Permit Administrator agrees to changes in writing. Such written agreement, or substitute precautions, shall prescribe measures to be taken by the operator to reduce the risk of ignition, and/or the spread of fire.

A. Permittee, operator, cooperator, or contractor can obtain the Predicted Activity level for the following day at telephone number: **(530) 478-6176 after 4:30 p.m. daily.**

B. Permittee, operator, cooperator, or contractor will will not be required to furnish a filled five gallon backpack pump at each work site at activity level C, or above.

C. Permittee, operator, cooperator, or contractor will will not be required to furnish communications equipment, such as cell phone to reach emergency services.

6. REPORTING ALL WILD FIRES

A. Permittee, operator, cooperater, or contractor employees shall report all fires to any of the following Forest Service facilities and/or personnel listed below, but not necessarily in the order shown:

	Name	Office Address and/or telephone	Home address and/or telephone
Dispatch Center			
Nearest FS Station	Emrg Command Center (Dispatcher)	(530) 477-7237	Contact any below 24 hr/day thru Dispatcher
Inspector	Jack Kemp or current Minerals Officer	(530) 288-3231x244 (530) 367-2224	
Permit Administrator	Current Minerals Officer	(530) 367-2224	
District Ranger	Michael Woodbridge	(530) 913-1079	
D.R. Designated Rep	Duty Officer	(530) 367-2224	

When reporting a fire, provide the following information:

- Your Name
- Call back telephone number
- Project name
- Location:
 - Legal description (Township, Range, Section)
 - Descriptive location (Reference point)
- Fire Information:
 - Acres
 - Rate of Spread
 - Wind Conditions