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COUNTY OF NEVADA

(Attach pages if needed) 5 2015

APPEAL TO BOARD OF SUPERVISORS

(Per Article 5 of Chapter II of the Land Use and Development Code)

CLERK OF BOARD OF SUPERVISORS

cc: Planning Counsel

Any applicant or interested party may file an appeal with the Board of Supervisors requesting review of any final action taken by Various County Agencies. Such appeal shall be filed with the Clerk of the Board of Supervisors within **ten (10) calendar days** from the date of the decision, except for recommendations on general plan amendments which by State law are subject to a **five (5) calendar day** appeal period. Filing shall include all information requested herein and shall be accompanied by the appropriate filing fee. The statements (required below) must contain sufficient explanation of the reasons for and matters being appealed in order to facilitate the Board of Supervisors initial determination as to the propriety and merit of the appeal. Any appeal which fails to provide an adequate statement may be summarily denied. The filing of such an appeal within the above stated time limit shall stay the effective date of the action until the Board of Supervisors has acted upon the appeal.

I. APPEAL: I/We, the undersigned, hereby appeal the decision/recommendation of the

Nevada County Planning Commission
Agency Name

U14-009, MGT14-015, E1s14-012
Agency File No.

9-24-15
Date of Decision

PLANNING AGENCY DECISIONS:

- ☐ Airport Zoning
 - L-III Airport Zoning; Truckee-Tahoe Airport, 2.12 Appeals; Nevada County Air Park, 3.10
- ☐ Environmental Impact Report
 - L-XIII California Environmental Quality Act; County CEQA Guidelines and Procedures, 1.20 Appeals of the Adequacy of the EIR
- ☐ Floodplain Management Regulations (Floodplain Administrator)
 - L-XII Floodplain Management Regulations; 1.4 Administration
- ☐ Historic Preservation Combining District
 - L-II Zoning Regulations; Zoning Districts; 2.7.2 HP Combining District
- ☐ Inoperable Vehicles
 - L-II Zoning Regulations; Administration and Enforcement, 5.20 Abatement and Removal of Inoperable Vehicles
- ☒ Land Use Applications
 - L-II Zoning Regulations; 5.12 Administration and Enforcement
- ☒ Negative Declaration
 - L-XIII California Environmental Quality Act; County CEQA Guidelines and Procedures, 1.12 Negative Declaration

Rules of Interpretation

L-II Zoning Regulations; 1.4 Rules of Interpretation Regarding:

PUBLIC WORKS DECISIONS:

Roadway Encroachment Permit

G-IV General Regulations; 4.A Regulating Roadway Encroachments;
15.1 Appeals

FIRE AGENCY DECISIONS:

Fee Assessments (Fire Protection District)

L-IX Mitigation and Development Fees; Fire Protection Development
Fees; 2.6 Appeal from Fee Assessment

Fire Safety Regulations; General Requirements (Fire Safety Reg. Hearing Body)

L-XVI Fire Safety Regulations; General Requirements; 2.7 Appeals

Fire Safety Standards (County Fire Marshal or Fire Chief)

L-V Buildings; 5.8 Fire Agency Appeals

ENVIRONMENTAL HEALTH DECISIONS:

Sewage Disposal (Sewage Disposal Technical Advisory Group)

L-VI Sewage Disposal; 1.18 Appeals

Water Supply and Resources (Health Officer)

L-X Water Supply and Resources; 5.1 Appeal Procedures

List All Agency Action(s) Taken That Are Being Appealed:

Nevada County Planning Commission

II. STATEMENT OF THE REASONS FOR THE APPEAL

SEE ATTACHED

III. STATEMENT OF THE SPECIFIC PROVISIONS WHICH ARE BEING APPEALED:

SEE ATTACHED

A

IV. STATEMENT OF THE CHANGES OR ACTION REQUESTED OF THE BOARD OF SUPERVISORS:

SEE ATTACHED

B

V. SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE APPELLANT(S):

SEE ATTACHED

C

VI. IDENTIFICATION OF THE APPELLANT(S):

SEE ATTACHED

(Name)

(Mailing Address)

(Telephone)

VII. NOTICE: (Multiple appellants should select one representative for purposes of notice.

All notices to appellant(s) should be mailed to: (Please Print)

LEROY BAKELMUN
(Name/Representative)

(Mailing Address)

(Telephone)

Appellant:

[Signature]
(Sign)

Dated: 10/05/2015

LEROY BAKELMUN
(Print)

FOR OFFICE USE ONLY

\$1374.20
Filing Fee

10/5/15
Date Filed

B. Price
Received By

Appeal form to be returned to: Nevada County Board of Supervisors Office, Eric Rood
Administrative Center, 950 Maidu Avenue, Nevada City, CA 95959-8617. (530) 265-1480

(A)

REASONS FOR THE APPEAL

The location we feel that there has been inadequate analysis of all the potential locations for this project, Newmont mine has 740 acres of land and it seem completely unreasonable to not be able to find another suitable location that does not abut on existing residential units.

Alternate treatment solutions were not adequately addressed, we feel strongly that an active treatment plant could easily be constructed near the existing water treatment plant that the city owns without being an eye sore to the community and neighborhood, also plugging up the leak was not adequately addressed.

There is also the matter of parcel APN 29-290-26, which is to be used for the construction of one of the pumping stations, it is our understanding that this parcel was deemed contaminated by the Department of Toxic Substance Control and is therefore unusable, this parcel was not included in the environmental study done by Worthington, so existing conditions and potential impacts of this city owned land were never fully analyzed even though this parcel is part of the "Project".

The issue of property devaluation was never properly or adequately discussed, we are talking of many hundreds of thousands of dollars that will simply disappear, because of this project. Property owners will have to hire an experienced property appraiser to realize

(A)

the extent of this devaluation and then what do we do? Who do we go after to recoup that loss?

We are also questioning the fact that previous studies done by Newmont mine and the city of Grass Valley in conjunction with the state of California were not obtained, included or disclosed in this initial study, we feel this must be part of that study and the SEQUA process.

There is also the matter of the quality of life for this community, if this project goes forward the impact that it would have on this neighborhood. The temporary impact of noise and dust during the construction, the permanent visual impact, the potential for a breach in the holding tanks, if that were to happen how would that effect our well water?

(B)

IV STATEMENT OF THE CHANGES OR ACTIONS REQUESTED OF THE
BOARD OF SUPERVISORS:

We would like the board of supervisors to insist that Newmont mine look for and find a much more suitable area for this project somewhere in their 740 acre parcel of land and far away from people's homes.

Look at all other types of treatment systems, regardless of the costs.

Look at all previous studies done by the city of Grass Valley and Newmont mine.

Determine if the environmental studies cover all the properties being used in this "Project".

Implement a comprehensive compensation formula for the property owners affected by the "Project".

We are also requesting that the Board of Supervisors give us sufficient time to obtain legal counsel and to accumulate evidence and documentation needed to appeal the board of planners decision properly and to allow us the opportunity to submit new and pertinent information in the coming weeks.

(C)

V SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE
APPELLANTS:

The location for the "Project", the type of treatment system, the environmental impact and potential impact, visual impact, quality of life for the home owners abutting the "Project", the massive devaluation of the neighborhoods properties.

VI IDENTIFICATION OF THE APPELLANTS:

Leroy Bakelmun

Sally Ka

Maxwell Ka

Jason Peterson

Zora Biagini

Judith Connolly

Kathryn Connolly

Wils Riley

Ken Robinson

Sabrina Robinson

Susanne Runion

(C)

Daren Runion

Tom Hollenbeck

Susan Hollenbeck

Deon Jonutz

Lisa Jonutz

Brandon Jonutz

Due to the time restraints, additional Home owners and Residents will be added to this list in the future.

10/5/2015

To the Board of Supervisors,

We are the home owners and the residents who live in the neighborhood that will be directly and indirectly affected if the North Star Mine water treatment project goes ahead in the current location.

All of us agree that a water treatment facility has to be built somewhere, but what we are saying is that it doesn't have to be built in home owner's front yard.

We also feel strongly that there have been inadequate studies done as far as location, the environmental impact and alternative types of treatments. The matter of compensation for the loss of real-estate value was never adequately addressed either in the study or at the hearing.

There is also the issue of lot apn 29-290-26, which is tabled to be sold to Newmont mine for the purpose of housing one of the pumping stations, this is said to be a contaminated lot and was never part of the Worthington environmental study.

There is also a failure to obtain, include and disclose the findings of previous studies conducted by Newmont mine and the city of Grass Valley in conjunction with the state of California, these findings need to be part of the study and the SEQUA process.

These are a few of the most pressing items we intend on addressing at the appeals hearing.

Please add these to the Record
265-9851 to Clerk Janeane
Martin

NORTH STAR MINE WATER TREATMENT PROJECT

TO BEGIN, THE SOLE PURPOSE OF THIS PROJECT IS PUPORED TO CLEAN UP AND STOP THE ONGOING CONTAMINATION OF OUR GROUNDWATER BY THE NORTH STAR MINE (Newmont)

FROM THE ONSTART, IT SHOULD BE NOTED; THIS PROJECT PROVIDES THE APPERANCE THAT NEWMONT MINING HAS/IS CONTROLLED EVERY ASPECT OF THIS PROJECT'S EXPOSURE TO THE GENERAL PUBLIC.

INSUFFICIENT NOTICE TO THE PUBLIC

THE FIRST GLARING AND DISTRUBING THING THAT OCCURRED WAS THE LACK OF "NOTICE TO THE PUBLIC" THAT WOULD BE AFFECTED BY THESE PONDS NEWMONT WANTS TO USE TO "CONTROL" THE ONGOING CONTAMINATION OF OUR GROUND WATER.

OUR NC PLANNING FROM THE START FLATLY REFUSED TO EXPAND THEIR STANDARD 500 FT RADIUS NOTICE AREA. (THEY RECENTLY NOTED THAT THEY INCREASED THAT TO 1/2 MILE). REALLY? THIS PROJECT IS WAY TO INVASIVE FOR 1/2 MILE NOTICE AREA AND THEY KNOW IT. 1/2 MILE RADIUS SUGESTION IS RIDICULOUS AND AN INSULT.

THIS IS PURE AN SIMPLE GROSS NEGLIGENCE ON THE PART OF PLANNING AND A POSSIBLE INDICATION THAT NEWMONT IS CONTROLLING AND DICTATING PLANNINGS BEHAVIOR WITH THIS PROJECT.

THE NO 1 PROBLEM - NEWMONT HAS AN EXTENSIVE WORLD WIDE REPUTATION FOR MINING ABUSES. AS OF 2012 THEY ARE NO. 2 WORLD WIDE IN MINING ABUSES. "REPRISK-MOST ENVIRNOMENTALLY AND SOCIALLY CONTROVERSIAL COMPANIES. IN MARCH 2009...NEWMONT: IMPACTS ON ECO SYSTEMS/LANDSCAPES, ON COMMUNITIES, HUMAN RIGHTS VIOLATIONS AND CORPORATE COMPLICITY"...VIOLATION OF LABOR SANDARDS, SUPPLY CHAIN (E.S.I. ISSUES), HUMAN RIGHTS ABUSES and CORPORATE COMPLICITY".

A LOCAL EXAMTLE OF NEWMONT'S HISTORY AND METHOD IS THE "MAGENTA PIPE LINE AT THE EMPIRE STAR MINE". IT WAS DELIBERATE AND PLANNED BY NEWMONT TO DUMP MERCURY AND OTHER HEAVY METALS THROUGH A PIPELINE TO MEMORIAL PARK, INTO WOLF CREEK INTO ALL THE FEEDERS FROM GRASS VALLEY TO AUBURN, THROUGH DEER CREEK IN AUBURN, TO THE PACIFIC OCEAN. THIS WAS DELIBERATE CRIMINAL BEHAVIOR. CALIFORNIA PARKS SUED NEWMONT AND SETTLED IN FEBRUARY OF 2015 FOR FIFTEEN MILLION

DOLLARS. FIFTEEN MILLION DOLLARS WOULD NOT COME CLOSE TO CLEANING UP THAT MESS IN WOLF CREEK, LET ALONE THE REST OF WHAT WAS DESTROYED BY NEWMONT.

IT IS YET TO BE DISCLOSED HOW NEWMONT WAS PERMITTED TO BUILD THIS MAGENTA PIPELINE AT THE EMPIRE STAR MINE OR IF ANY GOVERNING BODY WAS INVOLVED. DID NEWMONT HAVE A PERMIT FOR THIS? WAS ANYBODY WATCHING? **HOW DID THIS HAPPEN?**

THIS NORTH STAR MINE PROJCT

THE MAILING LIST SHOULD HAVE INCLUDED **EVERY AREA THAT NEWMONT CONTAMINATED WITH THEIR MAGENTA PIPELINE**, ALL OF THE CITY OF GRASS VALLEY, EVEYONE FROM HERE TO AUBURN AND BEYOND SHOULD HAVE BEEN NOTIFIED THAT NEWMONT INTENDED TO PUT THREE (3) ABOVE GOUND TOXIC WASTE PONDS ALONGSIDE WOLF CREEK "**FOREVER**", TO DO LESS IS DELIBERATE NEGLIGENCE ON THE PART OF NEVADA COUNTY.

TO ADD INSULT TO INJURY: WHEN IT WAS SUGESSTED PLANNING EXPAND THE MAILING LIST, THEY CLAIMED WE WERE "CHALLENGING PLANNING"..... **REALLY?**

WE HAD ONE ARTICLE APPEAR IN THE UNION NEWSPAPER, THEN THE STAFF WRITER K.BREENER WENT ON VACATION AND WHEN SHE RETURNED SHE HAD A PROMOTION AND NO LONGER HANDLED THE ARTICLE ABOUT THE NEWMONT MINE PROJECT... UPON REQUEST FROM HER BEFORE HER TIMELY VACATION, SHE REQUESTED WE KEEP HER INFORMED OF ONGOING EVENTS. WE SENT HER THEEE ADDITIONAL ARTICLES THAT WERE COMPLETELY IGNORED. THE EDITOR SAID WITH THE SECOND ARTICLE THAT WE SHOULD REDUCE IT TO 740 WORDS, BUT PRINTED A FULL PAGE ARTICLE FROM HIS PUBLISHER THE SAME WEEK THAT "HO HUMMED OUR CONCERNS" AND SUGGESTED THAT "**THERE WERE ACTUALLY FAMILIES GIVING NEWMONT TROUBLE ABOUT THE PONDS....**" THINK NEWMONT MAY HAVE GOTTEN TO THE PAPER ALONG WITH PLANNING?.....NO FURTHER ARTICLES WERE PRINTED AFTER THE FIRST ONE ON APRIL 4, 2015. EXPOSURE WAS HINDERED AGAIN.

WE CONTACTED THE NATIONAL BOARD OF APPRAISERS TO LOCATE AN EXPERT ON MINES IN THE AREA, WHEN WE CALLED HIM HE TOLD US "**I CANT HELP YOU I AM ON NEWMONTS PAYROLL**". I HAVENT READ ANYTHING IN ALL THE REPORTS PLANNING AND NEWMONT HAVE PROVIDED ON LINE ABOUT ANY APPRAISALS FROM THIS GUY, SO WHY DID NEWMONT HAVE TO HAVE HIM ON THEIR

PAYROLL...SIMPLE, THEY KEPT US FROM USING HIM... **Stopped again.**

(WE PURCHASED A BOOK FROM THE NATIONAL ASSOCIATION OF APPRAISALS AND FOUND THE PERAMATERS FOR PROPERTY VALUES WHEN THESE PONDS ARE USED, WHICH APPEARED IN ONE OF OUR ARTICLES TO THE PAPER,- ARE A DISASTER FOR PROPERTY OWNERS.

THE BOTTOM LINE IS THAT THE GENERAL PUBLIC THAT WILL EVENTUALLY BE OR HAS BEEN AFFECTED BY THIS PROJECT HAS NO CLUE WHAT'S GOING ON. THIS PROJECT HAS NO ADEQUATE EXPOSURE.

EXAMPLE:

THE CITY OF GRASS VALLEY HAS TWO MASSIVE EXPOSED ABOVE GROUND PONDS IN BACK OF THEIR FACILITY ON ALLISON RANCH ROAD, **RIGHT ALONGSIDE WOLF CREEK.** YEAR AFTER YEAR SINCE 2004 WHEN I MOVED HERE, THERE HAS BEEN SPILL AFTER SPILL INTO WOLF CREEK FROM THOSE PONDS, THE SMELL IS RAW TOILET SEWAGE THAT WAFTS THROUGHOUT THE ENTIRE AREA. THE LOCATION IS IN CLOSE PROCIMITY OF DOWNTOWN GRASS VALLEY (AT THE END OF MILL STREET) ACROSS THE STREET FROM A COMMERCIAL PARK-(BRIGHTEN GREEN), ADJACENT TO THE TWO MAIN SHOPPING CENTERS WITH THEIR MANY RETAURANTS, AND A BLOCK FROM THE FIARGOUNDS AND AT HIGHWAY 20 AND 49 EXCHANGES AND THE ENTIRE RESIDENTAL AREAS ALONG ALLISON RANCH ROAD THAT ARE SUBJECTED TO THIS HORIFIC SMELL.

THE CITY OF GRASS VALLEY AND NEWMONT CANNOT OR WONT CONTROL THESE TWO PONDS AND THE SPILLIS, WHY ON EARTH WOULD PLANNING AND THE CITY OF GRASS VALLEY THINK IT'S APPROPRIATE TO ADD **THREE MORE MASSIVE PONDS (1 ACRE 2 ACRE AND 2 ACRE) ALONGSIDE WOLF CREEK** THAT ARE TO BE USED TO DEPOSIT UNTREATED TOXIC WASTE WATER FROM THE NORTH STAR MINE, **WITH ONE POND BEING A 'WET-LAND'** THAT NEWMONT SAYS THEY WILL TREAT TO PREVENT MOSQUITOS...IF YOU TAKE A QUICK RIDE DOWN ALLISON RANCH ROAD AND LOOK AT THE NEWMONT (NORTH STAR MINE PROPERTY AND THE CITY OF GRASS VALLEY PROPERTY) YOU WONT HAVE ANY TROUELE BELIEVING THAT THEY ARE NOT GOING TO MONITOR OR MAINTAIN ANY 'WET-LAND' POND, BOTH PROPERTHS ARE FIRE HAZARDS, UNKEPT, AND A NUINANCE. THIS AREA HAS TILUTION ENVIRNOMENTAL PROBLEMS, WEST NILE VIRUS, BLUE GREEN ALGE, CONTAMINATED GROUND WATER, WATER WITH UNWANTED MINE SHAFTS, AND GROUNDS, ETC., ETC., ETC.

NEWMONT HIRED A (ENGINEERING) FIRM IN COLORADO, (NEWMONT'S CORPORATE OFFICE IS LOCATED IN COLORADO) TO WRITE A REPORT ON THE "PROJECT AREA" ENVIRONMENT, THAT PLANNING ACCEPTED AND PUBLISHED ON THEIR WEB PAGE. THIS REPORT IS RELIGATED (LIMITED) TO **"THE PROJECT AREA"** AND DOES NOT ADDRESS ANY AREA ADJACENT TO THE "PROJECT AREA" NOR ANY WILD LIFE IN ANY ADJACENT AREAS...THEY DISCUSSED "BATS", FROGS, AND VARIOUS PLANTS (THEY DON'T LIKE THE BERRIES) IN THE PROJECT AREA AND CALL THE ENTIRE THING "UNDEVELOPED LAND".....THE TWO RESIDENTAL HOMES THEY MENTION WAS UNAVOIDABLE **AS THOSE PONDS ARE LITERALLY AT THEIR FRONT DOORS**, AND THE ONLY REFERENCE THAT ANY OTHER HOMES EVEN EXIST. THERE ARE HUNDREDS ALONG ALLISON RANCH ROAD SOME EXTREMELY CLOSE TO THOSE TOXIC WASTE PONDS. WHO IS GOING TO COMPENSATE THE HOME OWNERS FOR THE LOSS IN PROPERTY VALUES FOR THESE TOXIC PONDS IN THEIR NEIGHBORHOOD? **FOR SOME OF THESE HOMEOWNERS THIS PROPERTY IS THE LARGEST INVESTMENT THEY MAKE OVER THEIR LIFETIME...THERE IS NO EXCUSE ADEQUATE TO DISMISS THIS ISSUE BUT THAT'S EXACTLY WHAT PLANNING HAS DONE!**

WHY WOULD OUR PLANNING DEPARTMENT REFUSE, OUT OF HAND, TO REQUIRE NEWMONT GET AN "ENVIRONMENTAL IMPACT REPORT" GIVEN THEIR HISTORY? THERE IS NO INFORMATION AVAILABLE EITHER AT THE CITY OR COUNTY LEVEL WHAT IMPACT THIS PROJECT WILL HAVE ON THE CITY OR SURROUNDING AREAS, IT'S RIDICULOUS TO SUGGEST A 500 FT OR 1/2 MILE NOTICE AREA AND NO ENVIRONMENTAL IMPACT REPORT IS NECESSARY.

IT'S ABSURD TO HAVE TO DO ALL THIS TO ATTRACT YOUR ATTENTION TO STOP THIS MADNESS, THE PLANNING DEPARTMENT EXISTS TO DO JUST WHAT THIS IS DISCUSSING, WE SHOULD NOT HAVE TO SPEND OUR TIME WATCHING OVER EVERY ASPECT OF WHAT GOES ON IN OUR NEIGHBORHOODS, WHILE AT THE SAME TIME WE'RE FOOTING THE BILL FOR THE SALARIES THEY ALL ARE PRIVY TO THROUGH OUR TAX DOLLARS! PLANNING NEEDS TO DO THEIR JOBS!

OUR PLANNING DEPARTMENT, OUR LOCAL NEWSPAPER, OUR CITY (GRASS VALLEY) HAS SUBVERTED EVERY OBJECTION AND/OR REQUEST WE HAVE MADE ABOUT THIS PROJECT. THEY HAVE ACTED ON BEHALF OF NEWMONT AT EVERY TURN. REFUSED OUR EVERY REQUEST, RATHER THAN PROTECT OUR NEIGHBORHOODS, PROPERTY VALUES, CHILDREN, WILD LIFE, WATERWAYS AND NEIGHBORS IN OTHER AREAS THAT WOULD BE AND WILL BE AFFECTED BY THESE PONDS. NONE OF WHICH HAS BEEN

SUFFICIENTLY ADRESSED IN ANY WAY. PLANNING DEPARTMENTS EXISTS TO BE OUR PROTECTORS IN MATTERS LIKE THIS, NOT THE PROPONENTS OF A WEALTHY ABUSIVE MINING COMPANY.

MOST OF OUR STREAMS ARE UNFIT TO USE FOR RECREATIONAL PURPOSES BUT THEY ARE ADVERTISED IN BROCHURES, WITHOUT ANY DISCLOSURE ABOUT THE CONTAMINATIONS THAT CAUSE CANCER AND OTHER SERIOUS HEALTH ISSUES. THE FISH IN OUR STREAMS ARE CONTAMINATED WITH MERCURY. THOSE BROCHURES DON'T TELL YOU THAT WE HAVE **FROGS THAT HAVE LEGS GROWING OUT OF THEIR HEADS** DUE TO THE CONTINUED CONTAMINATION OF OUR STREAMS AND WATERWAYS, OR THAT YOU CAN'T EAT THE FISH, YOU SHOULDN'T WADE IN OUR CREEKS, OR SWIM IN OUR RIVERS. WHEN IS THIS GOING TO STOP? I HAVE WALKED A GOOD PORTION OF WOLF CREEK OVER THE PAST 11 YEARS AND HAVE NOT ONCE SEEN A SIGN OF ANY KIND WARNING OF THE POSSIBLE HEALTH THREATS IN THE WATERWAY.... NONE!

THERE ARE TOO MANY PROBLEMS AND UNANSWERED QUESTIONS TO ALLOW THIS PROJECT TO PROCEED IN ITS PRESENT FORM; THE SURROUNDING AREAS, THE WILD LIFE IN ALL AREAS THAT COULD OR WILL BE AFFECTED BY THESE TOXIC PONDS PLACED NEAR AND ALONGSIDE A WATERWAY.

1-WE REQUEST THAT THIS COMMISSION STOP (postpone) THIS PROJECT AND INSIST THAT THE "NOTICE AREAS" BE EXPANDED SO THAT EVERYONE THAT COULD SUFFER FROM THESE TOXIC WASTE POND SPILLS KNOW EXACTLY WHAT IS GOING ON IN GRASS VALLEY. A GOOD GUIDE FOR THAT IS WHOEVER SUFFERED FROM THE MAGENTA PIPELINE NEWMONT BUILT IN THE EMPIRE STAR MINE, WHEREVER THAT CONTAMINATION WENT, THEY SHOULD BE NOTIFIED INCLUDING THE ENTIRE CITY OF GRASS VALLEY, INCLUDING THE BUSINESS. NEITHER AUBURN NOR PLACER COUNTY PLANNING KNEW ANYTHING ABOUT THIS PROJECT WHEN I CALLED THEM.

2-WE REQUEST THE NEVADA COUNTY PLANNING DEPARTMENT REVERSE THEIR DECISION THAT NO ENVIRONMENTAL IMPACT REPORT IS NECESSARY AND DEMAND THAT ONE BE OBTAINED BEFORE ANY FURTHER PROGRESS IS MADE ON THIS PROJECT. THIS IS THE ONLY WAY TO DETERMINE THE IMPACT ON AUBURN, CONCERNED AND OUR ENVIRONMENT ABOUT THIS PROJECT.

IT'S ABSOLUTELY NECESSARY FOR NEWMONT. AFTER ALL, 10 YEARS THEY HAVE BEEN CONTAMINATING OUR GROUND WATER TO

FINALLY BE COMPELLED TO STOP, HOWEVER IT'S ANOTHER MATTER TO CREATE MORE PROBLEMS THAN THEY CURE, THESE PROPOSED PONDS ARE KNOWN ALL OVER THE WORLD TO BE ENVIRONMENTAL HAZARDS TO ALL HABITAT AREAS NEAR OR AROUND THEM, AND SHOULD NEVER BE PLACED ANYWHERE NEAR A WATERWAY. (WASN'T WHAT JUST HAPPENED IN COLORADO ENOUGH OF A WARNING?)

WE KNOW THESE PONDS ARE THE CHEAPEST WAY TO TRY TO CONTROL THE CONTAMINATION OF THE GROUND WATER, WHICH ISN'T SUFFICIENT REASON TO USE THEM, AT LEAST NOT AT THE PROPERTY OWNERS EXPENSE, WE DO NOT OWE NEWMONT THAT ACCOMMODATION, THEY OWE US EVERY EFFORT TO CLEAN UP THEIR ABUSES. PONDS WILL NOT CURE ALL THE CONTAMINATION UNLESS THE ENTIRE 740+ ACRES ARE CLEANED UP FROM THE MINING DEBRIS RUNOFF FROM THE ENTIRE SURFACE OF THE MINE. THIS PROJECT SHOULD BE RELAGATED TO A ONETIME PROCEEDURE TO CLEAN NORTH STAR MINE PROPERTY UP FROM ALL ASPECTS OF PRESENT OR FUTURE ENVIRONMENT HAZARDS, NOT PUT A POSTAGE STAMP ON THE PROBLEMS WITH TOXIC WASTE WATER PONDS AND A WET-LAND. IN SHORT, NEWMONT NEEDS TO ACQUIRE SOME MANNERS.

THE CITY OF GRASS VALLEY HAS ALREADY ALLOWED NEWMONT MINE TO RE-LINE THEIR DISGUSTING SEWAGE TREATMENT PLANT TWO PONDS, IN EXCHANGE, THE CITY HAS ALREADY AGREED TO SELL NEWMONT A PORTION OF A LOT (29-290-26) AT THE TUNNEL AREA TO BUILD THEIR EQUIPMENT ON. THIS PARCEL WAS **CONDEMNED** IN THE PAST (1995) BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD AND THE DEPARTMENT OF TOXIC WASTE SUBSTANCES, DUE TO THE ENORMOUS AMOUNT OF MERCURY AND OTHER DEADLY CONTAMINANTS. NEVADA COUNTY PLANNING (SAID AT ONE POINT) "THIS PARCEL WAS EVENTUALLY CLEANED UP (EXVACUATED) AND SIGNED OFF BY THE CWA", (NO PAPER WORK ON THIS WAS MADE AVAILABLE) AND THAT "GRASS VALLEY IS ALLOWED TO SELL A PORTION OF IT TO NEWMONT." AT THE LAST MOMENT PLANNING CHANGED THIS INFORMATION TO "IT'S FENCED AND THERE IS A TARP OVER IT".
 DEVELOPER: WE WERE ON YOUR COMMITTEE, WE ARE NOT A
 HAVE QUESTIONS ABOUT THE PROJECT

THIS LOT (APN 29-290-26) WAS NOT ON THE REQUEST FROM PLANNING TO THE GOVERNOR'S OFFICE FOR THIS PROJECT'S GENERAL USE PERMIT. THIS IS THE DATA BASE WHERE EVERYONE PUTS THEIR INFORMATION AND WAS RELIED UPON TO

ISSUE THE **GENERAL USE PERMIT**: STATE OF CALIFORNIA,
GOVERNOR'S OFFICE OF PLANNING & RESEARCH" **SEE NO. SCH**
2015072018. FOR YOUR CONVENIENCE (See Attached 4 pages)

(?) WHY WOULD NEWMONT NEED A PORTION OF THIS PARTICULAR (HIGHLY CONTAMINATED) GRASS VALLEY LOT WHEN THEY HAVE OVER 740+ UNDEVELOPED ACRES OF THEIR OWN TO BUILD THEIR EQUIPMENT ON? WHY WOULD THE CITY OF GRASS VALLEY AGREE TO SELL A PORTION OF A HIGHLY CONTAMINATED PARCEL TO THIS (ABUSIVE) MINING COMPANY? WHO AT OUR PLANNING DEPARTMENT(S) ARE SIGNING OFF ON THIS?

THIS EXCHANGE BETWEEN THE CITY OF GRASS VALLEY AND
NEWMONT IS SUPOPOSED TO BE PART OF THIS ENTIRE PROJECT,
SINCE NEWMONT HAS ALREDY RELINED THE CITY'S TWO PONDS IT
SEEMS THEY DIDN'T HAVE TO WAIT FOR ANY PLANNING
COMMISSION DECISION ABOUT THIS PROJECT TO
PROCEED...REALLY? THE ARROGANCE OF BOTH PARTIES IS NOTED!

AFTER SPENDING A GOOD DEAL OF MY TIME IN THE LAST 40 SOME YEARS IN-AND-OUT OF PLANNING DEPARTMENTS AND LISTENING NIGHTLY TO A RELATIVE THAT SPENT 40+ YEARS OF HIS LIFE WORKING IN ONE, THIS IS THE FIRST TIME I HAVE EVER HEARD THAT THE "PLANNING STAFF" HAD NO PARTICIPATION IN A PROJECT THIS IMPORTANT; WITH THEIR "STAFF RECOMMENDATIONS AND/OR OPINIONS"? THERE ARE NO STAFF OPINIONS/RECOMMENDATIONS AVAILABLE, WITH THE EXCEPTION OF THE SR. PLANNER JESSICA HANKINS. THE PLANNING STAFF ARE THE PEOPLE MOST FAMILIAR WITH THIS AREA AND THE PROS-AND-CONS OF THIS PROJECT, HOW IS IT THEY HAVE NO OPINIONS ABOUT IT? ISSUE? IT ALSO CLEAR THAT ALL REPORTS, COMMENTS, ETC., WERE ACQUIRED OUTSIDE OF OUR LOCAL COMMUNITY, LIKE COLORADO AND TRUCKEE? WHAT'S THIS ABOUT? IS ANYONE AT OUR PLANNING DEPARTMENTS TAKING ANY RESPONSIBILITY FOR THIS PROJECT?



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
 930 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617
 (530) 265-1222 FAX (530) 265 9834 <http://www.mynevadacounty.com>

Planning Department Department of Health Building Department Department of Public Works Agriculture Department

**AGREEMENT TO PAY
 LAND USE APPEAL**

Nevada County Community Development Agency (NCCDA) Appeal fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services by departments not included in the original appeal fees are billed to the applicant based on the Board approved fee schedule in effect at the time services were performed and once the final appeal decision has been rendered by the Board. This *Agreement To Pay* form must be signed and original signatures submitted to the Clerk of the Board along with the completed forms and the initial payment of fees. Copy of current fee schedule is attached to the appeal packet.

I/We understand that the NCCDA may bill for services not included in the original appeal fee, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees; however, will have no effect upon the decision of the appeal by the Board of Supervisors.

Appellant Information:	Invoices and/or notices to be mailed to:
Project: Use Permit UH4-009 MH4-06 EIS14-012 Northstar Water Treatment Project	Name: Leroy Bakelnum Address: Telephone: 530-559-0947

NCCDA staff is authorized to consult with necessary governmental agencies concerning this project. They are also authorized to consult with the following individuals concerning this appeal:

(Faint handwritten signatures and names)

~~6474930~~ 6474930