

1. ALTERNATIVES CONSIDERED AND REJECTED FROM DETAILED EVALUATION

CEQA requires that the lead agency identify any alternatives that were considered but rejected as infeasible during the scoping process, and briefly explain the reasons underlying the infeasibility determination. (CEQA Guidelines, § 15126.6(c).) Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental impacts. The RDEIR included the following alternatives that were considered but dismissed from detailed consideration.

Six alternatives to the Project were considered and rejected during the scoping process: (1) Off-site Alternative; (2) No Project (Alternative Use); (3) Reduced Hours; (4) Night Trucking; (5) No Use of E. Bennet Road; and (6) Forestation of Slopes on Engineered Fill Piles. (DEIR, p. 6-8 – 6-15.) Reasons for eliminating these alternatives include failure to meet (a) basic Project objectives, (b) infeasibility, or (c) the fact a particular alternative would not avoid significant environmental impacts. (*Id.*)

1. Off-Site Alternative

The CEQA Guidelines § 15126.6(f)(2)(b) states that “If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.” (14 CCR § 15126.6(f)(2)(b).) Based on this language, the State recognizes that there are certain instances where a project is directly tied to a certain project location due to the presence of resources on which the project depends. (DEIR, p. 6-9.) Such is the case for the Project, given the specific location of valuable mineral resources. (*Id.*)

A majority of the Project site mining locations are positioned in the MRZ-2b(h-10) area. (DEIR, p. 6-9.) The State defines MRZ-2b as areas that are underlain by mineral deposits where geologic information indicates that significant inferred resources are present. (*Id.*) Areas classified as MRZ-2b contain discovered mineral deposits that are either inferred reserves as determined by limited sample analysis, exposure, and past mining history or are deposits that presently are subeconomic. (*Id.*)

The Mineral Land Classification of Nevada County, California¹ identifies the mineral deposits in the project area as superscript ‘h’ for deposits formed by hydrothermal processes. (*Id.*) The majority of the proposed mining areas are within MRZ-2b and have an accompanying superscript reference number of 10, which is used to identify and reference specific MRZ areas discussed in

¹ California Department of Conservation, Division of Mines and Geology (Ralph Loyd and John Clinkenbeard). Mineral Land Classification of Nevada County, California. Special Report 164. 1990.

- c. The Project will provide new fire protection equipment (fire engine and associated equipment) via a payment of \$1,000,000 at the commencement of mine dewatering. (DEIR, p. 4.11-23; Development Agreement § 3.1.4(h).)
 - d. The Project will provide ongoing, long-term funding for three new full-time fire protection personnel for the Ophir Hill Fire Protection District, providing up to \$240,000 per year of ongoing, much needed local fire protection funding (adjusted by the CPI Index based on equivalent dollars at January 2022) at the commencement of commercial production. (DEIR, p. 4.11-23; Development Agreement § 3.1.4(h).)
 - e. The Project will improve fire protection along Brunswick Road by installing much needed fire hydrants and extending the water line service. (DEIR, p. 4.11-32.)
 - f. The Project will provide the land and will construct an emergency helicopter landing site on the Brunswick site to serve emergency use and medical evacuations, benefiting the local community. (Development Agreement § 3.1.4(i).)
 - g. The Project will provide land and facilities for staging of emergency services to serve the community to combat wildfires and address natural disasters in the County. (Development Agreement § 3.1.4(j).)
3. The Project will provide other benefits to the County.
- a. The Project will provide a local source of aggregate to reduce infrastructure construction and maintenance costs of public and private projects in the County. (DEIR, p. 1-7; Final EIR, p. 2-8; Development Agreement § 3.1.4(a).)
 - b. The Project will provide a local 24-person professional rescue team, tradespeople (electricians, mechanics, millwrights), engineers, and professional managers which could assist emergency services during wildfires and other natural disasters and emergencies in the surrounding area. (DEIR, p. 3-42; Final EIR p. 2-8023.)
 - c. The Project offers to monitor domestic water wells at no charge to the community for approximately 378 properties. (DEIR, p. 4.867.)
 - d. The Project will provide ongoing funding to help improve regional and local air quality, including funding for a new Air Pollution Control Specialist for

the Northern Sierra Air Quality Management District, providing up to \$100,000 each year (adjusted by the CPI Index based on equivalent dollars at January 2022) at the commencement of Mine Dewatering. (Development Agreement § 3.14(p).)