



San Juan Ridge Taxpayers Association

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August 19, 2014

Tod Herman, Senior Planner  
Brian Foss, Planning Director  
Nevada County Planning Department  
950 Maidu Avenue Suite 170  
Nevada City, Ca 95959

Dear Tod and Brian:

First of all we want to thank both of you for your letter of August 5 to Mr. Callaway and the San Juan Mining Corporation (SJMC.) The format made sense and answered the questions raised in Mr. Callaway's letter of June 25. It is our understanding that there will be a meeting between County staff and the applicant to decide what's next.

The San Juan Ridge Taxpayers Association (SJRTA) wants to get clear about where this is heading. The current impasse is confusing.

The well water-monitoring program that was underway was clearly required to provide baseline information on groundwater necessary for the EIR. SJMC unilaterally stopped the water quality monitoring that was expected to last for a full year and made the claim that water quality monitoring was not to be analyzed for use in the EIR, but only to be included in an appendix. As our August 4 letter stated, this was not the understanding of the SJRTA and we feel that the County letter of August 5 was consistent with our understanding.

SJRTA requested a two year baseline water-monitoring program to be completed, particularly in light of current extreme drought conditions and groundwater stress. At a minimum we see that it is critical that the water-monitoring data be collected for at least a continuous twelve-month period as required by the County.

The SJMC has fallen short of its obligation to provide a continuous twelve-month program for water quality monitoring. At a minimum there exists a six-month data gap in water quality monitoring for 2014 where data is absent for part of winter, the entire spring season, and now most of summer. The lack of seasonal and continuous data will cause the EIR to be inadequate. At this time the project applicant has not fulfilled their

obligation to provide an adequate pre-EIR monitoring baseline. SJRTA sees no solution to the impasse on water quality monitoring except to simply start over.

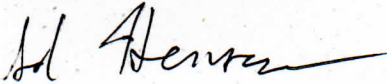
It is not the job of the project applicant to dictate the terms of work required for the EIR, nor is it acceptable to have the applicant unilaterally stop the monitoring unless they are planning to abandon their application for a permit to mine.

We ask the County to stand behind the purpose and best practices of CEQA, where it is clear in the law that adequate baseline data is required before the potential impacts of a project can be evaluated.

It would be very helpful for SJRTA and our constituency to know if the County intends to require twelve months of continuous water quality monitoring prior to the release of a DEIR.

Thank you both for your hard work on this difficult matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sol Henson", with a long horizontal flourish extending to the right.

Sol Henson, President SJRTA

Cc: Hank Weston, District IV Supervisor  
Alison Barratt-Green, County Counsel