



May 31, 2023

Mr. Dayne Doucet
Consolidated Mining Permit Lead
Oregon Department of Geology and Mineral Industries
Mineral Land Regulation & Reclamation
229 Broadalbin St SW
Albany, Oregon 97321

RE: Resubmittal of Documents in Response to *Wildlife Protection Plan* and *Wildlife Mitigation Plan* Comments in October 20, 2022, Comments for the Consolidated Permit Application, Grassy Mountain Mine Project

Dear Mr. Doucet:

This letter accompanies the resubmittal of the documents listed below in response to *Wildlife Protection Plan* and *Wildlife Mitigation Plan* comments in the October 20, 2022, Comments for the Consolidated Permit Application. This submittal supersedes the previous submittal that was uploaded on May 12.

- Appendix D14, *Wildlife Protection Plan* (May 2023), 'clean' and redlined versions.
- Appendix D15, *Wildlife Mitigation Plan* (May 2023), 'clean' and redlined versions.

Responses to the comment number listed below are attached to this letter.

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Please contact me at (775) 625-3600, glen@paramountnevada.com if you have questions or need clarification.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Glen van Treek', written over a faint, stylized background graphic.

Glen van Treek
President

Calico Resources USA Corp./Paramount Gold Nevada Corp.
(775) 625-3600
glen@paramountnevada.com

Attachment
Document Submittal Records

Comment Number: 298

Comment Number: 298		Category: 2	Status: C
Topic: Wildlife and Vegetation	CPA Reference: Consolidated Permit Application - overall		
Commentor: DEQ Comment: Plans insufficient to determine if engineering controls are adequate to positively exclude wildlife contact with chemical processing solutions and wastewaters. Proposed Resolution: Submit plans that adequately describe controls to positively exclude wildlife.			
Initial Response to Comment: A Wildlife Protection Plan that meets the requirements of ODFW is provided in Appendix D14 of the CPA. The WPP describes the controls to positively exclude wildlife from exposure to chemical processing solutions and wastewaters.			
Stantec – Comment Addressed as Indicated? Yes; the wildlife protection plan indicates exclusion methods and potential adaptive management approaches.	Stantec – Preliminary Assessment – Sufficient Response? Yes; however, ODFW will determine the adequacy of the plan. It is premature to state that the plan meets the agency’s requirements.	TRT Response: See 160	
Response to Comment (May 2023): Please refer to CPA Appendix D14, <i>Wildlife Protection Plan</i> , resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 307

Comment Number: 307		Category: 3	Status: B
Topic: Wildlife and Vegetation		CPA Reference: Consolidated Permit Application Pages 110-11	
Commentor: ODFW			
Comment: The application states that workers will commute daily from surrounding towns, and that Calico will provide a daily bus shuttle from Vale. However, it is unclear if this is voluntary or mandatory busing to reduce the number of personal vehicles traveling. In addition, the application (page 95) references the use of Mitchell Butte Road as emergency access, and acknowledges the use for recreation access, but the application does not evaluate the potential conflicts or use of this road by employees.			
Proposed Resolution: Compliance with Division 420 is required, which includes mandatory bussing of employees. If bussing is proposed as voluntary, it does not meet the standard in OAR 635-420-0010(4)(f)(C) to minimize impact to big game winter range on the access road. Voluntary bussing does not address the minimization requirement for mitigation. This should be address in the Wildlife Protection Plan. A traffic study should be conducted for impacts and use associated with Mitchell Butte Road. There needs to be an evaluation of cumulative impacts and connected actions related to transportation and conflicts with big game winter range.			
Initial Response to Comment: Updated the wildlife protection and mitigation plans to address required bussing of workers. See Appendices D14 and D15 of the CPA.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
Partially. Both plans mention bussing of workers from Vale, Oregon; however, there is no discussion as to how that action could reduce wildlife impacts.	Partially. Need more associated text regarding how bussing will be a measure to reduce impacts.	Inadequate. There is no discussion on the potential use of Mitchell Butte Road by employees who live near that access point. The Plan does not adequately address traffic impacts. How will the mine regulate shift workers who want to utilize the Mitchell Butte Road to commute to the mine? Will they be required to drive to Vale anyway? Proposed resolution: As previously recommended, a traffic study should be conducted for impacts and use associated with Mitchell Butte Road. There needs to be an evaluation of cumulative impacts and connected actions related to transportation and conflicts with wildlife.	
Preliminary Response to Comment: The CPA is clear the Mitchell Butte Road will not be used, and only as an emergency to get people out of the mine.			
Agency Comment: Change to Category 3 comment and will be addressed in permitting.			
Response to Comment (May 2023): The Calico team added a specific statement to the minimization measures section of the <i>Wildlife Mitigation Plan</i> and the OAR 635-420-0020 (4)(f)(C)(i) section of the <i>Wildlife Protection Plan</i> to clarify that the Mitchell Butte Route will not be used for regular commuting.			
Appendix D14, <i>Wildlife Protection Plan</i> , and Appendix D15, <i>Wildlife Mitigation Plan</i> , were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 324

Comment Number: 324		Category: 2	Status: B
Topic: Wildlife and Vegetation		CPA Reference: Mitigation Plan, Table 2, pgs. 6-8	
Commentor: USFWS			
Comment: The habitat described in Table 2 and in the text (starting on page 7) include three overarching types: (1) developed, (2) grassland, (3) shrub-steppe. Shrub-steppe is described as having >20% shrub cover (Wyoming big sagebrush and/or yellow rabbitbrush) while grasslands are described as having an “inconspicuous” shrub cover. The use of 20% shrub cover as a threshold to delineate shrub-steppe from a grassland is too high, as even 10- 15% shrub cover would not be “inconspicuous”. Further, from a wildlife perspective, shrub cover >5-10% is considered a threshold to distinguish habitat value for sage-grouse.			
Proposed Resolution: We recommend reclassifying the land cover and habitat types within the permit area; ensuring shrub cover values are consistent; and including sage-grouse in the list of species included in the list of species known to use perennial grasslands and sagebrush shrub-steppe.			
Initial Response to Comment: Modified Wildlife Mitigation Plan in Appendix D15 to the CPA: Revised Table 2, reclassifying the land cover and habitat types. Also see comment 341. In BDR version 4 detailed discussions on land coverage and habitat type have been removed and the reader is referred to the Wildlife Mitigation Plan (see page 24 of the BDR).			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
No. The 20% shrub cover for grassland and shrub-steppe land cover types remains in the Wildlife Mitigation Plan, as it appears that the September 2014 Wildlife Resources BDR is presented as an appendix rather than the TRT-approved October 2020 BDR.	No. Note that the approved wildlife BDR also presents the 20% shrub cover-metric. ODFW to review the response to this comment further.	Inadequate. Sage-grouse do seasonally use grasslands, but they were not listed as a species associated with grasslands in section 4.2.3 Indian Ricegrass-Bluebunch Wheatgrass-Sandhill Muhly Grassland Alliance. Also, State C habitat has good sagebrush cover and provides winter habitat and forage for sage-grouse and is still of high value (Table 2, page 21). Suggest reviewing pages 23-25 in Threat-Based Land Management in the Northern Great Basin: A Managers Guide. Raptors, including golden eagles (GOEA) may forage in all of the vegetation types listed in the mitigation plan, but GOEA are only mentioned in Section 4.2.6. GOEA are described in using these habitat types in Table 6.	
Preliminary Response to Comment: Please provide further clarification of the information requested by USFWS, and also the outcome of the ODFW review. Calico is unclear how to respond other than reviewing the crosswalk between habitat types and associated wildlife.			
Agency Comment: Calico should make the corrections indicated in the comment. Specifically, update the text to reflect accurate usage of habitat types by species as indicated in the comment. The current inaccuracies are consistent with Category 2.			

Comment Number: 324	Category: 2	Status: B
Response to Comment (May 2023): Calico has updated the habitat type descriptions to include the species noted in the comment. Calico checked the ecological state reportd in the table for GRSG but left that as-is since it was assigned by ODFW based on the field and office review phases of the HQT methodology. CPA Appendix D15, <i>Wildlife Mitigation Plan</i>, was resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 392

Comment Number: 392		Category: 1	Status: B
Topic: Groundwater/spring impacts		CPA Reference: Wildlife Mitigation Plan	
Commentor: ODFW			
Wildlife Mitigation Plan does not address loss of habitat for spring impacts, either individually or cumulatively. The Plan does not detail mitigation for impacts to area springs from aquifer draw down, or provide a contingency plan for monitoring/mitigating impacts if/when they occur. To comply with the Mitigation Policy, the Plan should address what mitigation will occur should springs be impacted by well production.			
Initial Response to Comment: Groundwater-level monitoring is described in the Monitoring Well Plan (Section 7.1, pg. 34). Calico will work with ODFW to identify appropriate impact minimization actions that could be implemented if monitoring indicates an effect on surface springs. Appropriate measures can be added to Section 7 of the WMP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Remains Category 1. Necessary information not preset for agencies to draft permits that meet statutory requirements. More specifically, spring dewatering may occur as a result of groundwater production. This would be an indirect impact to habitat as the plant community at that site would likely shift to a drier plant assemblage. Detail surrounding the estimated impact to area springs is a required portion of the Wildlife Mitigation Plan. Mitigation for impacts to springs is a required portion of the Wildlife Mitigation plan. This impact and appropriate mitigation if missing from the Wildlife Mitigation Plan. It is the applicant's responsibility to propose appropriate mitigation.	
Agency Comment: Remains Category 1. Necessary information not preset for agencies to draft permits that meet statutory requirements. More specifically, spring dewatering may occur as a result of groundwater production. This would be an indirect impact to habitat as the plant community at that site would likely shift to a drier plant assemblage. Detail surrounding the estimated impact to area springs is a required portion of the Wildlife Mitigation Plan. Mitigation for impacts to springs is a required portion of the Wildlife Mitigation plan. This impact and appropriate mitigation if missing from the Wildlife Mitigation Plan. It is the applicant's responsibility to propose appropriate mitigation.			
Response to Comment (May 2023): Groundwater-level monitoring is described in CPA Appendix D12, <i>Monitoring Proposal for Groundwater and Facilities</i> (aka Monitoring Well Plan, Section 7.1, pg. 34). If monitoring indicates an effect on surface springs, Calico proposes to install and maintain a groundwater pump and possibly a guzzler tank to maintain baseline levels of flow for the spring. This measure was added to the minimization measures of CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , which was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 393

Comment Number: 393		Category: 1	Status: B
Topic: Sage-grouse policy		CPA Reference: Wildlife Mitigation Plan, Section 1, Pg 1	
Commentor: ODFW			
OAR 635-420-0060(2) identifies the standard of “no overall net loss” of fish and wildlife habitat, which is facilitated through compliance with OAR 635-415. OAR 635-140 (Greater Sage-Grouse Conservation Strategy) is identified in OAR 635-415-0025(7) and has sage-grouse specific standards that require compliance. This section and applicable subsequence sections should reference information in OAR 635-140-0025(3) as the target standard for offsetting project impacts to sage-grouse and their habitat.			
Initial Response to Comment: Section 6 of the WMP (Section 6, pg. 18) describes rules and standards specific to the greater sage-grouse. Calico can update the description of applicable OARs to add the greater sage-grouse standard to the introduction section.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: There are differences between no net loss as described in Division 420 and the net benefits standards described in Divisions 415 and 140. These need to be adequately addressed for ODFW to determine the efficacy of proposed mitigation acreages and offsetting mitigation actions are appropriate. Because of the importance of this comment, ODFW still believes this to be category 1.	
Agency Comment: There are differences between no net loss as described in Division 420 and the net benefits standards described in Divisions 415 and 140. These need to be adequately addressed for ODFW to determine the efficacy of proposed mitigation acreages and offsetting mitigation actions are appropriate. Because of the importance of this comment, ODFW still believes this to be category 1.			
Response to Comment (May 2023): Revised Section 6.1 of CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , to more clearly present the higher standard for mitigating impacts to GRSG habitat (the low density habitat in this case) in 635-140 compared to the no net loss standard in Division 420. We also added detail to Section 2 of the WMP to emphasize the different mitigation goals per habitat category established by 635-415-0025. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 394

Comment Number: 394		Category: 2	Status: B
Topic: Mitigation Plan/habitat categorization	CPA Reference: Wildlife Mitigation Plan, page 17 (Table 7)		
Commentor: ODFW While road surfaces/pavement may meet standards for Habitat Category 6, agricultural lands within the Project Area may be providing some function and value to wildlife. The evaluation to propose Category based on only wetlands or mapped winter range is not adequate.			
Initial Response to Comment: Calico assigned habitat categories following the methodology detailed in Appendix E of the WMP which relied in part on the descriptions of categories provided in ODFW's Mitigation Guidance. Habitat polygons were categorized based on land cover, habitat type (vegetation community), and wildlife point observations. Categories were further modified based on special designations such as mule deer winter range (Cat 2) or wetland (Cat 2). Calico can work with ODFW to address any discrepancies in the habitat category layer and use this to inform any resulting updates to the WMP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response:	
Response to Comment (May 2023): Based on subsequent discussion with ODFW, Calico recategorized the agricultural fields from Category 6 to Category 5, and left the other habitat categorizations as submitted. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 395

Comment Number: 395		Category: 1	Status: B
Topic: Sage-grouse policy		CPA Reference: Wildlife Mitigation Plan, Section 6.1, Pg 19	
Commentor: ODFW			
This section provides information on ODFW Greater Sage-Grouse conservation Strategy (OAR 635-140-0000 through 635-140-0025). Additionally, it is important to reference relevant information in Department of Land Conservation and Development (DLCD) OAR 660-023-0115, as it is the triggering mechanism for development to be analyzed using the sage-grouse mitigation hierarchy criteria and subsequently through ODFW Greater Sage-Grouse conservation Strategy. This will provide clarity on terms and criteria within state sage-grouse policies.			
Initial Response to Comment: Comment involves document organization and presentation of standards, per OARs. Calico can add reference to DLCD OAR 660-023-0115 as requested.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: DLCD OAR 660-023-0115 is necessary for determining if a development proposal is a conflicting use in goal 5 sage-grouse habitat. It is important for the application to address the rule in context of the project and assessment of impacts to sage-grouse through the Sage-grouse Mitigation Program and OAR 635-140-0025. Because of the importance of this comment, ODFW believes it to be category 1.	
Agency Comment: DLCD OAR 660-023-0115 is necessary for determining if a development proposal is a conflicting use in goal 5 sage-grouse habitat. It is important for the application to address the rule in context of the project and assessment of impacts to sage-grouse through the Sage-grouse Mitigation Program and OAR 635-140-0025. Because of the importance of this comment, ODFW believes it to be category 1.			
Response to Comment (May 2023): Added text to Section 6.1 of CPA Appendix D15, Wildlife Mitigation Plan, to provide link between the land use application approval process (DLCD OAR 660-023-0115) and the GRSG Conservation Strategy and mitigation requirement (OAR 635 division 140). CPA Appendix D15, Wildlife Mitigation Plan, was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 396

Comment Number: 396		Category: 2	Status: B
Topic: Sage-grouse Mitigation Program and Assessment Calculation		CPA Reference: Wildlife Mitigation Plan, Section 6.2, Pg 20	
Commentor: ODFW			
The sage-grouse impact analysis and analysis area has very little context without a thorough discussion of the Sage-grouse Mitigation Program (Program) and Habitat Quantification Tool (HQT). Provide the main principles and standards of the Program and requirements therein. Describe how the HQT works, how habitat function is determined (existing development and habitat state), assessment criteria for Grassy Mountain, process to get the final HQT output, and associated HQT products (figures of map units, habitat states, Excel spread sheets, etc.)			
Initial Response to Comment: Comment requests more detailed presentation of HQT process. Calico can work with ODFW to provide in the WMP a more detailed description of the HQT and information on the project-specific HQT outputs, as requested.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: The application provides no context to the sage-grouse impact assessment. It is important for the reader to understand how the project was assessed for impacts to sage-grouse habitat. This understanding comes from thoroughly explaining the HQT process and impact assessment. This is imperative for determining if the mitigation offset is appropriate for project impacts. ODFW agrees to downgrade this comment to Category 2.	
Agency Comment: The application provides no context to the sage-grouse impact assessment. It is important for the reader to understand how the project was assessed for impacts to sage-grouse habitat. This understanding comes from thoroughly explaining the HQT process and impact assessment. This is imperative for determining if the mitigation offset is appropriate for project impacts. ODFW agrees to downgrade this comment to Category 2.			
Response to Comment (May 2023): Calico added the requested detail to Appendix D15, <i>Wildlife Mitigation Plan</i> , which was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 398

Comment Number: 398		Category: 2	Status: B
Topic: Sage-grouse		CPA Reference: Wildlife Mitigation Plan, Section 6.5.1, Pg 21	
Commentor: ODFW			
This section does not provide an impact duration. OAR 635-140-0025(3)(c) states that mitigation should persist for the life of the original impact. This not only includes the duration of the development, but also the time it takes to restore habitats to pre-project or predetermined condition. Many generations of sage-grouse may be impacted by this project, resulting in the need for long-term mitigation, potentially into perpetuity. Provide the expected impact duration.			
Initial Response to Comment: Section 8 of the WMP describes the compensatory mitigation options proposed by Calico for the project. The proposed mitigation options will exceed the standard stated in OAR 635-140-0025(3)(c) that states mitigation should persist for the life of the original impact because they will be maintained in perpetuity. Calico can clarify the assumption that impacts will be permanent (and proposed mitigation will be permanent) in Section 6.5.1 even though impacts would actually be expected to attenuate and conditions return to pre-project once reclamation has been completed.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Category 2. Document completeness. Impact duration and how it relates to mitigation needs to be clearly presented in the Wildlife Mitigation Plan.	
Agency Comment: Category 2. Document completeness. Impact duration and how it relates to mitigation needs to be clearly presented in the Wildlife Mitigation Plan.			
Response to Comment (May 2023): Calico revised CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , to emphasize and clearly state assumptions that impacts are expected to be permanent and mitigation will be maintained in perpetuity under the Conservation Bank or the ILF options. The HMA option will be perpetual or long-term depending on the actual legal instrument placed on the property. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 400

Comment Number: 400		Category: 1	Status: B
Topic: Sage-grouse policy		CPA Reference: Wildlife Mitigation Plan, Section 7.2, Pg 23,	
Commentor: ODFW			
This section should explicitly state why it does or does not meet the standard of OAR 660-023-0115(10)(A) and 635-140-0025(2)(b).			
Initial Response to Comment: See response to Comment #179.			
Section 5 of the Consolidated Permit Application and Appendix H of the CPA (Alternatives Assessment Report) explain the alternatives assessment completed for the mine location. Calico will update the WMP to add a subsection to explicitly state why the proposed mine cannot avoid the low density habitat (OAR 635-140-0025(2)(b) and OAR 660-023-0115(10(A))).			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: DLCD and ODFW sage-grouse OARs have specific mitigation hierarchy (avoidance, minimization, and mitigation) criteria to assess the potential impact of a project proposed in sage-grouse habitat. It is intended that an application would clearly articulate how a proposed development would be sited, designed, and built to meet the standards of OAR 660-023-0115(10)(A) and 635-140-0025(2)(b). This information is necessary in the application for ODFW to determine compliance with the avoidance and minimization standards the mitigation hierarchy. Without this information, the application is incomplete.	
Agency Comment: DLCD and ODFW sage-grouse OARs have specific mitigation hierarchy (avoidance, minimization, and mitigation) criteria to assess the potential impact of a project proposed in sage-grouse habitat. It is intended that an application would clearly articulate how a proposed development would be sited, designed, and built to meet the standards of OAR 660-023-0115(10)(A) and 635-140-0025(2)(b). This information is necessary in the application for ODFW to determine compliance with the avoidance and minimization standards the mitigation hierarchy. Without this information, the application is incomplete.			
Response to Comment (May 2023): Calico provided a more detailed description of the avoidance step of the GRSg mitigation hierarchy in the impacts to GRSg section of CPA Appendix D15, <i>Wildlife Mitigation Plan</i> . This demonstrates compliance with OAR 635-140-0025(2)(b) and OAR 660-023-0115(10)(A). CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 401

Comment Number: 401		Category: 1	Status: B
Topic: Mitigation Plan/minimization Measures		CPA Reference: Wildlife Mitigation Plan, Section 7.3, Pg 24	
Commentor: ODFW			
The Mitigation Plan should elaborate on the minimization measures (e.g., where, when, why) to wildlife for lighting, noise, traffic and others identified in Section 7.3.			
Initial Response to Comment: Calico will coordinate with ODFW to add detail to WMP. Calico requests any information ODFW could provide regarding other best available practicable methods for the minimization measures.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Remains Category 1. Necessary information not present for agencies to draft permits that meet statutory requirements. DOGAMI technical assistance will be helpful here also.	
Agency Comment: Remains Category 1. Necessary information not present for agencies to draft permits that meet statutory requirements. DOGAMI technical assistance will be helpful here also.			
Response to Comment (May 2023): Following discussions with ODFW and USFWS Calico added detail to the minimization measures proposed for lighting, noise, traffic and other sources of potential wildlife impact to the updated <i>Wildlife Mitigation Plan</i> (CPA Appendix D15). Updated measures are presented in Section 5 of the revised <i>Wildlife Mitigation Plan</i> , which was resubmitted to DOGAMI on May 31, 2023.			
Appendix D19, <i>Noise Monitoring Plan</i> , was also uploaded to DOGAMI on May 31, 2023.			

Comment Number: 402

Comment Number: 402		Category: 1	Status: C
Topic: Sage-grouse policy		CPA Reference: Wildlife Mitigation Plan, Section 7.4, Pg 26	
Commentor: ODFW This section should explicitly state why it does or does not meet the standard of OAR 660-023-0115(10)(B) and 635-140-0025(2)(d).			
Initial Response to Comment: Calico can update the WMP Section 7.4 to specifically address this comment in the WMP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response:	
Response to Comment (May 2023): Calico updated the minimization measures section of CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , to specifically address these minimization OARs. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 404A

Comment Number: 404A		Category: 2	Status: B
Topic: Sage-grouse		CPA Reference: Wildlife Mitigation Plan, Section 7.4, Pg 26	
Commentor: ODFW Noise Reduction – Elaborate on what types of noise reducing structures will be implemented, on which pieces equipment, when, and how they will be maintained.			
Initial Response to Comment: Equipment details are needed to determine noise abatement measures and equipment. Not all equipment has been identified.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Remains category 2. These measures should be identified as part of the mitigation plan.	
Agency Comment: Remains category 2. These measures should be identified as part of the mitigation plan.			
Response to Comment (May 2023): The Calico team (BKL 2023) completed a noise analysis to model Project-related noise levels expected to occur during the construction and operations phases of the Project. The results of this new analysis are summarized in section 4.1.4.2 of the <i>Wildlife Mitigation Plan</i> . Noise-specific minimization measures including timing restrictions and the monitoring plan are described in sections 5.1 and 5.2 of the <i>Wildlife Mitigation Plan</i> . Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023. Appendix D19, <i>Noise Monitoring Plan</i> , was also uploaded to DOGAMI on May 31, 2023.			

Comment Number: 404B

Comment Number: 404B		Category: 2	Status: B
Topic: Sage-grouse		CPA Reference: Wildlife Mitigation Plan, Section 7.4, Pg 26	
Commentor: ODFW			
Power Lines - This is an important minimization measure to reduce impacts to sage-grouse and was considered in the project impact analysis. Provide details on what type of perch and nest deterrents will be utilized and how the persistence of these structures will be monitored and maintained.			
Initial Response to Comment: The powerline design document addresses deterrents.			
Calico will coordinate with ODFW to address this comment in the WMP.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
NA	NA		
Response to Comment (May 2023): Following subsequent discussion with ODFW, Calico proposes to install perch deterrents on poles located up to 10 km from the sage grouse low density habitat. Designs will follow those detailed in CPA Appendix C6, <i>Calico-Grassy Mountain 34.5kV Line</i> . Calico will continue to coordinate with ODFW regarding the appropriate timing and frequency of monitoring but proposes a 3-year monitoring frequency for distribution lines that is the same as proposed on another recent project (Idaho Power Avian Protection Plan for Boardman to Hemingway). The <i>Wildlife Protection Plan</i> and the <i>Wildlife Mitigation Plan</i> have been updated to include this information. This response also applies to Comment 455A.			
Appendix D14, <i>Wildlife Protection Plan</i> , and Appendix D15, <i>Wildlife Mitigation Plan</i> , were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 405

Comment Number: 405		Category: 1	Status: C
Topic: Sage-grouse		CPA Reference: Wildlife Mitigation Plan, Section 8.1, Pg 26	
Commentor: ODFW			
This section should include policy and Program requirements for mitigating project impacts to sage-grouse similar to section 8.2. Specific language on mitigation requirements, principles, and standards can be found in OAR 635-140-0025(3) and the Programs Operation and Administration Manual.			
Initial Response to Comment: Calico will address by updating language in WMP.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
NA	NA		
Response to Comment (May 2023): Calico added text to the Compensatory Mitigation for GRSG section of CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , to address this comment. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 407

Comment Number: 407		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Section 8.2, page 27	
Commentor: ODFW			
The Plan states that exact disturbance areas cannot be determined until the final design layout is known. This is inconsistent with ODFW Mitigation Policy to evaluate that the impacts are being mitigated (per the Habitat Categories) to replace lost functions and values through mitigation actions. In addition, this section references mitigation for the life of the project, but the Mitigation Policy states life of the project or duration of impacts, whichever is greater. ODFW does not have standard mitigation ratios, and ODFW evaluates the appropriate mitigation need based on habitat function/value of the proposed mitigation sites. This involves an evaluation of risk and the potential need for additionality if risk of failure is high.			
Initial Response to Comment: Mitigation is currently determined in the WMP based on a conservative estimate assuming, for example, that all habitat within the perimeter fencing will be lost. Following this example, the actual amount of ground disturbance and associated conversion of habitat will be less than the total area included within the perimeter fence. Calico asserts that this conservative approach to defining the area of impacts means our proposed compensatory mitigation will successfully replace lost functions and values. Regarding mitigation ratios, Calico understands the habitat category is typically assigned based on current habitat characteristics, but there is variability on the ratio applied when mitigating project-specific impacts. Calico would like to continue working with ODFW to determine and refine the appropriate mitigation ratios applied to offset impacts of the project once the compensatory mitigation option is specifically selected from the opportunities presented in Section 8.5 of the WMP.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): During a meeting with ODFW in December 2022 Calico explained our conservative approach to determining impacts by assuming the entire area of habitat within the perimeter fence will be lost. This means minor changes will by default be offset with appropriate acreages of mitigation since we are proposing to mitigate for permanent impacts to the entire enclosed area. We also explained our assumption that impacts are permanent. At the meeting we also discussed mitigation ratios with ODFW and agreed to make changes to the habitat category 6 agricultural areas to elevate to them habitat category 5 where they don't already overlap with mule deer winter range (already habitat category 2). We also agreed on need to provide net benefit to offset indirect impacts to mule deer winter range (habitat category 2). Calico intends to mitigate these impacts with a 1.5:1 ratio. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 409

Comment Number: 409		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Section 8.3, page 28.	
Commentor: ODFW Page 28 references mule deer habitat will only be mitigated at 1:1 but that is not consistent with the ODFW Mitigation Policy. Habitat Category 2 includes a no net loss plus net benefit mitigation standard. Additional coordination with ODFW is recommended.			
Initial Response to Comment: The project will not convert mule deer winter range but will degrade it due to the anticipated increase in human activity, mostly in the form of increased traffic. Calico can work with ODFW to refine the compensatory mitigation expected to offset this type of impact.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA		TRT Response:
Response to Comment (May 2023): Following additional coordination with ODFW, Calico agrees to increase the proposed mitigation ratio to 1.5:1 for offsetting impacts to mule deer winter range habitat to provide a clear net benefit. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 411A

Comment Number: 411A		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Section 8.5, page 29-31	
Commentor: ODFW			
While these options may be viable, there is not enough information under any option in this Section to provide a conclusive decision that the mitigation standards will be met. Provide information on the detail needed to comply with ODFW past requests and compliance with standards in OAR 635-415. Confer with ODFW to determine possible approaches.			
Initial Response to Comment: The compensatory mitigation options presented in Section 8.5 of the WMP demonstrate multiple pathways for consistency with OAR 635-420-0060 which in turn cites the mitigation standards in OAR 635-415. In Section 9 of the WMP, Calico clearly commits to meeting the standards in OAR 635-420-0060 (2) and OAR 635-415 and asserts the options presented in Section 8 provide ample resources to do so. Calico also understands additional coordination with ODFW is necessary to refine these options into a specific package. We expect this is likely to be a permit condition of the DOGAMI permit.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): After receiving this comment Calico worked with ODFW to further develop three of the originally proposed compensatory mitigation options: ODFW In-Lieu Fee Program for GRSG, Third Party Payment-to-Provide Mitigation Bank, and Permittee Implemented Mitigation via Habitat Mitigation Areas. These three approaches to comply with the standards in OAR 635-415 and GRSG specific standards in OAR 635-140 are detailed in section 6.5 of the <i>Wildlife Mitigation Plan</i> , including Project-specific compensatory mitigation examples. Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 411B

Comment Number: 411B		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Section 8.5, page 29-31	
Commentor: ODFW			
Option 1: There is no detail on the Programs In-Lieu Fee (ILF) cost calculation and payment structure required for this project. Provide details on the ILF and cost breakdown for the project to successfully mitigate impacts to sage-grouse habitat.			
Initial Response to Comment: Calico is aware ODFW completed an initial ILF calculation for this project and will work with ODFW to add details regarding the ILF cost breakdown and payment structure for the project.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): After receiving this comment Calico worked with ODFW to further develop the ODFW In-Lieu Fee Program scenario for GRSG compensatory mitigation for the Project. This is detailed in section 6.5 of the <i>Wildlife Mitigation Plan</i> . Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 412

Comment Number: 412		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Section 9, Pg 32	
Commentor: ODFW			
The Mitigation Plan (Section 8) provides an ample number of potential mitigation options but none of them have been describe in sufficient detail, nor has there been coordination with ODFW to determine their validity and compliance with state mitigation policies. ODFW requests significant coordination with Calico and consultants to vet each of the mitigation options with state sage-grouse and fish and wildlife habitat mitigation policies and determine appropriate language for each viable mitigation option.			
Initial Response to Comment: Calico agrees additional coordination with ODFW is necessary to refine these options into a specific package. We expect this is likely to be a permit condition of the DOGAMI permit.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): After receiving this comment Calico worked with ODFW to further develop three of the originally proposed compensatory mitigation options: ODFW In-Lieu Fee Program for GRSG, Third Party Payment-to-Provide Mitigation Bank, and Permittee Implemented Mitigation via Habitat Mitigation Areas. These three approaches to comply with the standards in OAR 635-415 and GRSG specific standards in OAR 635-140 are detailed in section 6.5 of the <i>Wildlife Mitigation Plan</i> , including Project-specific compensatory mitigation examples. Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 413

Comment Number: 413		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan	
Commentor: ODFW			
The Plan is conceptual and lacks specificity for compliance with OAR 635-415. For there to be no net loss of habitat quality and to demonstrate a net benefit for Habitat Category 2, it is necessary to compare the quality of the impacted habitat with the quality of the habitat at the site proposed for mitigation to ensure that no habitat quality is lost, and to demonstrate that planned habitat improvements at the mitigation site are appropriate and durable to ensure no net loss. To accurately make this comparison, it is necessary to have an identified mitigation site. The synopsizes in Appendix H are not sufficient to meet standards of ODFW mitigation policies. In addition, a 1:1 ratio does not account for the risk of having a successful mitigation outcome, and based on the nature, extent and duration of impacts, ODFW recommends posting of a bond or other financial instrument to ensure the mitigation site meets the standards in the ODFW mitigation policies (OAR 635-415-0020(7)).			
Initial Response to Comment: Calico agrees additional coordination with ODFW is necessary to refine these options into a specific package. We expect this is likely to be a permit condition of the DOGAMI permit.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): After receiving this comment Calico worked with ODFW to further develop the originally proposed compensatory mitigation scenario for Permittee Implemented Mitigation via Habitat Mitigation Areas. Calico worked with ODFW to refine the assessment of GRS habitat and other wildlife habitat conditions on example HMAs. Project-specific examples of compensatory mitigation packages involving HMAs are detailed in section 6.5 of the <i>Wildlife Mitigation Plan</i> . Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 414

Comment Number: 414		Category: 1	Status: B
Topic: Mitigation Plan		CPA Reference: Wildlife Mitigation Plan, Appendix H	
Commentor: ODFW			
The synopsis in Appendix H provides a general understanding of the habitat and acreages of properties available for purchase in 2022. These analyses do not provide information to crosswalk mitigation acres with proposed project impact to individual habitat categories or species. Similarly, there are no justifications for proposed treatments on which to determine habitat uplift or consultation with ODFW for compliance to mitigation policies. ODFW requests more information aligned with standards outlined in OAR 635-415-0020(8) and Section 4.4.5 of the Sage-grouse Mitigation Programs Operation Manual, to better evaluate if these potential properties are viable for offsetting project impacts to wildlife species and habitats.			
Initial Response to Comment: Calico presented the preliminary assessments in Appendix H in the WMP as examples of potential mitigation solutions under Option 4. Calico agrees additional coordination with ODFW is necessary to refine the compensatory mitigation options (including various combinations of Options 1-4) into a project-specific package. We expect this is likely to be a permit condition of the DOGAMI permit.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?		TRT Response:
NA	NA		
Response to Comment (May 2023): After receiving this comment Calico worked with ODFW to further develop the originally proposed compensatory mitigation scenario for Permittee Implemented Mitigation via Habitat Mitigation Areas. Calico worked with ODFW to refine the assessment of GRSG habitat and other wildlife habitat conditions on example HMAs. ODFW provided preliminary HQT outputs based on a desktop analysis to assist with the habitat assessment of example compensatory mitigation areas for GRSG. Project-specific examples of compensatory mitigation packages involving HMAs are detailed in section 6.5 of the <i>Wildlife Mitigation Plan</i> . Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 422

Comment Number: 422		Category: 1	Status: B
Topic: Post-Closure Monitoring		CPA Reference: Reclamation Plan, Section 7.2, Pg 24, Bullet # 2	
Commentor: ODFW			
The vegetation reclamation component of the monitoring section is vastly incomplete and provides little information to gauge compliance with state fish and wildlife policies. ODFW requests that reclamation success criteria be derived to identify and measure habitat percent vegetation characteristics, species composition, structural components, and address noxious and invasive weeds. Vegetation growth in arid locations of southeast Oregon can take several years to become established and several decades to mature. There is significant risk in reclamation failure. To reduce risk, ODFW requests monitoring occur frequent and iterative after reclamation actions have taken place. ODFW requests that reclamation monitoring criteria be derived and designed for long term implementation with adaptive management measures and process identified. These criteria should consider mitigation contingencies for if reclamation success cannot be achieved. Reaching the above suggested success criteria would release the reclamation burden and achieve the standard of a self-sustaining ecosystem as established in state policy.			
Initial Response to Comment: What we proposed meets state requirements, specifically OAR 632-037-0070 and OAR 632-030-0027. Additionally, Section 7 of the Reclamation Plan states, "A detailed post-closure monitoring plan, including monitoring methodology, parameters, and frequencies, will be submitted to the BLM and DOGAMI prior to execution. The details of the monitoring to gauge success will be defined in the plan that will be submitted to DOGAMI for approval prior to execution. We did not want to get into a high level of detail at this time considering the execution of this monitoring will not occur for 13-15 years from the submittal of this application.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Reclamation must also adhere to OAR 635-420-0055. Details of the monitoring to gauge success must also be submitted as part of the Mitigation Plan per OAR 635-420-030(5). Comments regarding the future execution of reclamation monitoring do not excuse the applicant from addressing the above OARs. This remains a category 1 comment.	
Agency Comment: Reclamation must also adhere to OAR 635-420-0060. Details of the monitoring to gauge success must also be submitted as part of the Mitigation Plan per OAR 635-420-060(5). Comments regarding the future execution of reclamation monitoring do not excuse the applicant from addressing the above OARs. This remains a category 1 comment.			
Response to Comment (Feb 2023): We cannot find OAR 635-420-0055. OAR 635-420-030(5) states "Access to a chemical process mine by mine employees and the public shall be controlled to minimize harassment of wildlife and collisions between vehicles and wildlife. On publicly owned lands, these controls shall be developed in conjunction with, and shall be subject to the approval of, the applicable public land management agency." Perhaps there is a typo here. As it relates to the post-closure monitoring and certification of self-sustaining ecosystems, OAR 635-420-0110 details the requirements and we can define those in the reclamation plan.			

Comment Number: 422	Category: 1	Status: B
If ODFW prefers, the reclamation plan can be updated to provide the quantitative measures, based on the baseline report, in the closure plan at this time; however, we prefer not to include methodology at this time considering the monitoring activities will not occur for nearly 20 years. Again, if ODFW prefers we can detail the methodology make the necessary demonstrations post-closure for bond release. Please advise on how to proceed. OAR 632-030-0027 states, "Generally, final revegetation with native species of all disturbed areas consistent with future use is required unless the Department finds it unreasonable. The Department will, in most instances, consider revegetation successful if it provides a similar plant density in terms of ground or canopy cover and it is comparable to undisturbed areas in similar landscape positions. In arid or semi-arid regions, the Department may allow three years of growth prior to a revegetation evaluation. Otherwise, revegetation will be evaluated after one growing season. Vegetation test plots may be required to ensure establishment feasibility and/or long-term habitat goals in the reclamation plan. Vegetation monitoring may also be required to insure success of the approved plan." OAR 632-037-0070 states, "Monitoring systems by which the success of the proposed reclamation and closure can be measured for bond release."		
Response to Comment (Mar 2023): In order to address OAR 635-420-0060(5), Calico is committed to developing quantitative measures of reclamation success criteria and submitting to ODFW for review prior to Plan of Operations approval. Appendix D1, <i>Reclamation Plan</i>, has been updated to include Appendix C, <i>Post-Closure Vegetation Success Criteria</i>.		
Response to Comment (May 2023): In order to address OAR 635-420-0060(5), Calico is committed to developing quantitative measures of reclamation success criteria and submitting to ODFW for review prior to Plan of Operations approval. Appendix D1, <i>Reclamation Plan</i>, has been updated to include Appendix C, <i>Post-Closure Vegetation Success Criteria</i>. The <i>Wildlife Mitigation Plan</i> has also been updated (Section 5.3) to provide a summary of the reclamation efforts proposed to address OAR 635-420-0060(5) and monitoring proposed during reclamation is described in Section 7.3. Appendix D15, <i>Wildlife Mitigation Plan</i>, was resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 425

Comment Number: 425		Category: 3	Status: C
Topic: Monitoring Frequency		CPA Reference: Wildlife Protection Plan, pg. 10	
Commentor: ODFW Quarterly monitoring of the perimeter fence is insufficient.			
Initial Response to Comment: ODFW, please provide the preferred monitoring frequency. Calico can resolve by coordinating with ODFW and updating the WPP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Agree, change to Category 3. Can be addressed as a permit condition.	
Agency Comment: Agree, change to Category 3. Can be addressed as a permit condition.			
Response to Comment (May 2023): The <i>Wildlife Mitigation Plan</i> and the <i>Wildlife Protection Plan</i> have been updated to indicate perimeter fence monitoring will be monthly instead of quarterly. CPA Appendix D14, <i>Wildlife Protection Plan</i> , and Appendix D15, <i>Wildlife Mitigation Plan</i> , were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 426

Comment Number: 426		Category: 2	Status: B
Topic: Contingency Planning		CPA Reference: Wildlife Protection Plan, pg. 10	
Commentor: ODFW			
The wildlife protection plan does not provide a contingency plan in the event wastewater toxicity becomes elevated beyond those deemed safe to wildlife.			
Initial Response to Comment: The project has been planned with robust treatment and containment systems designed to protect the environment from unintentional release. Specific to wildlife, Section 4.2 of the Cyanide Management Plan (Appendix D8 of the CPA) describes protection measures that will be in place to protect wildlife from the cyanide process solutions, particularly complying with Oregon's required not-to-exceed 30 mg/L WAD cyanide in the liquid effluent to the TSF, and adherence to the Hazard Quotient of < 1.0 for representative wildlife species. In addition, Section 2.1 of the Tailings Chemical Monitoring Plan (Appendix D.2. of the CPA) describes ongoing monitoring of supernatant from the TSF for toxicity levels to wildlife. These data will be used to confirm compliance with the OARs and determine if any process changes are needed. The WPP identifies the Environmental and Safety Superintendent (ESS) as the person in charge of contingency actions (WPP, pg. 10). For wildlife, per the contingency plan the ESS would coordinate with ODFW on possible responses to unexpected toxic conditions.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Category 2. Cross referencing not complete. The Cyanide Management Plan is not cross referenced in the Wildlife Protection Plan. Category 2. Data, analyses, and plans not presented in a manner that allows the reviewer to verify their accuracy. Additionally, the ERA provided does not provide details or data on the analysis conducted so we are unable verify its accuracy. Again, what is the plan if WAD cyanide concentrations become elevated. Technical assistance necessary.	
Agency Comment: Category 2. Cross referencing not complete. The Cyanide Management Plan is not cross referenced in the Wildlife Protection Plan. Category 2. Data, analyses, and plans not presented in a manner that allows the reviewer to verify their accuracy. Additionally, the ERA provided does not provide details or data on the analysis conducted so we are unable verify its accuracy. Again, what is the plan if WAD cyanide concentrations become elevated. Technical assistance necessary.			
Response to Comment (May 2023): The plan if WAD cyanide concentrations exiting the process plant and entering the TSF become elevated would be to stop plant operations until the deviation can be rectified. WAD cyanide levels in the process plant are continuously monitored as described in the CMP, which will enable a prompt response to any deviations to the target setpoint. In the unlikely event of elevated WAD cyanide levels detected in wastewater streams, the plan would be to assess the cyanide species present and to implement an appropriate temporary treatment system, an example of which is peroxide dosing. Calico would also implement temporary hazing actions (firing air cannons, etc.) to deter birds and bats from contacting the TSF while Calico addresses the emergency situation, and the ESS would notify ODFW by the beginning of the next business day. A			

Comment Number: 426	Category: 2	Status: B
description of this response has been added to CPA Appendix D14, <i>Wildlife Protection Plan</i>, and Appendix D15, <i>Wildlife Mitigation Plan</i>. As mentioned in the response to comment #160 (and others), the <i>Ecological Risk Assessment</i> (ERA) has been revised to include additional details. A conceptual site model is presented that describes the ecological receptors with the potential to have significant exposure to supernatant (i.e., birds and mammals). Oregon Department of Environmental Quality (DEQ) ecological screening levels are used in risk estimates. Chemical-specific hazard quotients (HQs) are presented for wildlife. The revised ERA shows that estimated maximum concentrations of chemicals in supernatant are below DEQ screening levels protective of wildlife (birds and mammals) exposed to water through drinking. Based on cumulative risk estimates in the updated ERA, chemicals in supernatant are not expected to cause unacceptable adverse effects to wildlife populations. CPA Appendix D14, <i>Wildlife Protection Plan</i>, and Appendix D15, <i>Wildlife Mitigation Plan</i>, were resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 444

Comment Number: 444		Category: 2	Status: B
Topic: Mitigation requirements		CPA Reference: Wildlife Mitigation Plan (p. 1, 3, 27-28)	
Commentor: USFWS			
The plan represents the mitigation standard required by ODFW differently in different sections. OAR 635-415-0025 requires both no net loss of either habitat quantity or quality AND to provide a net benefit of habitat quantity or quality for Category 2 habitat (of which there are 174.2 acres). The first paragraph on page 1 mentions “no overall net loss”, but does not include the requirement of “net benefit”. Section 8 Compensatory Mitigation appears to have accounted for the requirement for net benefit by showing a 2:1 ratio for Category 2 lands directly impacted by the project (p. 27-28). The Service suggests that the applicant review the document with ODFW to ensure their proposal is in compliance with relevant OARs.			
Initial Response to Comment: There is an overall mitigation standard of "no overall net loss" of habitat value for the project per OAR 635-420-0060(2) but appropriate mitigation for different habitat categories varies, per the ODFW Fish and Wildlife Habitat Mitigation Recommendations (OAR 635-415-0025). Calico intends to continue working with ODFW during the permitting phase, and will review and clarify any potentially confusing statements in the WMP.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
NA	NA	Category 2 indicates that information presented is inaccurate. In this case, ODFW's mitigation standard is inaccurately described and needs to be corrected.	
Agency Comment: Category 2 indicates that information presented is inaccurate. In this case, ODFW's mitigation standard is inaccurately described and needs to be corrected.			
Response to Comment (May 2023): Calico revised the Wildlife Mitigation Plan to clarify ODFW mitigation standards for general wildlife habitat occurring within the Permit Area and ranging from Category 6 to 2. The standards for GRSG habitat mitigation are also separately presented for clarity. Calico described standards in section 2 and the resource assessment in section 3 of the report. Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 445A

Comment Number: 445A		Category: 3	Status: C
Topic: Assessment of direct impacts – roads		CPA Reference: Wildlife Mitigation Plan (p, 5); Transportation Baseline Trip Generation 2019-01.pdf (p. 2-3)	
Commentor: USFWS			
The plan assumes that all traffic will access the mining site from the north via Vale. However, given the availability of housing in Vale, it is likely that employees may reside outside of Vale and that it may be more direct for some visitors and employees to access the mine from the east via Nyssa. Thus, vehicle traffic estimates, as well as direct and indirect impacts associated with the eastern access route are necessary.			
Initial Response to Comment: The Mitchell Butte Road will not be used, it is defined as strictly as emergency and will not be upgraded nor modified, no personnel will be allow to use it. Internal regulation and personnel contract will only allow access via the designed access road. Regardless, the conditions of the Mitchell Bute road will not allow to save time, if coming from Nyssa,			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: The internal regulation and personnel contract regarding travel routes should be a permit condition.	
Agency Comment: The internal regulation and personnel contract regarding travel routes should be a permit condition.			
Response to Comment (May 2023): The Wildlife Protection Plan, Wildlife Mitigation Plan, and CPA Section 2.18, Transportation, have been updated to clarify that the status of the Mitchell Butte route is an emergency-only option.			
CPA Appendix D14, Wildlife Protection Plan, and Appendix D15, Wildlife Mitigation Plan, were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 446

Comment Number: 446		Category: 2	Status: B
Topic: GOEA and other raptor nests		CPA Reference: Wildlife Mitigation Plan, Table 6, p. 13-14	
Commentor: USFWS			
The number of nests documented in Table 6 of the Wildlife Mitigation Plan does not seem to match those presented in Table 10 of the Wildlife Baseline Report V4.			
Initial Response to Comment: To address this comment, Calico will confirm and correct any errors in the WMP, Table 6.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Category 2 indicates that there are inconsistencies or contradictory statements. In this case, there are data discrepancies so this is a category 2 comment.	
Agency Comment: Category 2 indicates that there are inconsistencies or contradictory statements. In this case, there are data discrepancies so this is a category 2 comment.			
Response to Comment (May 2023): Table 10 in the Baseline summarizes only the results of the 2020 aerial survey. Updated Table 6 in CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , to indicate two GOEA nesting territories were designated occupied based on the baseline surveys. Also clarified five ferruginous nests were confirmed occupied. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 447

Comment Number: 447		Category: 2	Status: B
Topic: Off-road travel		CPA Reference: Wildlife Mitigation Plan, p. 25	
Commentor: USFWS			
The Wildlife Mitigation plan states that no off-road travel will be allowed except in the case of emergency. This contradicts the Noxious Weed Monitoring and Control Plan that states that cross-country travel may be permitted for approved activities (e.g. mining).			
Initial Response to Comment: Calico will review and make description of off-road travel consistent among plans.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Category 2 indicates that there are inconsistencies or contradictory statements. In this case, there are inconsistencies and contradictory statements so this is a category 2 comment.	
Agency Comment: Category 2 indicates that there are inconsistencies or contradictory statements. In this case, there are inconsistencies and contradictory statements so this is a category 2 comment.			
Response to Comment (May 2023): To be consistent with Appendix D17, <i>Noxious Weed Monitoring and Control Plan</i> , the <i>Wildlife Mitigation Plan</i> was updated to state no off-road travel will be allowed except in cases of emergency or for approved safety and maintenance activities. CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 448

Comment Number: 448		Category: 1	Status: B
Topic: Impact to groundwater and springs		CPA Reference: Wildlife Mitigation Plan, Groundwater Baseline Report	
Commentor: USFWS			
The Groundwater Baseline Report projected that several springs would be impacted by a reduction in groundwater stemming from the proposed wells needed for the mine processing operations. Impacts to these springs and the wildlife that depend on them were not described in the Wildlife Mitigation Plan.			
Initial Response to Comment: Groundwater-level monitoring is described in the Monitoring Well Plan (Section 7.1, pg. 34). Calico will work with ODFW to identify appropriate impact minimization actions that could be implemented if monitoring indicates an effect on surface springs. Appropriate measures can be added to Section 7 of the WMP.			
Stantec – Comment Addressed as Indicated?	Stantec – Preliminary Assessment – Sufficient Response?	TRT Response:	
NA	NA	Until mitigation measures addressing spring impacts are added, the application is incomplete (Category 1).	
Agency Comment: Until mitigation measures addressing spring impacts are added, the application is incomplete (Category 1).			
Response to Comment (May 2023): Groundwater-level monitoring is described in CPA Appendix D12, <i>Monitoring Proposal for Groundwater and Facilities</i> (aka Monitoring Well Plan, Section 7.1, pg. 34). If monitoring indicates an effect on surface springs, Calico proposes to install and maintain a groundwater pump to maintain baseline levels of flow for the spring. This measure was added to the impact minimization measures presented in CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , which was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 450

Comment Number: 450		Category: 2	Status: B
Topic: Noise		CPA Reference: Wildlife Mitigation Plan, p. 25, 26	
Commentor: USFWS			
What is the anticipated noise level? What is the noise threshold below which the applicant commits to maintain operational noise? The Mitigation Plan and Wildlife Protection Plan does not address noise impacts during construction, road expansion work, noxious weed management and revegetation activities, and reclamation activities. Noise is a disturbance that must be considered with respect to nesting raptors and sage-grouse and seasonal/timing restrictions are inclusive of all of the aforementioned activities.			
Initial Response to Comment: Noise reduction minimization measures are noted in the WMP, Section 7.3. Calico can work with ODFW and USFWS to better develop and describe noise minimization measures and expected impacts to include in the WMP. Does USFWS have noise impact tables for general groups of wildlife species that could be provided to Calico?			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Category 2 indicates incomplete work presented in the application and that inadequate data are provided to assess effects. Anticipated noise levels were not provided therefore noise impacts cannot be assessed, nor can the adequacy of any mitigation measures be determined. Thus, this comment is still category 2. To resolve this, Calico should provide data indicating the anticipated noise level from their proposed activities as detailed in the original FWS comment.	
Agency Comment: Category 2 indicates incomplete work presented in the application and that inadequate data are provided to assess effects. Anticipated noise levels were not provided therefore noise impacts cannot be assessed, nor can the adequacy of any mitigation measures be determined. Thus, this comment is still category 2. To resolve this, Calico should provide data indicating the anticipated noise level from their proposed activities as detailed in the original FWS comment.			
Response to Comment (May 2023): Following receipt of this comment Calico completed a noise analysis to model the Project-related noise levels associated with the construction and operations phases of the Project. This analysis also included noise expected to be generated by traffic on the access route. Results are summarized in Section 4.1.4.2 of the Wildlife Mitigation Plan. Based on the results of the noise analysis, Calico proposed noise minimization measures detailed in Section 5.1 of the Wildlife Mitigation Plan and developed a Noise Monitoring Plan summarized in Section 7.1 of the Wildlife Mitigation Plan.			
Appendix D15, Wildlife Mitigation Plan, was resubmitted to DOGAMI on May 31, 2023, and Appendix D19, Noise Monitoring Plan, was also submitted to DOGAMI on May 31, 2023.			

Comment Number: 453

Comment Number: 453		Category: 2	Status: C
Topic: Non-contact water		CPA Reference: Wildlife Protection Plan (p. 4)	
Commentor: USFWS It is unclear how non-contact water will be diverted and stored and if those methods will allow non-contact water to serve as an attractant to wildlife and if it will be accessible by wildlife.			
Initial Response to Comment: The Stormwater Pollution Control Plan (Appendix D4 of the CPA) describes the system of pipes and non-erodible ditch features through which non-contact stormwater will flow to natural drainages located downstream of the project area. Stormwater will not be stored on site. Stormwater management ditches and piping will be installed within the perimeter fence which will prevent access by terrestrial wildlife.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: FWS has not had time to review the Stormwater Pollution Control Plan in detail and would appreciate consulting with other state agencies and subject matter experts.	
Agency Comment: FWS has not had time to review the Stormwater Pollution Control Plan in detail and would appreciate consulting with other state agencies and subject matter experts.			
Agency Comment (May 2023): Having reviewed the Stormwater Pollution Control plan, USFWS has the following questions/concerns: 1. We are mostly satisfied that the plan will not allow for standing non-contact water that could serve as an attractant to wildlife. However, the site layout plans detail an existing cattle pond (Schwizer Reservoir) that has held water in recent years (Google Earth Imagery). Further details are needed to understand how the stormwater conveyance system will interact with this reservoir and how this reservoir will be managed to reduce its potential to serve as a wildlife attractant. 2. The Stormwater Management Plan includes monitoring to ensure that precipitation events would not contribute to water quality impairments downstream but does not address the potential for these flowing conveyances to be an attractant to wildlife. While the site is in a dry climate; spring storms and snow melt can cause episodic ponding or overland flows. The Wildlife Protection Plan should clearly state that observational reports of any wildlife use of stormwater drainage features will be included in surveys. 3. Long-term, it is unclear how the site will be transitioned post operations so that issues such as deteriorated culverts do not plug and create ponded water or other attractant areas for wildlife in the future when BMPs are not being regularly used and maintained. Additional information about the post-operations stormwater management, monitoring, and expectations is requested.			
Response to Comment (May 2023): Non-contact waters will be collected and conveyed to discharge points into natural drainages located within the perimeter fence. Access by terrestrial wildlife will be restricted by the fence until waters flow offsite through the natural drainages. It would be possible for birds to access these ephemeral flows. The small earthen embankment that forms the Scheizwer Reservoir is within the planned path of the roadway from the Basalt Quarry to the Mine Plant Area. The construction of the road will destroy the embankment so the reservoir will no longer exist. The Reclamation Plan describes how site facilities will be decommissioned and the site reclaimed, including removal of temporary (i.e., operations period) stormwater management facilities like culverts and channels, and construction of post-closure stormwater management facilities. The reclamation activities will return nearly all			

Comment Number: 453	Category: 2	Status: C
of the site to near-natural conditions so the “stormwater” will become unclassified runoff that will be used by wildlife just like water occurring in other natural ephemeral drainages in the vicinity of the mine.		
The <i>Wildlife Mitigation Plan</i> and the <i>Wildlife Protection Plan</i> have been updated to state that quarterly inspections of stormwater drainage facilities will be conducted for evidence of wildlife use, or any incidental observations of wildlife.		
Appendix D14, <i>Wildlife Protection Plan</i>, section on Chemical Processing Solutions and Associated Wastewater Containment, references the <i>Stormwater Pollution Control Plan</i> (WSP USA, 2023) and states non-contact water will be collected and diverted around the mine facilities in a series of culverts.		
CPA Appendix D14, <i>Wildlife Protection Plan</i>, and Appendix D15, <i>Wildlife Mitigation Plan</i>, were resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 454

Comment Number: 454		Category: 1	Status: B
Topic: TSF and reclaim pond		CPA Reference: Wildlife Protection Plan (p. 5)	
Commentor: USFWS			
The Wildlife Protection Plan describes how the TSF and reclaim pond will be fenced to prevent terrestrial wildlife and the use of Bird Deterrent Balls on the reclaim pond, but it does not detail how the applicant will prevent access of the TSF by avian predators.			
Initial Response to Comment: In compliance with OAR 635-420-0020 (4)(d)(C), Calico is primarily relying on the non-toxic status of the TSF waters rather than physical deterrence to prevent harm to avian wildlife that access the TSF. This is described on page 5 of the WPP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Per previous comments (see #460), the applicant has not adequately demonstrated that the TSF will be non-toxic. Thus, the applicant's response to comment #454 is insufficient. Because the applicant's response tiers to information that is a major data gap identified elsewhere (e.g., toxicity), this comment has been recategorized to category 1.	
Agency Comment: Per previous comments (see #460), the applicant has not adequately demonstrated that the TSF will be non-toxic. Thus, the applicant's response to comment #454 is insufficient. Because the applicant's response tiers to information that is a major data gap identified elsewhere (e.g., toxicity), this comment has been recategorized to category 1.			
Response to Comment (Mar 2023): The Ecological Risk Assessment (ERA) has been revised to include additional details as mentioned in the comment. A conceptual site model is presented that describes the ecological receptors with the potential to have significant exposure to supernatant (i.e., birds and mammals). DEQ ecological screening levels are used in risk estimates. Chemical-specific hazard quotients (HQs) are presented for wildlife. The revised ERA shows that estimated maximum concentrations of chemicals in supernatant are below DEQ screening levels protective of wildlife (birds and mammals) exposed to water through drinking. Based on cumulative risk estimates in the updated ERA, chemicals in supernatant are not expected to cause unacceptable adverse effects to wildlife populations.			
The form of cyanide in the TSF and Reclaim Pond is total cyanide. Tailings are treated to degrade Weak Acid Dissociable (WAD) cyanide and free cyanide before being pumped to the TSF. Also, WAD cyanide in the TSF will be readily degraded by sunlight and natural bacteria. Therefore, the ecological evaluation focused on total cyanide in supernatant.			
The revised Ecological Risk Assessment for Proposed Tailings Storage Facility, dated March 2023, was uploaded to DOGAMI’s file share system on March 22, 2023.			
Agency Comment (May 2023): The Service believes the applicant has demonstrated that fencing and deterrent balls on the reclaim pond are appropriate measures to deter wildlife use of the reclaim pond. Because there will be no physical barriers to prevent avian use of the 108-acre Tailings Storage Facility (TSF) pond, the Service strongly encourages the applicant to include additional measures in the Wildlife Protection Plan to ensure water			

Comment Number: 454	Category: 1	Status: B
stored in the TSF pond and reclaim pond remains non-toxic. Please add a description in the Wildlife Protection Plan that describes the adaptive management approach that will be used to address and monitor metals and water quality parameters in the 108-acre TSF pond, including listing potential options for deterring waterbirds (which will be attracted to and use the 108-acre facility) if water quality thresholds are exceeded to levels potentially harmful to the birds. Please also add a table to the Wildlife Protection Plan that details the metals and baseline water quality constituents (including temperature, pH, hardness, salinity, conductivity, etc.) that will be monitored quarterly, the predicted concentration ranges from the model and target ranges for these constituents, along with levels of concern. Quarterly observational monitoring for presence of fish, aquatic invertebrate, and aquatic vegetation in the TSF and supernatant pond should be added to the Wildlife Protection Plan. Observations of algal growth, fish or invertebrates are observed in the same location over more than 3 quarters, the USFWS must be contacted to discuss adaptive management actions (such as deterrents or removal of aquatic vegetation).		
Response to Comment (May 2023): A <i>Tailings Chemical Monitoring Plan</i> has been included with the revised CPA as Appendix D2 in response to other comments from the TRT. One of the objectives of the <i>Tailings Chemical Monitoring Plan</i> is to monitor the acid generation potential of the tailings and slurry (i.e., to regulate the addition of lime to the tailings) and assure that the tailings and water going into the TSF is not too basic or acidic. The <i>Tailings Chemical Monitoring Plan</i> also includes monitoring of the supernatant and reclaim pond water to assure that the water quality will not be harmful to birds. The parameters monitored and media tested are described in the <i>Tailings Chemical Monitoring Plan</i> along with the frequency of testing (weekly for cyanide and pH, quarterly for metals). CPA Appendix D2, <i>Tailings Chemical Monitoring Plan</i>, was uploaded to DOGAMI on April 3, 2023. The <i>Wildlife Mitigation Plan</i> and the <i>Wildlife Protection Plan</i> have been updated to state the water quality parameters to be monitored including the wildlife-related levels of concern. These plans also detail the response protocol if a parameter exceeds the level of concern. The plans also state that the results of quarterly observational monitoring of the TSF and reclaim pond will be used to determine the presence of fish, aquatic invertebrates, algae, or aquatic vegetation. This response also pertains to Comment 460A. CPA Appendix D14, <i>Wildlife Protection Plan</i>, and Appendix D15, <i>Wildlife Mitigation Plan</i>, were resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 455A

Comment Number: 455A		Category: 2	Status: C
Topic: Nest deterrents on transmission line		CPA Reference: Wildlife Protection Plan (p. 9)	
Commentor: USFWS			
The current mitigation plan and Wildlife Protection Plan includes perching and nesting deterrence structures on the power transmission line, however the GRS habitat buffer specified (3.3 km) in both plans does not reflect recent literature showing that avian predators using tall structures can impact sage-grouse nest survival up to 12.5 km (Gibson et al. 2018).			
Initial Response to Comment: USFWS please coordinate with ODFW regarding distance of buffer for impact assessment. Calico relied on the Oregon Sage-Grouse habitat Quantification Tool Scientific Rationale Document (ODFW 2019 version) to determine the appropriate buffer width.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: USFWS has coordinated with ODFW regarding this and is aware that ODFW considers a 10km buffer surrounding transmission lines.	
Agency Comment: USFWS has coordinated with ODFW regarding this and is aware that ODFW considers a 10km buffer surrounding transmission lines.			
Response to Comment (May 2023): Following subsequent discussion with ODFW during December 2022, Calico proposes to install perch deterrents on poles located up to 10 km from the sage grouse low density habitat. This has been revised in CPA Appendix D14, <i>Wildlife Protection Plan</i> , and CPA Appendix D15, <i>Wildlife Mitigation Plan</i> ; both plans were resubmitted to DOGAMI on May 31, 2023. This response also applies to Comment 404B.			

Comment Number: 455B

Comment Number: 455B		Category: 2	Status: C
Topic: Nest deterrents on transmission line		CPA Reference: Wildlife Protection Plan (p. 9)	
Commentor: USFWS Who will be responsible for monitoring the transmission lines for avian predator nests? What is the planned frequency and duration of monitoring? What will the process be for notifying Idaho Power of identified nest for removal?			
Initial Response to Comment: The ESS will be responsible for monitoring the effectiveness of wildlife protection measures, including the nesting deterrence structures. Calico can address this and add clarifying language to WPP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA		TRT Response:
Agency Comment:			
Response to Comment (May 2023): Calico added information on power pole monitoring to CPA Appendix D14, <i>Wildlife Protection Plan</i> , and CPA Appendix D15, <i>Wildlife Mitigation Plan</i> ; both plans were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 456

Comment Number: 456		Category: 1	Status: B
Topic: Protection of naturally occurring eagle and raptor nests		CPA Reference: Wildlife Protection Plan	
Commentor: USFWS			
This plan does not detail how naturally occurring eagle and raptor nests will be protected and measures to prevent disturbance during the nesting seasons.			
Initial Response to Comment: The WPP addresses specific required content described under OAR 635-420-0020 but it also is designed to meet the objective of zero wildlife mortality, per OAR 635-420-0030. Raptor nest protection (via seasonal avoidance) is covered in section 7.3 of the WMP.			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: Section 7.3 in the Wildlife Mitigation Plan only describes mitigation for a single activity, vegetation clearing. This project will generate many additional sources of disturbance in addition to vegetation clearing. There is no mention of activities to protect eagle/raptor nests from disturbance in the Wildlife Protection Plan. The lack of information as specified above and in the original comment represents incomplete information and thus is a Category 1 comment. Furthermore, the information presented in the WPP and WMP should be consistent to avoid a Category 2 comment.	
Agency Comment: Section 7.3 in the Wildlife Mitigation Plan only describes mitigation for a single activity, vegetation clearing. This project will generate many additional sources of disturbance in addition to vegetation clearing. There is no mention of activities to protect eagle/raptor nests from disturbance in the Wildlife Protection Plan. The lack of information as specified above and in the original comment represents incomplete information and thus is a Category 1 comment. Furthermore, the information presented in the WPP and WMP should be consistent to avoid a Category 2 comment.			
Response to Comment (May 2023): Revised Appendix D15, <i>Wildlife Mitigation Plan</i> , section on minimization measures to clearly indicate that seasonal restrictions will apply to all disturbance-producing project activities. The OARs specifically addressed by Appendix D14, <i>Wildlife Protection Plan</i> , do not include all potential impacts to wildlife so that report has not been updated to include all minimization measures presented in Appendix D15, <i>Wildlife Mitigation Plan</i> ,. Calico will be required to implement minimization and mitigation measures described in both of these documents. CPA Appendix D14, <i>Wildlife Protection Plan</i> , and CPA Appendix D15, <i>Wildlife Mitigation Plan</i> , were resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 460A

Comment Number: 460A		Category: 1	Status: B
Topic: Ecological risk to wildlife		CPA Reference: Wildlife Protection Plan (p.6), Ecological Risk Assessment (p.14)	
Commentor: USFWS			
There is insufficient detail included in both of these documents to assess the ecological risk to wildlife from the reclaim pond and supernatant waters. To sufficiently assess wildlife risk, the assessment must produce an exposure profile for species present (EPA 2018). Because the exposure (in terms of intensity, space, and time) may vary depending on each species, a single profile is insufficient. The document states it uses an exposure assumption that 100% of the ecological receptor’s water needs is obtained from the supernatant water and reclaim pond, but it is unclear from this approach if this evaluates only consumption of the water or if other pathways of exposure were considered (e.g. physical contact). It is also unclear what duration of exposure was assessed (e.g., one day’s worth of water needs vs. multiple consecutive days).			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response:	
Response to Comment (Feb 2023): As mentioned in the response to Comment #424, the ecological screening values were calculated using exposure assumptions for indicator species of several different feeding guilds (LANL, 2017). These screening levels were calculated assuming that bird and mammal indicator species have an area use factor (AUF) of 1. This exposure assumption means that the entire exposure (i.e., water supply) of an indicator species was from the same location (typically a single contaminated site). The water screening levels are calculated assuming only drinking exposures. Although wildlife may also have dermal contact with water while drinking, dermal exposures are expected to be insignificant relative to assumed drinking. SLR is aware of no established EPA guidance for incorporating chemical uptake via dermal contact with water by wildlife in conventional ecological risk assessments.			
Please clarify what guidance document is being referenced with the "EPA, 2018" reference. Insufficient information is available in the comment to identify this reference."			
Response to Comment (Mar 2023): As mentioned in the response to Comment #424, the ecological screening values were calculated using exposure assumptions for indicator species of several different feeding guilds (LANL, 2017). These screening levels were calculated assuming that bird and mammal indicator species have an area use factor (AUF) of 1. This exposure assumption means that the entire exposure (i.e., water supply) of an indicator species was from the same location (typically a single contaminated site). The water screening levels are calculated assuming only drinking exposures. Although wildlife may also have dermal contact with water while drinking, dermal exposures are expected to be insignificant relative to assumed drinking. SLR is aware of no established EPA guidance for incorporating chemical uptake via dermal contact with water by wildlife in conventional ecological risk assessments.			
The revised Ecological Risk Assessment for Proposed Tailings Storage Facility, dated March 2023, was uploaded to DOGAMI’s file share system on March 22, 2023.			
Agency Comment (May 2023): The Ecological Risk Assessment still only evaluates one pathway (drinking) for wildlife exposure to potential toxic water in the TSF pond. We remain concerned that the water chemistry within the TSF pond could be harmful for wildlife that contacts the water (from exposure to concentrated metals or even conventional water quality parameters like pH and salinity). Evaporation from ponds can concentrate metals and can pose other physical problems for wildlife. For example, some evaporation ponds in arid areas at soda ash mine sites contain sodium decahydrate, which can precipitate out of water and crystalize on waterfowl entering			

Comment Number: 460A	Category: 1	Status: B
the water, preventing buoyancy and promoting drowning. In addition, if food sources (plant, fish, invertebrates) become available within the TSF, risk to wildlife could be greatly enhanced as these pathways would pose a much greater risk compared to the water only pathway. We understand that Oregon DEQ plans to review the ERA and the Service looks forward to using their review to assist us in our assessment of this document. Regardless, we request modifications to the Wildlife Protection Plan to include monitoring and an adaptive management plan in the event monitoring reveals exposure pathways other than from drinking water are possible. The WPP currently states, “Results of regular sampling and testing of the contact waters stored in the TSF and reclaim pond to demonstrate they consistently remain non-toxic to wildlife species that might come into contact with them. Monitoring will include at least quarterly repetition of the ecological risk assessment for likely wildlife receptors initially completed by SRK in 2021 (see Tailings Chemical Monitoring Plan (Calico 2021b)).” We request that a table be included in the WPP that details the metals and baseline water quality (temperature, pH, DO, hardness, salinity, conductivity, metals, etc.) constituents that will be monitored quarterly, the anticipated modeled levels, the target ranges, and levels of concern). The appropriate agencies (including the Service) should be notified if any values exceed thresholds that put wildlife at risk and the WPP should detail appropriate adaptive management actions that will be implemented. The WPP should also include quarterly observations to determine if fish, aquatic invertebrates, and aquatic vegetation are occurring in the TSF. Positive findings of any of these wildlife attractants over more than two monitoring periods should trigger consultation with appropriate agencies (including the Service) and the WPP should discuss possible adaptive management actions (deterrents, removal of food sources, etc.)		
Response to Comment (May 2023):		
Appendix D14, <i>Wildlife Protection Plan</i>, “Wastewaters Accessible to Wildlife” section has been updated to state that the TSF and the reclaim pond will not be connected to streams or other water features that support fish. Normal operations of the TSF will involve ongoing physical disturbances that are expected to prevent the establishment of aquatic plant or invertebrate populations.		
Appendix D15, <i>Wildlife Mitigation Plan</i>, Section 7.2, “Additional Wildlife Protection Measures,” has been updated to state that the results of quarterly observational monitoring of the TSF and reclaim pond will be used to determine the presence of fish, aquatic invertebrates, algae, or aquatic vegetation. This response also pertains to Comment 454.		
Both the Wildlife Protection Plan and the Wildlife Mitigation Plan include a new table called “TSF and reclaim pond analytes to be monitored for toxicity to wildlife.” This table combines information from the Tailings Chemical Monitoring Plan (Appendix D2) and the <i>Ecological Risk Assessment</i> (Appendix G). The plans also detail response measures if the tailings chemical monitoring detects an exceedance.		
CPA Appendix D14, <i>Wildlife Protection Plan</i>, and Appendix D15, <i>Wildlife Mitigation Plan</i>, were resubmitted to DOGAMI on May 31, 2023.		

Comment Number: 462

Comment Number: 462		Category: 1	Status: B
Topic: Ecological risk to wildlife		CPA Reference: Ecological Risk Assessment (p.145 Section 5)	
Commentor: USFWS			
Waterfowl and other water birds will likely be attracted to the reclaim pond. What deterrents will be used to keep these birds from using the pond? Especially in the event of a spill, mishandling of waste, catastrophic event, or other issue at the facility that impairs water quality of the reclaim pond.			
Initial Response to Comment: The reclaim pond is a small feature and birds and bats will be discouraged from accessing its surface by bird balls. Waterfowl and other birds are more likely to be attracted to the much larger TSF. Because there is no physical deterrence that is feasible for the TSF, Calico is relying on the non-toxic status via the proposed treatment protocols for water stored in the facility. TSF design and treatment procedures are described in detail in the Tailings Design Report (Appendix C4 of the CPA) and Tailings Chemical Monitoring Plan (Appendix D2 of the CPA).			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response: A waterfowl and bird deterrence plan is needed for both the TSF and reclaim pond (which will have bird balls as a deterrent) in the event that a change in operations does not allow sufficient recycling/treatment of the stored water to achieve non-toxic status or monitoring finds that estimated water quality does not meet modeled expectations.	
Agency Comment: A waterfowl and bird deterrence plan is needed for both the TSF and reclaim pond (which will have bird balls as a deterrent) in the event that a change in operations does not allow sufficient recycling/treatment of the stored water to achieve non-toxic status or monitoring finds that estimated water quality does not meet modeled expectations.			
Response to Comment (May 2023): Calico added a description to Appendix D14, <i>Wildlife Protection Plan</i> , of the emergency response should a failure occur in the cyanide destruction system which would involve treatment of the water body with hydrogen peroxide and concurrent deployment of additional temporary wildlife deterrent measures. CPA Appendix D14, <i>Wildlife Protection Plan</i> , was resubmitted to DOGAMI on May 31, 2023.			

Comment Number: 464

Comment Number: 464		Category: 3	Status: B
Topic: Noise		CPA Reference: Reclamation Plan (p. 17)	
Commentor: USFWS Considerable noise is likely to occur during the reclamation phase of the mine (e.g., operation of trackhoe-mounted hydraulic hammer to remove concrete foundations and slabs). Impacts to wildlife from noise during reclamation must be considered and these activities should not occur during seasonal and timing restrictions to prevent wildlife disturbance.			
Initial Response to Comment: Noise reduction minimization measures are noted in the WMP, Section 7.3. Calico can work with ODFW and USFWS to better develop and describe noise minimization measures and expected impacts to include in the WMP. Does USFWS have noise impact tables for general groups of wildlife species that could be provided to Calico?			
Stantec – Comment Addressed as Indicated? NA	Stantec – Preliminary Assessment – Sufficient Response? NA	TRT Response:	
Response to Comment (May 2023): Revised Appendix D15, <i>Wildlife Mitigation Plan</i> , section on minimization measures to clearly indicate that seasonal restrictions will apply to all disturbance-producing project activities. Appendix D19, <i>Noise Monitoring Plan</i> , was developed in response to comments 401, 404A, 450, and 464. The <i>Noise Monitoring Plan</i> was uploaded to DOGAMI on May 31, 2023.			