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Technical Memorandum

Prepared for: Earthjustice

Subject: Surface Water Temperature Effects of the Proposed Donlin Project

BGC Engineering (BGC) completed the report, Analysis of Crooked Creek Stream Temperature (BGC 2021), to provide a quantitative analysis of the potential temperature effects of developing the Donlin Gold Mine on surface water temperatures in Crooked Creek. The Donlin Gold Project Final Environmental Impact Statement (FEIS) contained only qualitative discussion of stream temperatures. BGC analyzed the change in temperature in Crooked Creek due to dewatering and discharges from treated dewatering water at the Donlin Mine to determine if the mine would cause water temperatures to exceed 55.4°F for egg/fry incubation or 59.0°F for migration and rearing. Water temperatures could rise if colder groundwater or streams with colder inflow no longer discharge into the creek or if discharges to the creek are warm enough to raise the temperature.

BGC's analysis provided evidence that allowed BGC to conclude that stream temperatures would remain just below the permit requirement. However, the analysis is a simple water balance model that has assumptions which biased the analysis to predict lower stream temperatures. These assumptions include that flow increases as a linear function of drainage area, that 2005 recorded flows are the most critical stream flow period, the failure to consider thermal effects along Crooked Creek, the failure to consider thermal inputs from the water discharged into the creek, the failure to consider climate change, and the failure to consider the uncertainty in predicted dewatering effects on the streamflow. BGC also did not conduct any uncertainty analysis that would consider the effects of these assumptions. This memorandum presents a brief sensitivity analysis of the BGC predictions.

Site Description

BGC used temperature flow for 2005 through 2011 at sites on Crooked Creek, Anaconda Creek, and American Creek, shown on Figure 1. Crooked Creek flows north to south through a

meandering channel just west of the Donlin Mine. American Creek enters about two miles upstream of Anaconda Creek. BGC presents temperature and flow data in Appendix A.

The year 2005 had the warmest recorded flow temperatures in both Crooked Creek and Anaconda Creek. BGC (p 5) claims that the 2005 air temperature at Camp Station was 58.3°F which is almost 7 degrees warmer than the 51.4° average temperature for May through September at that station. The year 2005 also had the lowest flows on most days at the three stations but most importantly at the Crooked Creek gage. A combination of high air temperatures and low flows likely caused 2005 to have the warmest water temperatures of the record. However, BGC presents no analysis as to the frequency that the low flows or high temperatures observed in summer 2005 have occurred so the predictive power of that knowledge is limited.

Water Balance Model

The model used to predict temperatures caused by the mine is a simple mixing model of flows with specified temperatures without any consideration of thermal effects between the points on the creeks, or nodes, at which temperatures are estimated. Thermal effects are heat gain or loss as the water passes between nodes of their model as discussed in detail below. BGC used 2005 data as a critical year to calculate changes in streamflow temperature without considering the frequency with which those conditions would recur. Calculations as completed by BGC show the maximum temperature at the Crooked Creek site reaches 54.5°F in July, about 0.9°F below the limit. The arithmetic used for the calculations appears accurate, but the assumptions used for the model bias the results to underpredict stream temperatures.

Flow Assumptions

The first assumption is that stream flows will not be any lower than analyzed. The year 2005 had the lowest flows of the presented record but there is no indication as to the probability of those low flows being exceeded. If the background streamflow is lower than occurred in 2005, the mine would have more substantial effects on the stream temperatures than predicted by BGC.

BGC assumed a linear flow to area relationship which means the stream gains flow as a function of area. While correct on a broad scale in the Donlin area, the reality is that the relationship varies with length and with the wetness in the watershed. During dry periods, most flow enters

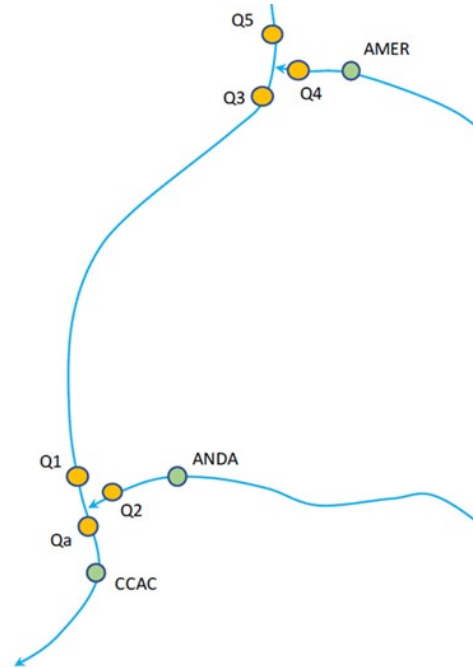


Figure 1: Figure 3-1 from BGC (2021). The green circles are measurement points for flow and temperature and the orange circles are calculation nodes.

in select gaining reaches or at points of inflow. During storm runoff periods, for streams of this size and topography, there are probably discrete inflow points but they probably spread along the stream reach so the area relationship may be more accurate. BGC should have done a synoptic analysis on Crooked Creek to determine the actual relationship of flow with area during both wet and dry conditions.

Failure to Consider Thermal Effects

The second assumption is there will be no thermal effects on the stream, meaning BGC ignored sources of heat that would add to stream temperatures. Sources of heat include shortwave solar radiation, longwave atmospheric radiation, conduction of heat from the atmosphere to the water, and direct heat inputs from an anthropogenic source (the effluent) (Thomann and Mueller 1987). Heat sinks, or losses of heat, include longwave radiation, evaporation, and conduction from water to the atmosphere (Id.). It is common to consider the net influx due to any of these sources, meaning, for example, the difference in incoming and outgoing radiation.

At the latitude of Donlin, longwave atmospheric radiation and conduction of heat from the atmosphere during warm days are likely to be the largest source of heating. Shortwave radiation, including direct sunlight onto the creek, reflects from surface water such that at lower than a 30-degree angle little heat would be absorbed. Reflected shortwave radiation however could hit the riparian vegetation thereby heating it thereby increasing long-wave radiation to the creek. At the low temperatures considered here, evaporation would remove only a small amount of heat. It seems likely that at least during warm weather periods with long days there would be a net gain of heat in the creek. Additionally, the stream meanders substantially, as seen on BGC (2021) Figure 2-4; the meandering increases the surface area of the stream exposed to the factors listed above. By ignoring thermal effects, BGC ignored a substantial source of heat and has underestimated the temperature at the downstream end of the stream reach affected by the mine.

Effluent Discharge to the Stream

The third unjustified assumption is that effluent temperatures would not be high enough to affect the stream. BGC provided no references to support the assumption. Effluent includes tailings decant water and runoff from waste rock and pit walls which could all be warmer than the stream temperatures during the summer due to radiation from the sun having warmed the source. There is also no discussion or evidence regarding heat that could be added to the water during treatment.

Climate Change

BGC also ignored the potential that climate change would affect the thermal factors considered above. It could affect the stream in two ways. It could decrease flows during warm, dry periods and increase the air temperature and therefore the flux of heat from the air to the water. Both would increase the stream temperature. Because climate change would affect the stream

temperatures regardless of the mine, it is necessary to consider it as part of any analysis of the impacts of the mine.

Uncertainty in the Predictions

To test the effects of these assumptions including how they may have biased the results, I replicated the flow/temperature calculations for the Summer 2005 data. I also considered how small changes, related to the assumptions noted above, could affect the streamflow temperatures, as discussed in the following paragraphs.

BGC assumed inflow to the reach at Q5 would not be affected by mining, although it is possible the dewatering effects on groundwater flow to the stream could occur above this point. Mining eliminates flow at Q4 as the pit intercepts American Creek. Flow at Q2 would be reduced by the proportion of the watershed intercepted by the tailings impoundment on Anaconda Creek; the remaining drainage area is just 1.7 of the natural 7.7 square miles so the flow is just 22% of natural. At both Q5 and Q2, BGC assumed the water temperature equaled the natural flow temperatures (measured at ANDA for Q2 and that at Q5 had been calculated based on natural flow conditions). Dewatering was predicted to remove about 2 cfs of groundwater inflow to the streams; BGC applied this at Q3 by subtracting 2 cfs from the natural flow at Q5. BGC calculated mine-disturbed flow at Q1 by subtracting Q4 and 2 cfs from the calculated natural flow at Q1. BGC sets background temperature at Q1 to equal that at Q3 without considering thermal effects. The temperature at Qa is that at Q1 adjusted for flow from the disturbed Anaconda watershed.

Calculations performed by BGC and replicated herein show that mining disturbances would increase water temperatures during most of the summer. With mining disturbances using the base condition as observed during summer 2005, the highest temperature at Qa occurred July 23, 2005 (Figure 2). The temperature at Q1 was about 0.1°F higher, so the small 40.6°F inflow at Q2 cooled Crooked Creek slightly. Without the mine disturbance the tributary flow would have cooled the temperature even more. In fact, the highest water temperature presented for Anaconda Creek over a six-year period was 42.5°F in July 2005 (BGC (2021) Figure 2-7). If Q2 went to zero, the temperature at Qa would increase to 54.9°. Low temperature natural flow at Q4 also lowers natural flow temperatures on Crooked Creek, but the mine will eliminate that inflow. The temperature of groundwater inflow which supports Crooked Creek flow is 35.5°F so preventing groundwater from reaching the creek due to dewatering also causes it to warm. The primary effect of mine development is to remove inflows to Crooked Creek that decrease temperatures in that creek.

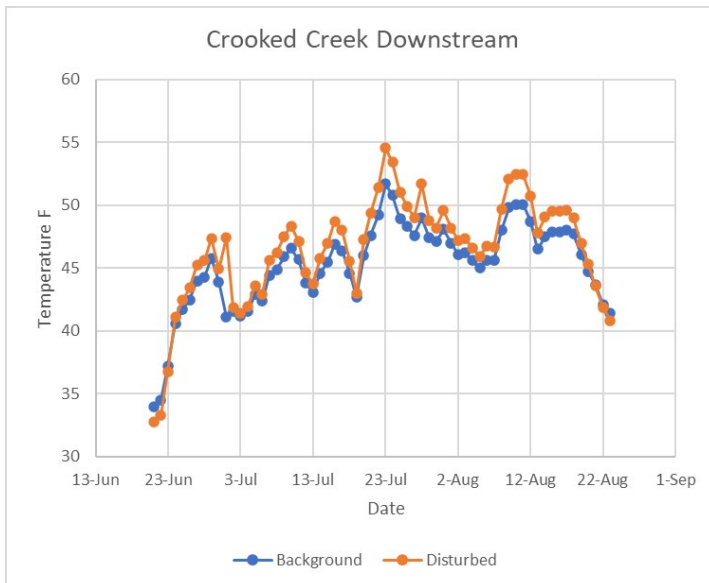


Figure 2: Crooked Creek stream temperatures for natural (background) and disturbed conditions.

BGC does not account for potential uncertainties in the dewatering forecast. The dewatering forecast is based on groundwater modeling which has inherent uncertainties in the parameters used for analysis. As part of the groundwater modeling analysis, these parameters are adjusted so that the sensitivity of the model can be determined. For example, adjusting the conductivity, K, allows the modeler to assess the range in predicted dewatering rates. The FEIS, based on these sensitivity analyses, reported that summer flow losses from Crooked Creek could increase from 25 percent in the base case to 61 percent for “High K” scenario (See FEIS App. G at G-64, G-68 (Crooked Cr. at American, June)). BGC failed to consider that flow conditions on Crooked Creek could be worse than predicted or that increased dewatering losses would have additional impacts to the temperatures on Crooked Creek.

Inflow to Crooked Creek from treatment processes at the mine could be as high as 4038 gallons per minute (gpm), or 9 cfs (FEIS Table 3-7.39). During Summer 2005, American Creek (Q4) averaged 6.7 cfs, but all of that would be lost to mining. Mining would reduce the flow at Q2 by about 4.2 cfs. The total loss of direct surface flow to Crooked Creek would be about 10.9 cfs. That would be replaced by 9 cfs of effluent. The FEIS does not provide effluent temperature estimates, but considering how close temperature is to the limit, if the effluent temperatures are substantially higher than the natural influent temperature, temperature limits on Crooked Creek would be exceeded. Using similar water balance equations to those used above, if 9 cfs of effluent has a 59°F temperature, the temperature at Qa would be 55.6°F, which exceeds the limit. The multitude of scenarios that could combine to increase the temperature at Qa is beyond the scope of this review to consider, but any serious consideration of unacceptable temperature impacts of this project a must consider them. The following is a brief list of flow variables that must be considered:

- Higher effluent temperatures

- Lower flow on Crooked Creek which could make moderating temperatures on the effluent more difficult
- More very cold water removed due to dewatering

One given reason for ignoring thermal effects was the mine would not affect the stream cover. However, even if the mine does not affect cover, if BGC's temperature assumptions are wrong, and Crooked Creek temperature naturally rises a couple degrees between tributaries, the project could cause exceedances. In other words, BGC by ignoring thermal effects assumes the background temperatures to be so low that the project's impacts would not cause stream temperatures to exceed the limits. Using water balance calculations as for the effluent calculations, if the water temperature at Q2 is 55.6°F instead of the modeled 54.8°F, the temperature at Qa would reach 55.6°F under disturbed conditions. If thermal effects increase background water temperature by less than a degree during the warm July 23, 2005, conditions, the proposed mine would exceed temperature limits. BGC ignored potential thermal effects by simply assuming them away without any meaningful justification.

Conclusions

BGC (2021) does not provide evidence indicating that the development of the Donlin Mine would not cause stream temperatures that would exceed standards. In fact, there are so many assumptions necessary to keep the temperatures from exceeding the standards that it is likely that future stream temperatures will exceed the standards, especially as climate change increases the background temperatures that the mine will only increase with its effects.

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Curriculum Vitae

Objective: To provide diverse research and consulting services to nonprofit, government, legal and industry clients focusing on hydrogeology specializing in mine dewatering, contaminant transport, natural gas development, groundwater modeling, NEPA analysis, federal and state regulatory review, and fluvial morphology.

Education

Years	Degree	University
1992-96	Ph.D. Hydrology/Hydrogeology	University of Nevada, Reno Dissertation: Stochastic Structure of Rangeland Streams
1990-92		University of Arizona, Tucson AZ Classes in pursuit of Ph.D. in Hydrology.
1988-90	M.S. Hydrology/Hydrogeology	University of Nevada, Reno Thesis: Stream Morphology, Stability and Habitat in Northern Nevada
1981-83		University of Colorado, Denver, CO Graduate level water resources engineering classes.
1977-81	B.S., Civil Engineering	University of Colorado, Boulder, CO

Professional Experience

Years	Position	Duties
1993-Pr.	Hydrologic Consultant	Completion of hydrogeology studies and testimony focusing on mine dewatering, groundwater modeling, natural gas development, contaminant transport, NEPA review, and water rights for nonprofit groups and government agencies.
1999-2004	Great Basin Mine Watch, Exec Director	Responsible for reviewing and commenting on mining projects with a focus on groundwater and surface water resources, preparing appeals and litigation, organizational development and personnel management.
1992-1997	Univ of NV, Reno, Res. Assoc.	Research on riparian area and watershed management including stream morphology, aquatic habitat, cattle grazing and low-flow and flood hydrology.
1990-1992	U of AZ, Res. and Teach. Assistant	Research on rainfall/runoff processes and climate models. Taught lab sections for sophomore level "Principles of Hydrology". Received 1992 Outstanding Graduate Teaching Assistant Award in the College of Engineering
1988-1990	U of NV, Reno Res. Asst	Research on aquatic habitat, stream morphology and livestock management.
1983-1988	US Bureau of Reclamation Hydraulic Eng.	Performed hydrology planning studies on topics including floodplains, water supply, flood control, salt balance, irrigation efficiencies, sediment transport, rainfall-runoff modeling and groundwater balances.

Peer-Reviewed Publications

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Special Coursework

Years	Course	Sponsor
2011	Hydraulic Fracturing of the Marcellus Shale	National Groundwater Association
2008	Fractured Rock Analysis	MidWest Geoscience
2005	Groundwater Sampling Field Course	Nielson Environmental Field School
2004	Environmental Forensics	National Groundwater Association
2004 and -5	Groundwater and Environmental Law	National Groundwater Association