

**ATTACHMENT 1**  
**IDAHO-MARYLAND MINE – RISE GRASS VALLEY PROJECT**  
**AND RECLAMATION PLAN**  
**CONDITIONS OF APPROVAL AND MITIGATION,**  
**MONITORING AND REPORTING PLAN (MMRP)**  
**PLN19-0176; EIR19-0001; CUP19-0004; RZN19-0002; VAR19-0003;**  
**MGT19-0039; MGT19-0040; MGT20-0009; MGT20-0010; MGT20-0011;**  
**MGT20-0012; MGT20-0013; LLA20-0006; AAM21-0002; MIS22-0019**

**A. PLANNING DEPARTMENT**

1. The proposed project would reinitiate underground mining and gold mineralization processing for the Idaho-Maryland Mine over an 80-year permit period with gold mineralization processing and underground exploration and mining proposed to operate 24 hours a day, 7 days a week during full operations. Following completion of mining and processing activities, the subject project sites would be reclaimed to open space and land suitable for proposed future development of industrial uses, subject to additional environmental review and permitting. Generally, the proposed project would include the following components (for the full Project Description, please see the Draft EIR, Chapter 3.0 – Project Description and as described in the Staff Report, dated May 10, 2023, and May 11, 2023.):

- Dewatering the existing underground mine workings (approximately 6 months);
- Underground mining at a depth of 500 feet or more within defined areas underlying the mineral rights properties (80 years); and,
- Construction (approximately 18 months) and operation (80 years) of aboveground processing and water treatment facilities at the Brunswick Industrial Site; and,
- Engineered fill placement for potential future industrial pad development at the Centennial (approximately 5 years) and the Brunswick (approximately 6 years) Industrial Sites; and,
- Installation of a potable water pipeline along East Bennett Road for residential potable water supply (approximately 4 months); and,
- Reclamation of the project sites in accordance with a proposed Reclamation Plan (upon completion of the 80-year mining).

The following entitlements would be required as part of the proposed project:

- A. A Rezone (RZN19-0002) of the Brunswick Industrial Site from Light Industrial with Site Performance Combining District (M1-SP) to Light Industrial with Mineral Extraction Combining District (M1-ME) to allow for surface mining facilities related

to the underground mining operations, pursuant to Nevada County Land Use and Development Code, Section L-II 2.7.3 – Mineral Extraction Combining District.

- B. A Use Permit and Reclamation Plan (CUP19-0004) for uses and facilities over the 80-year permit life consistent with the project described in the Staff Report and Draft EIR. The Reclamation Plan includes a Financial Assurance Cost Estimate to reclaim the project-related surface disturbance to a condition suitable for industrial uses and open space as allowed by Nevada County Land Use and Development Code, Section L-II 2.5 – Industrial Uses.
  - C. A Variance (VAR19-0003) to the Building Height Limits has been requested to allow for the construction of Headframes at 80 and 165 feet in height, two hoist buildings at 50 feet, and a processing plant at 64 feet, where 45 feet is required, pursuant to the Light Industrial Zoning District (Nevada County LUDC, Section L-II 2.5 – Industrial Uses, Table L-II 2.5.E).
  - D. Adoption of Management Plans (MGT19-0039; MGT19-0040; MGT20-0009; MGT20-0010; MGT20-0011; MGT20-0012; MGT20-0013) to address and manage activities within Perennial Watercourses, Special-Status Plan Species, Steep Slopes, Building areas within a fault zone and activities within a floodplain boundary.
  - E. A Parcel Map Amendment (AAM21-0002) the Final Map for Bet Acres recorded in February 1987 in Book 7 of Subdivision Maps at Page 75 would be required to remove the “200’ Building Setback From Fault”, as shown on Sheet 4 of Final Map #85-7.
  - F. A Boundary Line Adjustment (LLA20-0006) to transfer approximately 46.27 acres for three separate parcels (APN: 009-630-039, 006-441-034, 006-441-003) to reconfigure the property lines to resolve an issue of the proposed buildings crossing property lines at the Brunswick Industrial Site.
  - G. A Development Agreement between Nevada County and the project applicant to establish a framework for: 1.) How the Use Permit and Reclamation Plan would apply to the mining and reclamation phasing of the project; and 2.) Costs and timing for the payment of a cents per ton fee, pursuant to CUP19-004 and the scope of those activities.
2. This permit approval allows gold mining and gold mineralization mining activities to occur in the identified areas as shown on the approved Use Permit (CUP19-0004) site plan, attached hereto as Exhibit A map for a period of eighty (80) years from the date of approval including any periods of Idle Mine Status, as defined by PRC Section 2727.1. Within 90 days of this mining operation becoming idle, the operator shall submit to the Planning Department for review and approval, an Interim Management Plan. The review and approval of the Interim Management Plan shall not be considered a “project” under CEQA, but the approved Interim Management Plan shall be considered an amendment to

the mining operation's approved Reclamation Plan. The Interim Management Plan shall provide measures the operator will implement to maintain this site in compliance with the approved Mine Plan and Reclamation Plan, as well as the requirements of the Surface Mining and Reclamation Act, including, but not limited to, all permit conditions. All permit conditions of approval shall be noted on all improvement/building plan submittals. Reclamation of the Brunswick Site and Centennial Site shall follow the Reclamation Plan details and timing requirements.

3. **Within 15 days after project approval, the applicant shall sign and file with the Nevada County Planning Department a defense and indemnity agreement provided herewith. No permits or approvals shall be issued for this parcel, including without limitation a Building Permit, Grading Permit, unless and until the applicant has fully complied with this condition.**
4. All Planning Department cost incurred in the processing of this project shall be paid prior to the issuance of any Improvement Permit or Building Permits or the commencement of activity associated with any mining activities.
5. **Prior to permit finalization and commencement of activity associated with any mining activities**, the applicant / operator shall contact the Planning Department for a field inspection to verify all Conditions of Approval and ordinance requirements have been satisfied. Fees for such inspection shall be applicable on this project permit.
6. **The Mitigation Monitoring and Reporting Program (MMRP) related to the Final Environmental Impact Report prepared pursuant to the California environmental Quality Act for the project site (State Clearinghouse #2020070378, dated December 2022, are incorporated herein by reference, and attached hereto as Exhibit A. Compliance with the MMRP is required. In the event there is a conflict between a condition of approval, and a Mitigation Measure in the MMRP, compliance with the Mitigation Measure shall be required.**
7. Pursuant to Land Use and Development Code, Section L-II 5.18, the applicant / operator shall apply for an annual 12-month review of the Development Agreement by the Planning Commission, during which the Commission shall review, based on substantial evidence, whether the property owner has demonstrated good-faith compliance with the terms and conditions of the Development Agreement. A finding of good-faith compliance shall conclude the review, while a finding that the applicant has not complied with the terms and conditions of the Development Agreement shall result in a hearing before the Board of Supervisors, who will determine in another publicly noticed hearing whether the Agreement will be amended or cancelled. All costs associated with the processing of the annual review of the Development Agreement shall be paid by the applicant / operator based on the most recent Planning Department Fee Schedule adopted by the Nevada County Board of Supervisors.

8. The reclamation program approved for this mining operation is defined as the November 2020, Updated March 2021 Reclamation Plan and covers both the Brunswick Industrial Site and the Centennial Industrial Site. Implementation of this reclamation program shall be consistent with the Use Permit and Reclamation Plan (CUP19-0004) as shown on the approved site plans and as outlined in the Project Description contained within Chapter 3.0 of the Draft Environmental Impact Report.
9. As required pursuant to Policy 17.7 of the Mineral Management Chapter, the Mining Use Permit shall return to the Nevada County Planning Agency for a compliance review in addition to the annual Development Agreement review (Nevada County Section L-II 5.18 F) due every 12 months after the Development Agreement is signed. All costs associated with the processing of the annual review of the Mining Use Permit shall be paid by the applicant / operator based on the most recent Planning Department Fee Schedule adopted by the Nevada County Board of Supervisors.
10. Pursuant to Policy 17.7 of the Mineral Management Chapter, the Reclamation Plan shall be subject to a compliance review by the Nevada County Planning Agency. The review shall be every five years after approval of the Use Permit and Reclamation Plan for this operation. The review of all required Reclamation Plan activities shall include the placement of Engineered Fill at either the Brunswick Industrial Site or the Centennial Industrial Site along with all other required Reclamation Plan activities as outlined in the approved Reclamation Plan. (This is the same review period as required by Condition A.8 above.
11. **Prior to commencement of the approved mining operation,** a Financial Assurance Cost Estimate (FACE) shall be provided to the Planning Department pursuant to Section 2773.1 of the Surface Mining and Reclamation Act of 1975 (SMARA). The amount of the FACE shall include 100% of all of the reclamation cost estimated for the first full year of mining, plus the applicable contingency, pursuant to Section 2773.1(a)(1), to reclaim and monitor those disturbed areas to the standards set forth in the approved Reclamation Plan. Pursuant to the requirements of SMARA, the FACE shall first be reviewed by the Planning Director and once it is deemed acceptable will then require a second level of review and/or concurrence with the California Department of Conservation, Division of Mine Reclamation. Upon acceptance from both Nevada County and the State, the acceptable Financial Assurance Mechanism shall then be posted and/or revised accordingly with Nevada County.

**NOTE:** Section 2773.1(1)(3) states that the financial assurance amount shall be adjusted annually to account for new lands disturbed, inflation, and reclamation of lands accomplished in accordance with the approved plan.

12. An annual monitoring program report, and the updated FACE pursuant to condition A.10 above, shall be submitted to the Planning Department no later than July 1, of each year. Said monitoring program report shall include:

- A. The amount of material mined in the prior calendar year.
- B. A summary of any reclamation and revegetation, which occurred in that prior year, including the placement of Engineered Fill at either the Brunswick Industrial Site or the Centennial Industrial Site.
- C. A discussion of the success of the previous years' revegetation (when applicable).
- D. A discussion of the adequacy of the existing financial assurance cost estimate (see NOTE above).
- E. Any other information deemed to be pertinent or that is required by the County.

**NOTE:** In the event that Planning Department is unable to perform the inspections, the operator shall hire a qualified person as approved by the County (and as defined in Public Resources Code Section 2774 (b)) to perform the inspections and make the required recommendations.

- 13. All inspections of reclamation activities by Planning Department or its assignee shall be funded by the applicant or operator. All staff time, including inspections will be billed at actual costs in conformance with the adopted fee schedule approved by the Board of Supervisors and in effect at that time.
- 14. If the applicant / operator plans to maintain an "Idle" mining status, pursuant to the definition in Section 2727.1 of SMARA, the Interim Management Plan (Section 7.0 of the approved Reclamation Plan) shall become applicable to this operation. The Interim Management Plan shall comply with the provisions in Public Resources Code Section 2770(h).
- 15. Within sixty (60) days of approval, all conditions of the Reclamation Plan, approved by Nevada County, shall be incorporated into the approved Reclamation Plan as an additional Appendix. The applicant / operator shall furnish the County with two copies of the "APPROVED" Reclamation Plan document in hard copy, and one additional approved copy in an electronic PDF format. The Planning Department will distribute an approved copy to the State Department of Conservation.
- 16. A lighting plan for all exterior lighting shall be included in construction plans submitted to the Building Department for a Building Permit. Consistent with Section L-II 4.2.8 of the Nevada County Land Use and Development Code, all light fixtures shall be top and side-screened, and shielded to direct light downward to prevent spillover onto adjacent properties or roadways. Mercury vapor light fixtures, floodlights and spotlights are

prohibited. The Plan shall depict the location, height and positioning of all commercial and residential light fixtures and shall provide a description of the type and style of lighting proposed, including pole or building mounted area lights and sign lights. Pole lights shall not exceed a 15' height. All exterior lights shall include dimmers, sensors, time controls or separate circuits to allow them to be turned off if lighting becomes a nuisance.

17. All solid waste receptacles and outside recycling storage shall be placed within a screened enclosure, constructed of colors and materials compatible with building style. All on-site trash enclosures shall be consistent in location with that of the approved site plan, and approved by Waste Management for access. Adequate recycling storage and collection area is mandated with each facility. Construction detail shall be represented on the final building plans. Where walls are used for screening outdoor storage, landscaping shall be installed to buffer the view of the storage area from public view.
18. The applicant / operator shall submit a detailed final landscaping plan, consistent with the approved Preliminary Landscape Plan (if necessary, as amended), prepared by a licensed landscape architect (experienced in high elevation plantings), to the Planning Department for review and approval. Pursuant to Section L-II 4.2.7 of the Land Use and Development Code, the final plan shall incorporate the following:
  - A. Compliance with Mitigation Measure 4.1-2 as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.
  - B. The location of all required plant materials, evenly dispersed within each required planting area (interior parking lot landscaping, street buffers, and residential buffers).
  - C. Provide a legend listing the type, number and size of plant materials; indicating both the both the required number and the provided number of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydrozone, for each plant type. List plant materials in groupings of trees, shrubs, and ground cover plants. Show both common names and botanical names. Native vegetation shall be include in all required plantings pursuant to subsection L-II 4.2.7.E.2.b of the Land Use and Development Code.
  - D. Provide an Irrigation Plan pursuant to subsection L-II 4.2.7.E.3.c of the Land Use and Development Code.
  - E. List plant materials in groupings of trees, shrubs and ground cover plants. Show both common names and botanical names of plants.
  - F. The Landscape Plan shall include a note that "All plantings and irrigation shall be maintained by the property owner and in any case where a required planting has not

survived the property owner shall be responsible for replacement with equal or better plant materials."

G. Provide a water-efficient Irrigation Plan, noting compliance with the Water Conservation standards of Section L-II 28.7.B of the Land use and Development Code, including the use of soil amendments.

H. Prior to final occupancy, the landscape architect shall verify that all plant materials have been established pursuant to the approved plan.

19. The design of the building including architectural features, materials and colors shall be in substantial compliance with the approved design. The approved project shall be consistent with the final stamped set of plans, which contain the site plan and associated pages. The final plans and color renderings shall be kept on file with the Planning Department.

20. Pursuant to the Western Nevada County Design Guidelines, the rear elevation of the Processing Plant Building, which is visible from Brunswick Road, shall be broken down to better conform with the recommendations of the Western Nevada County Design Guidelines by using windows, structural bays, roof overhangs, awnings, and others to minimize the visual impact of large buildings. **The revised elevations shall be submitted for the review and approval of the Nevada County Planning Agency prior to the issuance of building permits.**

21. **Prior to initiation of any mining activities or issuance of Building Permits**, the Applicant / operator shall obtain a verification of proper disposal of mine waste and Letter of No Further Action from California Department of Toxic Substances Control (DTSC) and provide a copy to the Nevada County Planning Agency. In addition, compliance with Mitigation Measure 4.7-2(a) is required as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

22. **Prior to initiation of any mining activities or issuance of Building Permits**, the applicant / operator shall obtain the required permits and provide a copy to the Nevada County Planning Agency from the following agencies as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A:

A. Central Valley Regional Water Quality Control Board (RWQCB).

B. California Department of Fish and Wildlife (CDFW).

C. United States Army Corps of Engineers (USACE).

D. United States Fish and Wildlife Service (USFWS).

E. Bureau of Alcohol, Tobacco and Firearms.

23. **Prior to initiation of any mining activities or issuance of Building Permits**, the Applicant / operator shall obtain permits, if required and provide a copy to the Nevada County Planning Agency from the following agencies:

A. State Office of Historic Preservation.

B. Advisory Council on Historic Preservation.

25. **Prior to initiation of any mining activities or issuance of Building Permits**, the Applicant / operator shall obtain an Annual Permit and Construction Permit from the California Occupational Safety and Health Administration (Cal-OSHA) and provide a copy to the Nevada County Planning Agency. In addition, compliance with Mitigation Measure 4.7-1(a) is required as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

26. **Prior to initiation of any mining activities or issuance of Building Permits**, the Applicant / operator shall obtain a verification of proper disposal of mine waste and Letter of No Further Action from California Department of Toxic Substances Control (DTSC) and provide a copy to the Nevada County Planning Agency. In addition, compliance with Mitigation Measure 4.7-2(a) is required as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

27. **Prior to initiation of any mining activities or issuance of Building Permits**, the Applicant / operator shall obtain a Notice of Commencement of Operations, Record of Inspection of Self-Propelled Equipment, Record of Testing of Electrical Ground System, Miner Training Program, and MSHA Identification Number from the Mine Safety and Health Administration and provide a copy to the Nevada County Planning Agency. In addition, compliance with Mitigation Measure 4.7-1(a) is required as outlined in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit A.

28. Truck haul routes shall be as outlined in Figure 3-13 in the Project Description Chapter of the Draft EIR. Access to and from Millsite Road to East Bennett Road for all haul trucks shall be limited to right-out turn movements. Left turns from Millsite Road to East Bennett Road shall not be allowed for all haul trucks. (See also MM4.12-6(c).

29. **Prior to the placement of any fill from mining operations at the Centennial Industrial Site**, the mine operator shall provide a copy of the final Letter of No Further Action from the California Department of Toxic Substances Control to the Nevada County Planning Agency.



**The following conditions have been agreed to by the applicant in conjunction with the preparation of the Final Environmental Impact Report and are included in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A.**

30. APM-AQ-1: Exhaust Emission Controls

The following measures shall be implemented during construction, operation, and reclamation to reduce exhaust emissions:

- A. All off-road diesel-fueled equipment and emergency generators owned by Rise Grass Valley Inc. shall be equipped with Tier 4 Final engines.
- B. Unnecessary construction vehicle idling time shall be minimized. The ability to limit construction vehicle idling time is dependent on the sequence of activities and when and where vehicles are needed or staged. Certain vehicles, such as large diesel-powered vehicles, have extended warm-up times following start-up that limit their availability for immediate use. Where such diesel-powered vehicles are required for repetitive construction tasks, these vehicles may require more idling time. The project shall apply a “common sense” approach to vehicle use such that idling is reduced as much as possible below the maximum of 5 consecutive minutes required by regulation (13 CCR 2449 and 2485). If a vehicle is not required for use immediately or continuously for activities or for other safety-related reasons, its engine shall be shut off.
- C. All off-road equipment shall be maintained in accordance with manufacturer’s specifications. All equipment shall be checked by a qualified mechanic, and equipment shall be confirmed that it is in proper condition prior to operation.

31. APM-AQ-2: Surface Fugitive Dust Controls

The following measures shall be implemented to reduce surface fugitive dust emissions:

- A. During construction, operation, and reclamation, all exposed soil surfaces (e.g., unpaved disturbed areas, unpaved parking areas, and unpaved staging areas, and soil piles) shall be adequately wetted to ensure that no visible dust crosses the property boundary, except when rains are occurring. As an alternative to watering, inactive soil piles shall be covered to minimize wind erosion.
- B. During construction, all on-site roadways shall be paved as soon as possible after grading and any unpaved gravel roads shall be treated with chemical stabilizers in order to control fugitive dust.

32. APM-AQ-3: ASUR Plan

Rise Grass Valley Inc. shall implement the ASUR Plan, which incorporates measured designed to minimize asbestos in engineered fill produced by the project, as well as minimize the emission of asbestos-containing dust from the underground mine (see

Appendix E.2). The ASUR Plan builds on the provisions of applicable regulations, including the two CARB ATCMs for naturally occurring asbestos (i.e., ATCM for Surfacing Applications [17 CCR 93106] and ATCM for Construction, Grading, Quarrying and Surface Mining Operations [17 CCR 93105]), and includes additional measures beyond what is required in the ATCMs in order to limit any potential emission of asbestos dust and to protect human health and the environment. The ASUR Plan incorporates routine asbestos testing by TEM and an Asbestos Inventory to ensure that average mined material and engineered fill contains less than 0.01 percent asbestos by mass of PCM equivalent units.

33. In the event that sand tailings or waste rock material is transported from the Brunswick Site prior to 2033 to locations other than the Centennial Site, all transport of such material shall be accomplished using electric vehicles.
34. **Except for the construction of the proposed Service Shaft, all underground blasting for production, tunnelling, and raising would take place more than 500 feet below ground surface and no underground mining will take place outside of the area denoted on the maps included in Appendix A of the Final EIR and attached hereto as Exhibit B.**
35. The following measures have been added to the Domestic Well Monitoring Program, and shall be included as a condition of approval for the Project:
  - A. Property owner's shown in Table 1 will be contacted at least three months prior to commencement of the required 12-month groundwater monitoring period and the company will request permission to inspect and install monitoring equipment at the well.
  - B. Property owners who respond and grant permission for well monitoring will be added to the Domestic Well Monitoring Program.
  - C. The well will be inspected to determine the characteristics of the well, including location, well depth, casing and screen depth, static water level, and well yield. A water quality sample will be taken during the inspection.
  - D. Instrumentation will be installed to measure water level on a periodic basis (such as 1 or 4 hours) and pumping rates (to correlate water level with the wells use). Data from the instruments will be transmitted by telemetry.
  - E. Water level data will be collected for at least 12 months prior to the commencement of mine dewatering and will continue throughout the period of initial mine dewatering (dewatering of the historic mine workings) and for at least the first 5 years of operations.

- F. All data collected and reports generated will be provided to the property owner and to Nevada County.
  - G. All costs of well monitoring will be paid by the company and well monitoring equipment will remain the property of the company. A property owner may terminate well monitoring upon request and the company will remove any installed monitoring equipment.
  - H. For any well that is monitored under the Domestic Well Monitoring Program, monitoring results will be used to supplement the analysis from the Groundwater Monitoring Plan to determine whether an individual groundwater well is expected to be impacted or has been impacted by dewatering operations, using the threshold set forth in the Well Mitigation Plan.
36. The applicant shall be required to install all noise reducing project features and equipment included in the Project Description, and assumed in the noise impact analysis included in Chapter 4.10 of the DEIR. While the applicant is not required to use the specific brands and models assumed in the DEIR, the applicant shall be required to demonstrate that the noise reducing project features and equipment actually installed as part of the project achieve the same or better noise reduction as was assumed in the DEIR. The applicant shall be required to provide specifications on all installed noise reduction features and equipment to the County to verify that the noise reductions comply with the assumptions in the DEIR. Further, the County will verify and enforce use and operation of noise reduction equipment and features through implementation of Mitigation Measure 4.10-3.
37. The applicant shall be required to use only electrical, pneumatic, or battery powered mining equipment in the underground mine.
38. The project will not burn vegetative material. Processing of vegetation before placement of engineered fill will be done by chipping.
39. The applicant will be required to provide one-week notice of any expected flow interruptions when feasible, and notice of any spill or contaminating event. Additionally, the applicant will be required to provide NID access to real-time flow data of South Fork Wolf Creek directly downstream from the Project's discharge, with 15-minute interval data, with a trend history of at least one week. The County will not require the flow data to be publicly available, but the data may be made publicly available at the applicant's or NID's discretion.
40. To ensure that reclamation will proceed in compliance with the approved Reclamation Plan, the County shall require security that will be released upon satisfactory performance. The Project Applicant may post security in the form of a surety bond, trust fund, irrevocable letter of credit from an accredited financial institution, or other method acceptable to the County and the State Mining and Geology Board as specified in State regulations, and

which the County reasonably determines are adequate to perform reclamation in accordance with the mining operation's approved Reclamation Plan.

**B. NEVADA COUNTY DEPARTMENT OF PUBLIC WORKS**

1. As determined by Mitigation Measure 4.12-6(b), prior to any hauling of project materials on County or City roads the applicant shall enter into separate road maintenance agreements with the County of Nevada and the City of Grass Valley to provide its fair share of funding for maintenance of roadways commensurate with the project's impact to pavement conditions on both Nevada County and Grass Valley roadways.
2. The fill slopes for Brunswick Road extend outside the right-of-way along with multiple drainage pipes, which outlet at the toe of the fill slopes onto the applicant's Brunswick project site. Prior to building and grading permit issuance, the applicant shall provide Slope, Drainage, Maintenance & Access Easement rights to the County of Nevada for the cross culverts that extend onto the Brunswick site, in the form of a strip easement extending along the project frontage. The easements shall contain language stating that 1) the County shall provide adequate notice to the owner prior to any inspection & maintenance work and 2) the County shall comply with all required safety requirements (including MSHA) pertaining to active mine sites.
3. Following installation of the potable water pipeline and prior to issuance of building permits and project operations, the applicant shall place a Type II microsurface over the entire roadway surface from edge of pavement to edge of pavement for the length of the waterline construction on East Bennett and any other public roads where the water line is installed. The applicant shall obtain an Encroachment Permit from the Department of Public Works for this work.
4. Prior to commencement of initial mine dewatering, the plans for the proposed water main extension shall be reviewed and approved by the Nevada Irrigation District. Prior to issuance of final occupancy permits and project operations, the water line extension shall be installed and accepted by Nevada Irrigation District and water service connected as agreed upon by residents.
5. Prior to the issuance of building and grading permits, the applicant shall provide a Certification Letter or Certification Statement on the Maps from the Title Company or Licensed Land Surveyor certifying that the Mineral Rights and Surface Properties shown hereon are correct and true based on current record Deeds and Maps.
6. Prior to the issuance of building and grading permits, the applicant shall provide an updated Title Opinion to the County Surveyor for review and approval, to ensure that no title has changed over the course of processing this application.

7. The Mitigation Measures and Conditions as noted in Section VII of the Flood Plain Management Plan prepared by Nevada City Engineering shall be included as Notes on the Grading and/or Improvement Plans for the project prior to the issue of any building or grading permits.
8. The Conclusions and Recommendations as noted in the Steep Slope Management Plan prepared by NV5 shall be included as Notes on the Grading and/or Improvement Plans for the project prior to the issue of any building and grading permits.
9. The Easement Agreement between Rise Gold and Loren Willman (or current property Owner) for the NID Water Line Easement shall be reviewed and approved by NID and the County Surveyor prior to recordation and shall be recorded prior to installation of the water line.
10. Prior to the installation of any monitoring well(s) in County or City right of way, the applicant shall obtain an Encroachment Permit from the Nevada County and Grass Valley Departments of Public Works as applicable, in the respective jurisdiction in which the monitoring well(s) is located. The applicant shall provide evidence of the right of way boundaries to the satisfaction of the respective Department of Public Works. The wells shall be located as far from the roadway as possible. Each well shall be fitted with an identification tag on the inside of the well cap, showing identification and contact information. Additional conditions on the encroachment permits may apply at the time of encroachment permit application.
11. Prior to issuance of the grading permit, the applicant shall provide to the Nevada County Department of Public Works the California Division of Safety of Dams (DSoD) jurisdictional status for the Brunswick Site's embankments. The shared portion of pond embankment between the Water Treatment Pond and the Storm Water Detention Pond which overlies the Wolf Creek Outfall may meet the DSoD jurisdictional criteria due to the combined storage capacity of the ponds, and due to the structure's height (approximately 30 ft). The applicant shall provide evidence of coordination and final jurisdictional determination of the DSoD to the satisfaction of the Department of Public Works.
12. Prior to final recordation of Map Amendment the following conditions shall be satisfied:
  - A. Since this is a Subdivision Map, this amendment approval will need to be approved by the Board of Supervisors, which was the original hearing body for the approval of this map.
  - B. If approved by the original hearing body, the modification can be shown on an Amended Map or a Certificate of Correction, in accordance with

Subdivision Map Act, Sections 66469 & 66470.

- C. The Amended Map or Certificate of Correction document shall be reviewed and approved by the County Surveyor prior to recordation with the County Recorder.
  - D. The Owners shall be responsible for all recordation fees.
  - E. Pursuant to Section 66470, the Amended Map or Certificate of Correction shall be prepared and signed by a Registered Civil Engineer or Licensed Land Surveyor prior to review and recordation by the County Surveyor.
13. Prior to final recordation of Lot Line Adjustment and Deed Documents, the following conditions shall be satisfied:

- A. The boundary descriptions for the recorded documents that are used to legally convey the property for this boundary line adjustment shall be signed and sealed by a Licensed Land Surveyor or Registered Civil Engineer licensed to practice land surveying in California and be in compliance with Subdivision Map Act, Section 66412(d). The boundary description shall include the following wording, unless the entire resulting parcel is described:

"NOTE: The herein described land area has not been approved as a separate building site and is created as an approved boundary line adjustment for the express purpose of being combined with and used in conjunction with adjoining lands."

- B. If a Record of Survey is not prepared for this boundary line adjustment, the document used to convey the property shall be accompanied by a sketch map depicting the adjusted boundary. The sketch map shall be signed and sealed by the Licensed Land Surveyor or Registered Civil Engineer and shall include: 1) A statement that a Record of Survey is not required, in conformance with Section 8762 of the Business and Professions Code; 2) The County File Number, LLA20-0006; and 3) The following statement:

Approved by Nevada County: \_\_\_\_\_

Date

By: \_\_\_\_\_

Title: \_\_\_\_\_

Nevada County Department of Public Works

- C. The following information shall appear on the exhibit map or Record of Survey map that is recorded for this adjustment:

- a. Approval of this Lot Line Adjustment does not constitute approval nor guarantee sewage disposal of water availability.
  - b. All pre-existing lot lines shall be considered erased or merged by this Lot Line Adjustment.
- D. Tax Clearance Certificate from the Tax Collector's Office.
- E. Provide final Deed documents, legal descriptions and Exhibit Maps for review and approval by the County Surveyor prior to recordation.
- F. If there are any current Deed of Trusts on any of the parcels at the time of completing the Lot Line Adjustment Deed documents, provide any new Deed of Trust or Loan Modification documents as needed by the lender(s) to record with the new LLA Deed documents or provide evidence that the lender(s), Trustee(s) or Beneficiary(s) is satisfied with the recordation of the Lot Line Adjustment Deeds.

**UNLESS OTHERWISE SPECIFIED, THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO ISSUANCE OF GRADING AND BUILDING PERMITS:**

14. Roads shall be improved as determined by the Environmental Impact Report Mitigation Measures 4.12- 1(a), 4.12-1(b), 4.12-1(c), 4.12-6(c), 4.12-6(d), 4.12-6(e), 4.12-6(f), 4.12-8(b), and 4.12-10. Any other improvements as determined by the Traffic Study for improvements not mentioned in the Mitigation Measures shall also be improved.
15. The applicant's engineer(s) shall certify that any required improvements have been completed in conformance with the applicable standards.
16. Prior to any work within the right of way, the applicant shall obtain an encroachment permit from the County, which includes a Traffic Control Plan showing all public roadways where work is to be performed and indicates each stage of work, closure dates for street and section of closure (if necessary and otherwise allowed by local jurisdiction), signage, flaggers, and any other pertinent information. The Traffic Control Plan shall be reviewed and approved by the County before the contractor begins work.
17. New driveways must conform to the County's Commercial Approach standards in the Land Use and Development Code, as shown in the County's Standard Drawings. Compliance with the standards must be shown on plans. Any driveway and road improvements within the County right of way shall require an encroachment permit from the County prior to any work within the right of way.
18. Prior to application completeness and prior to issuance of grading and building permits,

the applicant shall provide grading plans and a drainage report prepared by a registered civil engineer that demonstrates no net stormwater runoff from the proposed project. The drainage analysis shall meet all requirements of Article 5, “Storm Drainage” of the Nevada County Land Use and Development Code Section L-XVII. This shall include a hydraulic analysis of the project drainage system including culvert sizing, invert elevations, design storm freeboard and detention pond sizing. The hydrologic analysis shall include an analysis of post-development peak runoff versus pre-development peak runoff at all points exiting the development. Include in the grading plan grading for structures, parking areas and detention ponds.

19. A Construction SWPPP will be required for construction of improvements necessary for the project. Dischargers whose project disturb one or more acres or where projects less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, shall be required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit shall require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
20. An Industrial SWPP will be required for project operations. The project is required to obtain coverage under the General Permit for Storm Water Discharges Associated with Industrial Activities (General Permit), Order No. 2014-0057-DWQ (NPDES No. CAS000001). Industrial activity subject to this permit includes earth disturbance, clearing, grading, grubbing, stockpiling, and excavation. The Industrial General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).
21. Pursuant to General Plan Policy 11.6A, commercial and industrial development of 1 acre or greater in size must provide oil, grease and silt traps. The applicant shall provide for oil, grease, and silt traps designed by a registered civil engineer in the site plans and shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided pursuant to General Plan Policy 3.19C.
22. Pursuant to General Plan Policy 3.19C, the applicant shall maintain all drainage facilities constructed as part of the project through a permanent, legally enforceable mechanism such as, but not limited to, a CSA, CSD, or recorded covenant. Prior to grading or improvement permit issuance, the applicant shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided.



23. Prior to issuance of any building permits, the applicant shall pay appropriate traffic impact fees based on the latest fee schedule adopted by the Nevada County Board of Supervisors for additional trips generated by the project.
24. The current Traffic Impact Study dated May 13, 2022, has been approved for the project for CEQA analysis and considers two alternative operations. A Traffic Impact Study Memorandum shall be submitted to clarify the selected project alternative that is consistent with the final Construction Documents
25. The driveway and parking lot circulation shall be designed to fire safe road standards. A truck turning analysis shall be completed for ingress and egress to the project site along with internal circulation areas to ensure that the larger of fire trucks or delivery vehicles can successfully navigate the project site.
26. Prior to application completeness, please provide a sight distance exhibit and analysis for the encroachments onto the public right of way using the County's procedures for measurements in Standard Drawing A-6.
27. Landscaping and all other improvements shall be designed, installed, and maintained to ensure that driver sight distance is sufficient. No improvements other than maintainable landscaping shall be permitted in the County right of way.
28. Indicate on the site plan the location of any existing or proposed lighting. Public Works will require that any proposed lighting be shielded and directed away from the right-of-way to prevent any light and glare trespass that could result in safety issues for passing motorists.
29. Identify all easements and utilities on and adjacent to the site on the site plan.
30. Pursuant to General Plan Policy 3.19C, the applicant shall maintain all drainage facilities constructed as part of the project through a permanent, legally enforceable mechanism such as, but not limited to, a PRD, CSA, CSD, or recorded covenant. Prior to grading and building permit issuance, the applicant shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided.
31. The property owner shall be responsible for ensuring that gravel, sand, soil, and other debris from the project site is removed promptly from County and City roadbed and shoulders for the life of project operations. This requirement shall also be a condition of the Industrial SWPPP.
32. In compliance with Land Use and Development Code Section L-II 4.2.11.C.2, the applicant shall provide an adequate number of waste collection and recycling bins

for the project operations as well as evidence of either a) conformance with Waste Management's standard of 50 feet of backout between trash enclosures and parking and building areas, or, if that cannot be met, b) documentation of Waste Management's approval of the location of the waste and recycling bins shown on the site plan. The trash and recycling bins shall be placed within a solid screen enclosure constructed of materials and colors compatible with the building style, at least one foot higher than the receptacle.

**PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHAL BE SATISFIED:**

33. The applicant shall submit to the Department of Public Works for review and approval, an improvement and grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway/parking lot slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street/parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with County improvement standards.
34. The project plans shall include the following note:  
All trees to be saved shall be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot-tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground.
35. If trees to be removed are 6" or greater in diameter, are classified to be in Group A or B per the California Forest Practice Rules, and are on timberland, the applicant shall obtain one of the following harvest document(s) from the California Department of Forestry and Fire Protection and submit a copy of the approved document to the County:
  - A. Less Than 3 Acre Conversion Exemption. Any project with less than 3 acres of land disturbance may qualify (see 14 CCR 1104.1 (a)(2) for conditions).
  - B. Timberland Conversion (PRC4621) and Timber Harvest Plan (PRC.4581). Any project with 3 acres or greater or that do not meet the conditions in 14 CCR 1104.1 (a)(2).
36. The applicant shall submit to the Department of Public Works for review and acceptance two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In

addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, the building official, and the Department of Public Works.

37. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:
- A. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
  - B. Submit design calculations for the walls for review and acceptance.
  - C. If the proposed walls are to be constructed against a cut slope that cannot be graded back per the California Building Code, submit:
    - 1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
    - 2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the County prior to any excavation on the site and that a qualified OSHA Approved Inspector or Professional Civil Engineer will:
      - i. be onsite during excavation for and construction of the retaining walls.
      - ii. be onsite at least once a day during inclement weather; and
      - iii. will submit daily reports to the County.
38. (If over 1 acre of disturbed area) The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the County for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the Department of Public Works.

39. (If new connection to creek or disturbance of creek) The applicant shall notify the California Department of Fish and Wildlife and obtain a Streambed Alteration Permit or exemption. A copy of the approved Streambed Alteration Permit and associated documents or exemption from the Department of Fish and Wildlife shall be submitted to the Department of Public Works Engineering.
40. The applicant shall submit to the County Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations in accordance with the County improvement standards and storm drainage criteria.
41. An Improvement Performance Security shall be submitted (if a subdivision improvement agreement is not in place). The amount of the security shall be for the sum of: 1) 100% of the cost of public improvements necessary to restore the public right of way back to existing conditions or the cost of the public improvements, whichever is less; 2) 10 % of the cost of erosion and sedimentation control necessary to stabilize the site; 3) 10% of the cost of tree replacement; and 4) 100% of the cost to address any features which could cause a hazard to the public or neighboring property owners if left in an incomplete state. The minimum-security amount shall be \$500.00. The cost estimate shall be provided to the Department of Public Works for review and approval as a part of plan submittal. All costs shall include a ten (10) percent contingency.
42. A detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Department of Public Works prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans. Any expenses made by the County to enforce the required erosion control measures will be paid by the deposit.
43. (If commercial or high density residential) The applicant shall provide information that Waste Management has approved the plan for the trash/recycling container. The trash/recycling container shall be of adequate size to accommodate the trash and recycling needs of proposed use. The plan shall also be designed for adequate access and servicing by WM. The applicant shall provide verification that the trash/recycling container has been approved by WM. The trash/recycling container shall be installed in accordance with the approved plan prior to occupancy of the building.
44. The improvements and grading plans shall be signed by all other jurisdictional agencies involved (i.e. NID), prior to receiving Department of Public Works approval.
45. The applicant shall submit final landscape and irrigation plans, prepared by a licensed landscape architect, for review and approval by the Department of Public Works Engineering. Landscaping design shall meet the County's sight distance

standards.

**PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS FOR THE PROJECT, THE DEVELOPER SHALL COMPLETE THE FOLLOWING:**

46. That prior to any work being conducted within the State, County or City right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate Agency.
47. Placement of construction fencing around all trees designated to be preserved in the project.
48. Submittal of two copies to the Department of Public Works of the signed improvement/grading plans.

**DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:**

49. Prior to final preparation of the subgrade and placement of pavement base materials, all underground utilities shall be installed, and service connections stubbed out behind the hardscape improvement. Public utilities, Cable TV, sanitary sewers, and water lines shall be installed in a manner which will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.
50. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period.
51. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the County Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
52. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of in accordance with the County's Standard Specifications.
53. The contractor shall comply with all Occupational Safety & Health Administration

(OSHA)requirements.

54. For any public work, the contractor shall comply with all Department of Industrial relations (DIR) requirements including complying with prevailing wage requirements.

**PRIOR TO ISSUANCE OF BUILDING PERMITS:**

55. The applicant shall submit an encroachment permit for any work within the County right-of-way.
56. Prior to issuance of any building permits, the applicant shall pay appropriate traffic impact fees based on the latest fee schedule adopted by the Nevada County Board of Supervisors for additional trips generated by the project.

**PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND/OR EXONERATION OF BONDS, OR OTHER FORM OF SECURITY, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

57. For the proposed water line extension in Mitigation Measure 4.8-2(c), a Warranty and Guarantee security guaranteeing the public improvements for a period of one year shall be provided in the amount of 10% of the total improvement costs.
58. The applicant shall offer to dedicate to the County for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the improvements and grading plans. All offers of dedication must be recorded and a copy provided to the Engineering Division.
59. The Applicant shall sign and record a covenant and agreement to ensure that the onsite storm water facilities will be maintained by the property owner(s).
60. "As-built" plans, signed by the Engineer of Record, must be submitted to the Department of Public Works on Mylar and a CD with an AutoCAD (or equivalent) drawing of the public improvements.
61. A final report prepared by the soils engineer, in accordance with the California Building Code, must be submitted to the Department of Public Works.
62. A final report prepared by the geologist, in accordance with the California Building Code, must be submitted to the Department of Public Works.
63. The grading contractor shall submit a statement of conformance to the as-built plans and specifications. Statement must meet intent of the California Building Code. An example follows: "As the grading contractor, I confirm that all improvements were

constructed as shown on these improvement plans.” Include the signature, company and date.

**C. NEVADA COUNTY BUILDING DEPARTMENT**

1. Complete grading, erosion control, construction and utility plans shall be submitted for review at time of building/grading permit submittal in conformance with Nevada County Land-Use Code Chapter V.
2. Two sets of wet stamped/signed complete geotechnical evaluation reports shall be submitted at time of building/grading permit submittal.
3. A State Storm Water Pollution Prevention Plan (SWPPP) permit shall be obtained and submitted at time of grading plan submittal.
4. Complete drainage calculations shall be provided at time of grading plan submittal.
5. A special inspection agreement shall be completed and included at time of construction plan submittal for all required project special inspections.
6. Disabled accessible parking shall be provided with paths of travel to building entrances based on the overall number of parking spaces provided. Paths of travel shall connect all facilities on every site.
7. Temporary and permanent bike parking spaces shall be provided by the total number of parking spaces provided per the CA Green Building Standards Code.
8. Clean air/EV/vanpool parking spaces shall be provided based on the overall number of parking spaces provided per the CA Green Building Standards Code. The surface of these spaces shall be constructed of concrete or asphalt.
9. Plans shall indicate the accommodation for the installation of required elements for the future installation of Electric Vehicle (EV) charging stations per CA Green Building Standards Code 5.106.5.3. A minimum number of future EV charging stations shall be provided per this code. A minimum number of these spaces shall be designed to meet requirements for a van accessible parking space and a minimum of spaces shall be designed to meet the requirements for a standard disabled accessible parking space per Chapter 11B of the California Building Code.
10. A complete California Building Code analysis shall be provided for the structures showing allowable area, height, fire protection components, non-separated/separated uses, property setbacks, etc.

11. A plumbing fixture analysis/calculation shall be provided showing the minimum number/type of plumbing fixtures required for the building uses per the CA Plumbing Code.
12. The buildings may be required to have a fire suppression system designed and installed in accordance with the California Fire Code and reviewed by the local fire district depending on their use and occupancy type.
13. The project shall meet all ignition resistant Wildland Urban Interface (WUI) construction requirements per Chapter 7A of the CA Building Code.
14. The landscaping on the site shall be designed to meet the state Model Water Efficient Landscape Ordinance (MWELO) requirements. Complete plans, details and calculations shall be provided by a licensed landscape architect indicating compliance.
15. All engineering fill, cuts, graded slopes, setbacks to structures and ascending and descending slopes shall meet all requirements shown in Nevada County Land Use Code Chapter V, Article 13 for engineering grading.
16. There is an expired building permit on parcel 006-441-003 (03979166) that shall be resolved prior to issuance of any land-use permits on the property.

**F. NEVADA COUNTY OFFICE OF THE FIRE MARSHAL / OPHIR HILL FIRE DISTRICT**

1. The site plans shall provide detail of the proposed hydrant location(s), FDC(s), OS&Y(s) etc, for the Brunswick site, including detailed Fire Department water sources, connections and their locations.
2. A key box or AKA: KNOX box, keyed to Ophir Hill Fire Protection District, shall be installed on buildings with automatic fire sprinkler and/or fire alarm systems. The owner or person in charge of the premises shall notify the responsible fire agency without delay when the required keys providing access to the facility have been changed. Proper keys shall be made immediately available.
  - A. If the primary access point is through a locked gate, a key box will also be mounted near the gate entrance.
3. Provide (2) Fire Department roof access on all buildings taller than 20 FT and less than 75Ft via a fixed steel ladder with walk-thru handrails and safety cage on buildings over 5000 square feet in size.
  - A. Ladders should be at the Northeast corner(s) and South West corner(s) of buildings that meet above criteria.



- B. Alternate locations for placement of each ladder may be discussed, though the final locations of each ladder shall be approved by Nevada County Office of the Fire Marshal.
  - C. Each ladder shall meet or exceed ANSI A14.3, OSHA 1910.27 and 1936.1053 standards.
  - D. Ladders may be secured and locked to prevent public access. All locks shall be of the “Knox” system specific to the Ophir Hill Fire Protection District
- 4. Provide an area for the 24/7 access and use of a Helicopter landing pad at the terminus of the east most access road at the Brunswick site. This will only be used for medically based incidents that warrant an Medivac of critical patients within the general area. The landing pad is preferred to be paved 40 foot by 40 foot in approximate size, which will accommodate a type 2 helicopter. The landing pad will not be required to be lighted or marked. The landing pad shall remain clear of obstructions in a 100 Ft radius at all times.
  - 5. Provide details for the Road around the water treatment pond to ensure it can support fire apparatus.

**G. NEVADA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**

- 1. The applicant and/or facility operator must adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 – 25519 and 25100 – 25258.2, including the electronic reporting requirement to the California Environmental Reporting System (CERS). Please contact the Nevada County Environmental Health’s Hazardous Materials Division to learn how to obtain a Unified Program Permit prior to final occupancy.
- 2. The storage of hazardous materials above reportable limits: pursuant to California health and safety code, chapter 6.95, any hazardous materials stored above 55 gallons for a liquid, 500 pounds for a solid, or 200 cubic feet for a compressed gas requires a permit from the CUPA, and an electronic reporting requirement to the California environmental reporting system (CERS) of a hazardous materials business plan (HMBP).
- 3. The generation of hazardous waste: pursuant to the California health and safety code, chapter 6.5, an operator who generates hazardous waste shall be permitted by the CUPA, along with reporting to CERS. Additional permits and reporting will be required if hazardous waste is treated in any way before disposal.
- 4. The storage of petroleum products above 1,320 gallons in aboveground tanks: pursuant to the California health and safety code chapter 6.67, an additional permit is required under the aboveground petroleum storage act for petroleum products. The act requires the

development of a spill prevention control and countermeasure plan, which must be certified by a professional engineer if the aggregate storage onsite is 10,000 gallons as proposed. Reporting to CERS is also required.

5. If underground storage tanks are installed for hazardous materials, further permits and reporting will be required under California health and safety code chapter 6.7.
6. The applicant and/or facility operator shall secure and annually renew the permits for this facility within 30 days of becoming subject to applicable regulations. Routine compliance inspections, conducted by Nevada County department of environmental health inspectors, will occur at the facility once every three years, with the exception of underground storage tanks, which occur annually. Compliance inspections are typically unannounced inspections during regular business hours: Monday – Friday, 8:00am – 5:00pm.
7. Nevada County Department of Environmental Health shall have full access rights up to the gate of each facility enclosure, including roads across private property, for the purposes of inspecting and or investigating complaints related to the storage and disposal of hazardous materials, 24 hours per day, 7 days per week. If private gates restrict access to the facility, Nevada county department of environmental health shall be provided with keys or combinations of said gates or be allowed to apply a lock to a chain of locks, should one exist. Nevada County Department of Environmental Health access shall be part of the lease agreement with any private property owner.
8. Ground water monitoring well installation permits will be required from Nevada County Department of Environmental Health. Permits and fees will be assessed per Assessor Parcel Number.
9. Agency review by Nevada County Department of Environmental Health on data management and reporting deliverables.
10. If the operations include the potential build-out or addition of an on-site cafeteria for employees, the cafeteria food preparation area shall be constructed in accordance to the California Retail Food Code (CRFC). The plans for the commercial construction of the cafeteria must be submitted to the EH Department for review and approval, along with all specification sheets for cooking, storing and sanitizing food equipment. The project would be deemed a Major Food Plan Review and all fees for the review are submitted with the plan set.
11. The applicant / operator shall apply for an obtain a permit from the Nevada County Department of Environmental Health for a complete sewage disposal system which meets all requirements of the County of Nevada Department of Environmental Health and is in compliance with the Sections T-058, T-091, T-054 and A-029 of the Local Area Management Plan (LAMP).

## **H. NEVADA COUNTY CONSOLIDATED FIRE DISTRICT**

1. Currently there are no structures on site or planned on the parcels within the Nevada County Consolidated Fire District however in the future if any new structures are to be built, a plan review shall be required by the Fire District prior to construction. Fire Sprinkler and Fire Alarms may be required as well as providing additional fire hydrants at the site.
2. The applicant / operator shall provide personnel trained in Mine Rescue crews on site. Nevada County Consolidated Fire District Personnel are trained in confined space rescue; however they are not trained in Mine Rescue Operations. If Nevada County Consolidated Fire District Personnel will be required to assist in any mine rescue operations, equipment and training of personnel will be needed. Funding for this training along with any needed equipment shall be provided by the applicant.
3. The Fire District has adopted development fees for new construction and fees for services provided by the Department of Fire Prevention and shall be paid at the time services are rendered.

**The Fire District's approval of this application is not valid until all plan review fees have been paid.**

4. All meetings and inspections require a minimum of 48-hours advance request.

#### **I. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**

1. The Northern Sierra Air Quality Management District comments have been incorporated into Mitigation Measures 4.3-1 (a-b), 4.3-2, and 4.3-7 as outlined in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A.
2. The Applicant/operator shall obtain an Authority to Construct Permit from the Northern Sierra Air Quality Management District.
3. A Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District prior to any disturbance of topsoil, including clearing, grubbing or grading activities. The Plan shall be incorporated into all construction or improvement plans and shall include all mitigation measures required for this project.

#### **J. NEVADA IRRIGATION DISTRICT**


1. Water discharged to Wolf Creek shall comply with all discharge permits and shall be of equal or better quality than upstream waters.
2. Site drainage should abide by all Discharge Permit Regulations
3. Water discharged including surface sheet flows from tailings to Wolf Creek shall be of equal or better quality than upstream waters.

5. The District has an 8” treated water line traversing the Brunswick Site. The District has the following conditions:
  - A. Easements conforming to our standard details should be dedicated to the District for the existing line
  - B. Standard easement details can be found the Districts website
  - C. District access to the line shall be available at all times
  - D. The District is open to a relocation of the line (at developer’s costs) if it assists in orderly development of the property
  - E. District will work with developer to explore better line placement
6. With a metered domestic/landscape connection, a commercial service requires the installation of a Reduced Pressure Principle Device (backflow prevention) at the owners expense.
7. A peak day demand analysis for each meter connection will be required to determine the correct capacity fee and appropriate meter size.
8. Backflow protection will be required at each connection to the NID system.
  - A. A reduced pressure value (RP) will be required.
9. Installation of Treated Water Line on East Bennett:
  - A. Water Line shall be subject to review and inspection by the District.
  - B. Water Line shall be installed in conformance with all AWWA and NID Standard Specifications.
  - C. Easements conforming to the Districts standard detail shall be dedicated to the District.
  - D. Water Line shall be conveyed to the District upon completion and acceptance by the District.
  - E. The proposed alignment connects to differing pressure zones and will require an above ground pressure reducing station along the alignment.
  - F. The District will work with the applicant to determine the appropriate tie in points on

East Bennett and Whispering Pines.

G. All connections are subject to capacity fees.

#### **K. CITY OF GRASS VALLEY**

1. At such time as an alignment has been identified and connection points to off-site locations have been established, approved and secured for a regional trail along Wolf Creek, the project/property owner shall dedicate a public access trail easement along Wolf Creek as it crosses the property having a width sufficient to accommodate the proposed trail and any necessary maintenance or emergency access points required. The trail easement shall not be required to provide for on-site public parking or to provide for public access to or from or across the site.
2. Traffic:
  - A. The applicant shall enter into a maintenance agreement with the City of Grass Valley to pay for ongoing roadway maintenance on Whispering Pines Lane and Brunswick Road. 
3. Frontage Improvements:
  - A. The applicant shall prepare a sight distance exhibit showing that minimum sight distance requirements are achieved from the proposed driveway access locations. The exhibit shall indicate the roadway design speed, sight distance design speed, sight distance in both directions, and delineate any areas of vegetation removal/easements and no parking areas, recommended for optimal sight distance and/or vehicular movements.
  - B. The frontage improvements shall include installation of curb, gutter and sidewalk.
4. New driveway encroachments shall conform to the City of Grass Valley's Commercial Approach standards as required by City of Grass Valley Municipal Code. Compliance with the standards must be shown on plans. Any driveway and road improvements within the County right of way shall require an encroachment permit from the County prior to any work within the right of way.


#### **I. CALIFORNIA DEPARTMENT OF TRANSPORTATION**

1. No net increase to 100-year storm event peak discharge may be realized within the State's highway right of way and/or Caltrans drainage facilities because of the project. Further, the developer must maintain, or improve existing drainage patterns and/or facilities affected by the proposed project to the satisfaction of the State and Caltrans. This may be accomplished through the implementation of stormwater management Best Management

Practices (BMPs) (i.e., detention/retention ponds or basins, sub-surface galleries, on-site storage and/or infiltration ditches, etc.) as applicable. Once installed, the property owner must properly maintain these systems. The proponent/developer may be held liable for future damages due to impacts for which adequate mitigation was not undertaken or sustained.

2. Runoff from the proposed project that will enter the State's highway right of way and/or Caltrans drainage facilities must meet all Regional Water Quality Control Board water quality standards prior to entering the State's highway right of way or Caltrans drainage facilities. Appropriate stormwater quality BMPs (i.e., oil/water separators, clarifiers, infiltration systems, etc.) may be applied to ensure that runoff from the site meets these standards (i.e., is free of oils, greases, metals, sands, sediment, etc.). Once installed, the property owner must properly maintain these systems.
3. No detailed drainage plans, drawings or calculations, hydrologic/hydraulic study or report, or plans showing the "pre-construction" and "post-construction" coverage quantities for buildings, streets, parking, etc. were received with the application package. To adequately evaluate the project impacts upon the State's right of way and Caltrans drainage facilities, we recommend that you request these documents from the project proponent and send them to Caltrans District 3 Office 703 B St. Marysville, Ca 95901 for review prior to final project approval.
4. Any work performed within the State's highway R/W must meet all Caltrans design and construction standards and will require a Caltrans' Encroachment Permit.

#### **J. CALIFORNIA DEPARTMENT OF FISH & WILDLIFE**

1.  Notice of Determination is not filed for the environmental document on this project, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Wildlife Code, a fee in the amount of \$3,539.25 must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department **within 5 days of the permit approval** with the check made payable to the County Clerk, County of Nevada. This fee is required to be collected on behalf of the State Department of Fish & Wildlife.
2. Comments from the California Department of Fish and Wildlife have been addressed in the mitigation measures included in the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A.