

COMMUNITY INVOLVMENT PLAN
BUREAU OF LAND MANAGEMENT
DEER CREEK
STOCKING FLAT SITE

Prepared for:

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1.0 INTRODUCTION

The United States Department of Interior, Bureau of Land Management (BLM), recognize the importance of early and proactive public participation in the development of environmental cleanup strategies in the governmental decision-making process.

At the Deer Creek/Stocking Flat site, BLM's Community Involvement Program helps members of the public to participate throughout the cleanup process, including the investigation phase, remedy selection phase, and cleanup phase.

This Community Involvement Plan (CIP) organizes BLM's public participation efforts to actively involve the public in the cleanup decision-making process. This plan is based on a series of community interviews conducted with impacted property owners, elected officials, and local government organizations and other stakeholders, combined with community involvement guidance and best practices.

1.1 PROJECT BACKGROUND

BLM manages more than 600 acres of unpatented land within the Nevada City Mining District and within the Deer Creek watershed. BLM is assessing toxic metals contamination contained on BLM-owned land adjacent to the Deer Creek watershed including the Deer Creek/Woods Ravine site, Stocking Flat, and Hirschman's Pond property (this is city property, we are working there with the approval of the city).

BLM is developing a quantitative Human and Environmental Risk Assessment (HERA) based on information and data from ongoing site investigations, and will conduct a comprehensive site characterization effort that will further define the extent of toxic metals contamination in the project area.

The results of the HERA, site characterization, and data from the ongoing site investigations will be used in developing an Engineering Evaluation/Cost Analysis (EE/CA) report for the project. The EE/CA will develop and evaluate potential removal action alternatives that seek to reduce, or eliminate, exposure of human or environmental receptors to toxic metals contamination.

The EE/CA will identify a preferred alternative that achieves this objective, can be implemented in a reasonable timeframe, is cost effective, and will not result in remobilization of the toxic metals that could create additional exposure risk to human and environmental receptors.

2.0 DEER CREEK/STOCKING FLAT COMMUNITY INVOLVMENT PROGRAM

2.1 COMMUNITY ISSUES AND CONCERNS

Based on recent interviews with key community stakeholders, several issues were identified that will guide BLM in its outreach efforts to the community surrounding the Deer Creek/Stocking Flat region.

Questions for Stakeholders:

- (1) How long have you lived, worked, or been associated with the community near the project?
- (2) Do you have any environmental concerns about Deer Creek?
- (3) What is the most important message that you'd like to share with BLM and other people responsible for this project?
- (4) Do you have any suggestions for improving this Community Relations Program?
Are you interested in receiving more information about this project and, if so, how would you like to receive that information?
- (5) We'll be helping to create a public record for this project. Do you have any preferences for where this repository should be located?
- (6) Do you have any other questions?

Interviews were conducted with a broad cross-section of community stakeholders including elected officials, residents/land-owners, community organizations, and regional stakeholder groups. A majority of the stakeholders interviewed expressed general support of the program, but wanted to ensure that they updated as the project progresses.

Landowners expressed concerns regarding unauthorized access to private property by BLM and its consultants. While supportive of the project, landowners feel that BLM should do a better job of coordinating site access with property owners. Landowners cited liability for accidents as their major concern, and stated that they felt they were being "taken for granted."

While most stakeholders expressed appreciation for the ongoing public outreach efforts being conducted in the project area, several stakeholders expressed deep dissatisfaction with what they perceived as a lack of appropriate outreach in the past. These stakeholders expressed the need for the project to use an open process with a high level of transparency.

2.2 COMMUNITY OUTREACH ACTION PLAN

Based on ongoing community outreach activities conducted by BLM in the project area, and the recently conducted community interviews, BLM will conduct public outreach activities focusing on providing stakeholders with project information that is timely, accurate, and in accordance with key project milestones. BLM will also work to develop closer coordination with landowners for access to private property, and work to conduct an open and transparent stakeholder outreach effort throughout the project.

2.2.1 Information Repository/Project Administrative Record

To provide stakeholders access to key project documents, BLM has established an Information Repository (IR), including the project Administrative Record (AR), which contains a collection of documents relating to the EE/CA at the BLM Mother Lode Office that are available for public review.

Bureau of Land Management
Mother Lode Field Office
5152 Hillside Circle
El Dorado Hills, CA 95762

Nevada County Madelyn Helling Library
980 Helling Way
Nevada City, CA 95959-8619

Interested community members can make an appointment to review the documents located in the IR at the BLM Mother Lode Field Office by calling (916) 941-3101.

In addition, an IR has been set up in Nevada County to allow stakeholders local access to project documents. The IR is located at Madelyn Helling Library in Nevada City, California. Interested community members can contact the library at (530) 470-2772 as well as, <http://www.sierrafund.org/mining/blmdeercreek>

BLM has published a public notice in local project area newspapers advertising project IR locations and contact information. The public notice was published on May 23, 2011, in *The Union*, a daily newspaper circulated throughout Nevada County that serves as a prime source of information for Grass Valley-area residents.

2.2.2 Stakeholder Mailing List

BLM will develop and maintain a comprehensive stakeholder mailing list that will be used to disseminate project information at key milestones to stakeholders and the public. The stakeholder mailing list will include a broad cross-section of regional and community stakeholders, members of the public who have participated in ongoing project activities, and members of the public who request to be included on the stakeholder list. BLM will regularly update the stakeholder mailing list throughout the project.

2.2.3 Community Interviews

Community interviews were conducted by BLM In November 2010. The goal of the community interview process was to identify and contact stakeholders and interested parties who would be representative of the various communities surrounding BLM property in the Deer Creek watershed, and to solicit their responses to a series of standard questions regarding how they would like to be contacted in the future.

Four groups of stakeholders were contacted: (1) Elected Officials, (2) Residents, (3) Community Organizations, and (4) Local Stakeholders. Stakeholders were contacted by telephone and/or e-mail.

A script was used to communicate information about the project during the telephone interview or e-mail correspondence. The script included background information about the project as well as technical information per request. The contacts' name, telephone number, e-mail address, mailing address, and date of contact were recorded in individual work documents for each correspondence. The responses and information were later compiled into a single spreadsheet.

2.2.4 Community Involvement Plan

BLM will develop a community involvement plan which will serve as a roadmap for the community outreach activities to be conducted during the course of the project. The CIP will identify and outline outreach activities to be conducted and will provide a general schedule based on the project's key milestones. The outreach plan will be developed with flexibility to ensure that it meets the needs of the project, and will be continually updated during the course of the project.

2.2.5 Engineering Evaluation/Cost Analysis Public Meeting

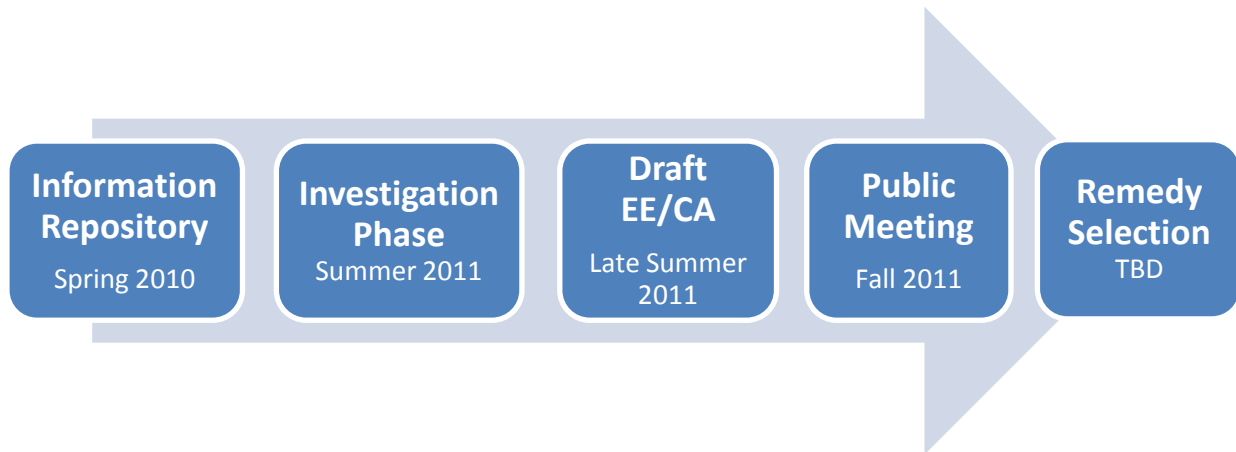
BLM will plan and facilitate a public meeting with stakeholders and members of the public to review the draft EE/CA and to allow stakeholders and members of the public an opportunity to provide comments. The public meeting will be conducted at a publicly accessible location within the project area.

BLM will engage in a proactive public notification program to ensure public awareness of the meeting well in advance. This effort will include ads in local newspapers, press releases to media outlets, and a meeting notice mailer to all listed in the stakeholder contact database. In addition, BLM will look to identify additional tactics for public notification which could include newsletters, e-mail notification, postings on organizational websites and within city and county buildings frequented by members of the public (e.g., post offices, libraries, etc.).

The public meeting will be conducted in an “open house” format, and there will be a series of self-guided information stations throughout the room. Each station will be dedicated to a specific component of the EE/CA. It is anticipated that the meeting will consist of three to five informational stations, each staffed by members of the project team, and one general stakeholder project information station and sign-in table.

During the first part of the meeting, members of the public will circulate around the information stations, asking questions and providing feedback to project team members located at each station. The second part of the meeting will consist of a brief presentation by the project team, followed by a general questions and answers (Q&A) session. It is anticipated that the open workshop part of the meeting will last 60 minutes, and the Q&A session, 30 to 45 minutes.

2.3 COMMUNITY OUTREACH SCHEDULE



3.0 COMMUNITY PROFILE

3.1 REGIONAL COMMUNITY PROFILE

Located 4 miles west of Nevada City, California, Deer Creek was first settled in 1849 as a mining town. According to the Census 2000, conducted by the United States Census Bureau, the population of Nevada City was 3,001. Currently, Nevada City estimates its current population at approximately 2,944, a 1.9 percent decrease since the 2000 census. The city covers a total area of 2.1 square miles, all of it land.

According to the Census 2000, males account for 49.3 percent of the population, and females, 50.7 percent. Approximately 94 percent of the population is White, with another 3.5 percent identifying with the Hispanic community. The city is comprised of 313 households, and 740 families.

Other data according to the Census 2000 includes:

Primary language: English
Median resident age: 43.5 years
California median age: 33.3 years

Estimated median household income in 2008:
Nevada City: \$42,528 (\$36,667 in 2000)
California: \$61,021

Estimated per capita income in 2008: \$26,990

3.2 SITE HISTORY

The hydraulic process for placer mining was employed in the site vicinity beginning in the mid-1850s and was used extensively through 1880. Large volumes of high-pressure water were directed through monitors (large spray nozzles) to wash sediment from hillsides into sluice boxes, where the placer gold was recovered. Some of the mercury, which was introduced in elemental form to amalgamate the gold, was inevitably released during the gold recovery process. Waste sediment containing the lost mercury was washed down the drainages. Hydraulic mining was banned in 1884 by the Sawyer Decision due to public outcry over sedimentation of downstream drainages.

The 5-acre former hydraulic mining pit at Nevada City's Hirschman Pond property is an example of past hydraulic mining upgradient to the site. The pit is located near the top of Woods Ravine, a tributary to Deer Creek. The hydraulic mining site was acquired in 1866 by Henry and Moses Hirschman after the adjacent hydraulic mining site to the southeast had been depleted. There are rumors of a collapsed drainage tunnel originating in the base of Hirschman Pond, although no historical evidence substantiating the existence of a drainage tunnel has been discovered. The former mine pit is now filled with water from surface runoff and groundwater seepage originating from Cement Hill.

The Hirschman's Pond property was purchased by Nevada City in August 2004 with funding from Proposition 40 (*California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002*), and the city is currently constructing a pedestrian trail from the Rood Government Center to Hirschman's Pond.

Many of the former hard rock gold mines upgradient from the Stocking Flat Property are associated with the Champion Group mines and the Mountaineer Company mines. The Champion Group mines were primarily located on the northern bank of Deer Creek, with the notable exception of the Providence Mine. The Champion Group was owned by North Star Mines Company and comprised of approximately 440 acres, including approximately 8,000 feet of the Ural and Merrifield veins. The principal producing mines in this area include the Champion, Home, Nevada City, Providence, and Wyoming mines. Combined production from the principal mines was reported in 1918 to have been between \$8,000,000 and \$20,000,000. The underground workings of the mines generally dip towards the northeast and east. Drainage tunnels associated with the Champion Group and the Mountaineer may convey water from hydraulic mining pits such as Hirschman's Pond.

Later this year, BLM and their consultants will begin assessing toxic metals contamination contained within mine tailings on BLM land adjacent to Deer Creek. Sampling will indicate whether any contamination is present on BLM property, identify other potentially unsafe contaminants originating and arriving from upstream, and detect contaminants leaving the BLM property. Based on assessment results, it may be decided that a cleanup is needed. In that case, different cleanup options will be considered depending on assessment conclusions.

Local non-profit organization, Friends of Deer Creek and The Sierra Fund, have obtained a grant to construct a recreational trail system in the Deer Creek watershed, including a portion of BLM's Stocking Flat property. This property, like the upslope Hirschman's Pond property, likely will be subject to recreational visitation and fishing. The Stocking Flat property retains gravel deposits within the flood zone of Deer Creek that were deposited as a result of upstream gold mining activities. These gravels and associated sediments will be assessed to evaluate their origin, chemical characteristics, and potential threats to human health, the environment, and water quality.

APPENDIX A

Glossary

Administrative Record (AR)

A collection of documents established in compliance with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirements. Consists of information upon which the CERCLA lead agency bases its decision on the selection of response actions. The AR file should be established at or near the facility at issue and made available to the public.

Bureau of Land Management (BLM)

An agency within the United States Department of the Interior which administers America's public lands. The BLM's stated mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

Community Interviews

Informal face-to-face or telephone interviews held with local community members, government officials, community organizations, media representatives, and other interested stakeholders.

Community Involvement Plan

Organizes public participation efforts to actively involve the public. This plan is based on a series of community interviews conducted with impacted property owners, elected officials and local government organizations, and other stakeholders, combined with community involvement guidance and best practices.

Community Relations

The CERCLA-mandated program designed to inform and involve the local community, interested stakeholders, and interested organizations, and to provide a mechanism for providing feedback to the community on related issues and concerns.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

A 1980 federal law amended in 1986 to be referred to as "Superfund/SARA," CERCLA provides funding and enforcement authority to environmental regulators for hazardous waste site cleanup and hazardous waste spills. The release or threat of release into the environment of any defined hazardous substance could result in CERCLA response or liability. Removal and remediation are the primary response actions under CERCLA.

Engineering Evaluation/Cost Analysis (EE/CA)

Study to identify removal action objectives and to analyze the cost effectiveness and implementability of the various alternatives that may be used to satisfy these objectives.

Fact Sheet

A brief report summarizing current or proposed activities in the environmental restoration program, most commonly distributed to the community and stakeholders through conventional mail.

Human Health Risk Assessment (HHRA)

A quantitative analysis of the potential human health risks posed by exposure to specified concentrations of chemicals.

Information Repository (IR)

A file containing current information, technical reports, and reference documents regarding a CERCLA site. The IR is usually located in a public building that is convenient for local residents, such as a public school or library. The AR is often a significant portion of the IR.

Migration

The movement of oil, gas, contaminants, water, or other liquids through the environment.

Public Meeting

A meeting open to the public with the purpose of engaging and encouraging public participation in the environmental restoration process. At typical public meetings, technical experts and installation officials present information and answer questions, and citizens are encouraged to ask questions and offer comments.

Public Participation

A communication process that provides for active public involvement in the decision-making process during the environmental restoration of the installation. Public Participation includes public education, public comment, input processing, and feedback mechanisms that assure appropriate public involvement in agency decisions.

Record of Decision (ROD)

Documents the regulators' decision for the selected remedial action, and includes the responsiveness summary and a bibliography of documents used to reach the remedial decision. When the ROD is finalized, remedial design and construction can begin.

Remedial Alternative

A method or combination of methods designed to protect human health and the environment, over the long term, from releases of hazardous substances at a Superfund/National Priorities List (NPL) site. Remedial alternatives are usually projects or a combination of technologies that contain, remove, or destroy most of the contaminants in the air, water, soil, and/or groundwater at a Superfund/NPL site.

Remediate

To remove or isolate hazardous materials that have contaminated an area so the area can be used for other purposes without fear of exposing humans, plants, or animals to adverse environmental conditions.

Removal Actions

Such actions are undertaken to prevent, minimize, or mitigate damage to the public health or environment which may otherwise result from a release or threatened release of hazardous substances, pollutants, or contaminants pursuant to CERCLA, and which are not inconsistent with the final remedial action.

Site

Any area (landfills, storage facility, etc.) where a hazardous substance is present as a result of a release of hazardous material from the facility as defined under CERCLA and as referred to in this and related environmental documents.

Superfund Amendments and Reauthorization Act (SARA)

A 1986 federal law that expanded and reauthorized the jurisdiction of CERCLA.

APPENDIX B

Abbreviations and Acronyms

AR	Administrative Record
BLM	Bureau of Land Management
Cal/EPA CERCLA	California Environmental Protection Agency Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended (also known as Superfund)
CIP	Community Involvement Plan
DTSC	Department of Toxic Substances Control
EE/CA EPA	engineering evaluation/cost analysis United States Environmental Protection Agency
FS	feasibility study
HERA HHRA	human and environmental risk assessment human health risk assessment
IR	information repository
NGO	non-governmental organizations
PP	proposed plan
Q&A	questions and answers
RA	remedial action
ROD	record of decision

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APPENDIX C

Community Interviews and Supporting Documents

COMMUNITY INTERVIEW HISTORY

The goal of the 2010 community interview process was to identify and contact local and regional stakeholders and interested parties who would be representative of the various communities surrounding the BLM property in the Deer Creek watershed where an assessment is taking place and cleanup alternatives are being evaluated and to solicit their response to a series of standard questions regarding how they would like to be contacted in the future as the project develops.

Four groups of stakeholders were contacted: (1) Elected Officials, (2) Residents, (3) Community Organizations, and (4) Local Stakeholders. The stakeholders were contacted by telephone and/or e-mail.

A script was used to communicate information about the project during the telephone interview or e-mail correspondence. The script included background information about the project as well as more technical information in case it was requested. The contacts' name, telephone number, e-mail address, mailing address, and date of contact were recorded in individual work documents for each correspondence. The responses and information were later compiled in to a single spreadsheet. The following stakeholder questions were used for all contacts:

Questions for Stakeholders:	
1	How long have you lived, worked, or been associated with the community near the project?
2	Do you have any environmental concerns about Deer Creek?
3	What is the most important message that you'd like to share with the BLM and the other people who are involved with doing this project?
4	Do you have any suggestions for improving this Community Relations Program?
5	Are you interested in receiving more information about this project and, if so, how would you like to get that information?
6	We'll be helping to put together a public record for this project. Do you have any preferences for where this repository should be located?
7	Are there any other questions that you have?

A total of 21 contacts were made. Thirteen (13) responded to the questionnaire, 12 in writing and one in a telephone interview. All successful survey respondents were contacted by telephone, or by telephone and e-mail. Those contacted solely by e-mail did not return a survey, with the exception of the Greater Cement Hill Neighborhood Association, which has put the survey item on their agenda for a November 1, 2011, meeting and likely will respond following the meeting.

The majority of stakeholders and interested parties were appreciative of being contacted and said that they would prefer to be kept updated as the project proceeds. The proposed location of the public repository received a wide range of suggestions including an electronic repository on *Yuba Shed*, or a physical location at a county or city building. Regardless of where it will be located, all respondents wanted to be informed as soon as it was available.

Related to site access, a few key issues arose. Landowners Steve Rothert, Gary Gallelli (represented by Steve Enos) and others would like to be notified in advance of when BLM and their consultants plan to access the site. These landowners are generally supportive of the project, but are concerned that people are crossing their land without permission. Immediate attention to this problem is highly recommended. One possible solution is for BLM and its contractors to notify The Sierra Fund of planned site visits. The

Sierra Fund will, in turn, notify property owners via e-mail. In response to the last survey question, Mr. Rothert made the following comment:

“Yes, my understanding is that the BLM and its consultants on the project regularly cross our property to access the Stacking Flat sampling/monitoring locations, but I have never been contacted by the BLM or its contractors or partners to provide notice or explanation, seek input, ask for permission, or discuss an agreement that would protect us in the case of an accident occurring while on our property. I know everyone is busy, but I don’t feel like the project has provided adequate public outreach or relations. I totally support the work but, to be honest, feel a taken for granted.”

It is important to note that some of these contacts represent more than one interest in the project. For example, Mr. Rothert is both a landowner and also a representative of American Rivers, a conservation organization that protects and restores the nation's rivers. An important lesson to be learned is that in smaller rural communities, people often wear multiple hats (both professional and personal). As a result, there are relationships and connections among community members that can facilitate or complicate effective communications and dissemination of information.

Elected officials were the most responsive survey group to provide written responses. Neighbors to the project and neighborhood associations were the most difficult, with one noted exception: those neighbors who were also connected to community-based environmental non-governmental organizations (NGOs).

The level of interest in the project varied among the stakeholders contacted, but all who responded (either verbally or in writing) expressed interest in receiving more information about the project as it moves forward. Most said that they appreciated this outreach and education effort, and a few expressed deep dissatisfaction with what they perceived as a lack of appropriate outreach in the past. One respondent who represents both a professional interest and is a neighbor of the project felt as if they were “being taken for granted” because it was assumed that nobody needed to be concerned about communicating with them regarding property access because they were involved in the environmental movement and, therefore, would be in favor of the project (which they are, as indicated in the interview process). Once again, this lesson is perhaps the most important to learn and address, particularly as it can become a significant issue in a small community.

This project may, or may not, be unique in the fact that there are several different projects underway in the vicinity that, while not necessarily related, are in many cases connected if not conflated in the minds of the general public, elected officials, neighboring landowners, NGOs, and governmental entities. In this area, specific projects include the Tribute Trail project, and other BLM assessment and cleanup projects in the community, such as the Hoge Mine/Davis Mill.

In addition, a number of the neighboring landowners are highly educated environmental scientists and professionals. Therefore, the accuracy and technical aspects of the outreach/education program for this project need to satisfy the needs of those who will use and can assimilate scientific information and data; at the same time, the program should not alienate other interested parties by presenting information that they cannot understand or use.

The perception of openness and transparency is a high value for everyone who was contacted. The Sierra Fund’s recommendation is to err on the side of providing more information rather than less. The majority of respondents wanted material and public records available online. More than one mentioned *Yuba Shed* as a preferred venue, which reinforces the perspective that locally based organizations have a built in “trust factor” and should be utilized whenever possible.

Society, in general, has a relatively high level of distrust of government and its motives, and this perspective is even more magnified in smaller rural communities. In addition (particularly in rural California), there is distrust and suspicion of the so-called “Environmental Movement” and suspicion of any project that is perceived as being “Environmental” in nature. Additionally, there is often suspicion and resentment when “out-of-area” businesses are contracted to do this type of work. Utilizing local businesses and/or NGOs whenever possible can go a long way towards mitigating a number of these concerns, and there is no doubt that helping support a community’s rural economy improves the image of government.

In addition to efforts already completed, The Sierra Fund plans to follow up with telephone calls to residents and community organizations that have yet to respond. The Sierra Fund also has plans for two public meetings between now and the completion of the project, as well as to continue to act as a conduit for communication between the BLM/consultants and the local community/stakeholders in a timely manner, when warranted.

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