

## CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF DETERMINATION

To: Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control  
Office of Engineering and Special Projects  
8800 Cal Center Drive  
Sacramento, CA 95826

**Subject:** FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH SECTION 21108 OF THE PUBLIC RESOURCES CODE

**Project Title:** Conveyance Corridor Remedial Action Alternatives Report

**State Clearinghouse Number:** 2008082066

**Project Location:** 10791 E. Empire Street, Grass Valley

**County:** Nevada

**Project Applicant:** Department of Toxic Substances Control

**Project Description:** The project involves implementation of Alternative 4 of the Remedial Action Alternatives Report (RAAR). Project activities will involve the construction of an impermeable (lined) vegetated channel with the capacity to convey the 100-year peak flow event. The channel liner system would consist of an impermeable HDPE liner, geotextile separation layer, and cellular confinement system backfilled with imported soil. Areas of bare ground tailing and areas disturbed by construction beyond the limits of the lined channel would be covered with a 6-inch layer of imported growth medium and seeded while maintaining existing areas with ground cover or vegetative cover.

Alternative 4 is the preferred remedial action to address metal concentrations in mill tailing within the Conveyance Corridor located at the Empire Mine State Historic Park (Park) near Grass Valley, California. The RAAR was prepared for Newmont USA, Ltd. (Newmont) and submitted pursuant to the 2011 Cleanup and Abatement Order, Imminent and/or Substantial Endangerment Determination and Consent Order issued to the California Department of Parks and Recreation (CDPR) and Newmont by the California Department of Toxic Substances Control and California Central Valley Regional Water Quality Control Board.

The CDPR issued a Final Program Environmental Impact Report (PEIR) (CDPR, 2009a) following public review and comment of the draft PEIR (CDPR, 2009b). The PEIR identified 10 specific Remediation Areas in the Park and evaluated the potential environmental impacts associated with characterization, evaluation, and remedial actions for the Remediation Areas, including the Conveyance Corridor. Remedial action alternatives evaluated in the RAAR were evaluated and determined to be consistent with the range of remedial options presented in the PEIR.

As Responsible Agency under the California Environmental Quality Act (CEQA), DTSC approved the above-described project on June 30, 2023 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA by the California Department of Parks and Recreation, acting as the Lead Agency under CEQA.
3. Mitigation measures were made a condition of project approval.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

The administrative record for this project is available to the public by appointment at the following location:

Department of Toxic Substances Control  
Office of Engineering and Special Projects  
8800 Cal Center Drive  
Sacramento, CA 95826

Additional project information is available on EnviroStor: [www.envirostor.dtsc.ca.gov/public/](http://www.envirostor.dtsc.ca.gov/public/)

Contact Person	Contact Title	Phone Number
Perry Myers	Supervising Hazardous Substances Engineer I	916-255-6665

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Approver's Signature:

*Ed Walker*

Date:

June 30, 2023

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Branch Chief's Name	Branch Chief's Title	Phone Number
Ed Walker	Supervising Hazardous Substances Engineer II, Cleanup Program Engineering & Special Projects	916-255-3676

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TO BE COMPLETED BY OPR ONLY

Date Received for Filing and Posting at OPR: