

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**In the matter of Walker Mine Tailings
Cleanup and Abatement Order R5-2014-
XXXX and Walker Mine Cleanup and
Abatement Order R5-2014-YYYY**

Declaration of Jeffrey Huggins

I, Jeffrey Huggins, declare as follows:

1. I am a Water Resource Control Engineer employed by the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board), based in the Sacramento office. I have worked for the Regional Water Board since 2006. I graduated from Montana College of Mineral Science and Technology in 1989 with a Bachelor of Science in Mining Engineering. I work primarily in the Title 27 Permitting and Mining section.
2. I am the primary Regional Water Board staff assigned to the Walker Mine and Tailings matter. I maintain the Walker Mine and Tailings files, and I am familiar with the contents. I have conducted site inspections of the Walker Mine and Tailings twice yearly since 2006. I conduct the inspections generally in accordance with the Central Valley Water Board's 1997 Walker Mine Acid Mine Drainage Abatement Project Operation and Maintenance Procedures ("Procedures"), with occasional variations depending on time and resource constraints and weather conditions at the site. Prosecution Team Exhibit 21 is a true and correct copy of Regional Water Board Resolution No. 97-161, which adopted the Procedures; Prosecution Team Exhibit 22 is a true and correct copy of the Procedures.
3. During the site inspections, I collect water quality samples generally as described in the Procedures and in accordance with standard water quality sampling methodologies. I maintain the chain of custody and submit the samples for laboratory analysis. Prosecution Team Exhibit 23 is a table prepared at my direction listing the current sampling locations. These locations were originally set forth in the Procedures, but they have been revised by staff to address current site conditions. I collect samples from as many of these locations as possible during each inspection depending time and resource constraints and on site conditions, particularly the availability of water. Prosecution Team Exhibits 24, 26, 28, 30, 31, 32, 33, 35, 36, 39, 40, 41, 42, 44 and 46 are true and correct copies of the laboratory reports for samples I collected between June 2006 and November 2013.
4. During my inspections, in accordance with the Procedures, I access and inspect the 700 level adit, including the secured portal, the timbered and unsupported sections within the tunnel, and the mine seal itself. I access and download data collected from the remote pressure sensor monitoring equipment installed in the seal. This data shows how much water pressure is behind (over) the seal, measured daily and stored in an onsite data

logger contained within the adit tunnel behind the secured portal. I also inspect and visually observe the general conditions in the area surrounding the 700 level portal and the Central and Piute Mine workings north of the portal area, paying particular attention to areas containing mining waste and potential water quality concerns. I am familiar with the recent conditions and status of the Mine and Tailings, and could testify thereto. I prepare inspection reports for inspection as time and resources permit. Prosecution Team Exhibits 25, 27, 29, 34, 37, 43 and 45 are true and correct copies of inspection reports I prepared following inspections in October 2006, June 2007, October 2007, October 2009, July 2010, June 2013 and November 2013.

5. In 2010, I oversaw an inspection and rehabilitation of the 700 level ventilation system by Beck's Enterprises. Prosecution Team Exhibit 38 is a true and correct copy of the Beck's Enterprises inspection report. The inspection report recommends certain steps to reinforce the access tunnel which, to date, have not yet been completed.
6. I prepared and directed the preparation of the Attachments and Figures for proposed Cleanup and Abatement Orders R5-2013-XXXX and R5-2013-YYYY using documents and data from the Regional Water Board files, including data I collected described in paragraph 3 above.
7. I researched and obtained the documents contained in Prosecution Team Exhibit 1, and I prepared the spreadsheet Index to Prosecution Team Exhibit 1. I obtained the documents contained in Exhibit 1 from two sources: 1.) The Montana Historical Society (<http://mhs.mt.gov>); and 2.) The Anaconda Geological Documents Collection at the University of Wyoming's American Heritage Center (<http://www.uwyo.edu/ahc/collections/anaconda/>).
8. The Montana Historical Society is a Montana state agency tasked with acquiring and preserving historical records, and with making such records available for public review. I obtained documents from the Montana Historical Society by contacting the Historical Society and searching the Society's indexed records. Exhibit 1, Items 5 through 9, 13, 69, and 71 through 73 are true and correct copies of documents I obtained from the Montana Historical Society. Electronic copies of the raw archive files I obtained from the Montana Historical Society are contained in the "Prosecution Team Walker Submittal CD" submitted with the Prosecution Team's Case-in-Chief.
9. The Anaconda Geological Documents Collection is a public archive of Anaconda's geological exploration and development work in the United States and beyond. The Collection contains records of mining and exploration studies, reports, data, maps and correspondence relating to Anaconda's business activities. It is my understanding and belief that the University of Wyoming accepted the collection in 1987 and that the Collection was donated by Atlantic Richfield.
10. The University of Wyoming's American Heritage Center maintains a publicly accessible searchable online index of the Anaconda Geological Documents Collection, although membership is required to obtain copies of documents. As part of my research into this matter, I obtained a membership to the Anaconda Geological Documents Collection.
11. At various times in 2011 through 2013, I accessed the Anaconda Geological Documents Collection's online search page (<http://digitalcollections.uwyo.edu/anaconda/>), and

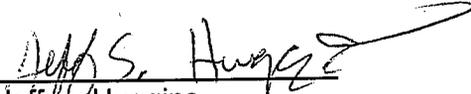
searched generally using “Walker Mine” or variants as the “Project” and “California” as the “State.” I obtained copies of a number of the resulting documents by contacting Collection staff and informing them of the “File Number” and “Sub File Number” for the records I was interested in. Collection staff would then send me electronic copies of the documents, in the form of “.pdf” files named by File Number and Sub File Number. For example, documents I requested from File Number 16103, Sub File 1 would arrive in a .pdf file named “16103.01” or similar. Prosecution Team Exhibit 4 is a true and correct copy of a letter from Rachael Dreyer, Anaconda Collection Manager, describing the search process and providing authentication of the raw archive files.

12. All of the raw files I obtained from the Collection are included in the “Prosecution Team Walker Submittal CD” accompanying the Prosecution Team’s Case-in-Chief, contained within a folder entitled “University of Wyoming Documents.” The raw files are contained within that folder in subfolders arranged by date of search. Prosecution Team Exhibit 1, Items 1 through 339 (except for Items 5 through 9, 13, 69, and 71 through 73 as described in Paragraph 8 above) are true and correct copies of documents from the raw files I obtained from the Anaconda Geological Documents Collection.
13. Prosecution Team Exhibit 5 is a true and correct copy of the draft Walker Tailings Cleanup and Abatement Order (CAO) served to the United States Forest Service and to Atlantic Richfield on 29 April 2013. Prosecution Team Exhibit 6 is a true and correct copy of the draft Walker Mine CAO served to Atlantic Richfield on 29 April 2013. Both draft CAOs were served with copies of the referenced attachments and evidence, although those attachments and evidence have been left out of the Exhibits here because they are included with the proposed CAOs.
14. Prosecution Team Exhibit 7 is a true and correct copy of the Forest Service’s 3 June 2013 comments on the draft Tailings CAO. Prosecution Team Exhibit 8 is a true and correct copy of Atlantic Richfield’s 3 June 2013 comments on the draft Walker Mine and Tailings CAOs.
15. Prosecution Team Exhibit 9 is a true and correct copy of Central Valley Regional Water Board Order R5-00-028. Prosecution Team Exhibit 10 is a true and correct copy of the Forest Service’s comments dated 18 December 1999, regarding tentative order revising Waste Discharge Requirements, Walker Mine Tailings.
16. Prosecution Team Exhibit 11 is a true and correct copy of the published decision in *United States v. Colorado* (10th Cir. 1993) 990 F.2d 155.
17. Prosecution Team Exhibit 12 is a true and correct copy of the Consent Decree dated 13 June 2005, *United States of America v. Atlantic Richfield Company*, United States District Court for the Eastern District of California, Sacramento Division, CIV. No. S-05-00686 GEB-DAD.
18. Prosecution Team Exhibit 13 is a true and correct copy of Central Valley Water Board Resolution No. 86-057.
19. Prosecution Team Exhibit 14 is a true and correct copy from the file of the Steffen Robertson & Kirsten (“SRK”), Walker Mine Project Final Feasibility and Design Report, November 1985 and Addendum dated January 1986.

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20. Prosecution Team Exhibit 15 is a true and correct copy from the file of the letter dated 24 September 1997 from Patrick Morris to Clifford Brown regarding APN 009-090-02.
21. Prosecution Team Exhibit 16 is a true and correct copy from the file of the Judgment Pursuant to Stipulation filed 2 January 1991, People v. Barry, et al, Superior Court of the State of California, County of San Mateo, Case No. 340529.
22. Prosecution Team Exhibit 17 is a true and correct copy from the file of the Stipulation for Entry of Judgment and Judgment filed August 18, 2004, People v. Cedar Point Properties, et al, Superior Court for the State of California, County of Plumas, Case No. 19897.
23. Prosecution Team Exhibit 18 is a true and correct copy from the file of Central Valley Water Board Resolution 58-180. Prosecution Team Exhibit 19 is a true and correct copy from the file of Central Valley Water Board Resolution 58-181. Prosecution Team Exhibit 20 is a true and correct copy from the file of a report prepared by L.E. Trumbull dated 5 October 1957 regarding water quality impacts from discharges from Walker Mine and Tailings.
24. Prosecution Team Exhibit 47 is a true and correct copy of San Francisco Bay Regional Water Board WDR Order 96-113 and Cleanup and Abatement Order 01-139.
25. Prosecution Team Exhibit 48 is a true and correct copy of a Title Report I requested regarding the Walker Mine property, dated February 2013.
26. Prosecution Team Exhibit 49 is a true and correct copy of a United States Bureau of Mines Information Circular dated March 2932, regarding Milling Methods at the Concentrator of the Walker Mining Company.
27. Prosecution Team Exhibit 50 is a true and correct copy of a report prepared by George Baglin, dated 24 November 1922, titled "Analysis of Facts and History of the Walker Mining Company, Subsidiary of the Anaconda Copper Mining Company."
28. The documents in the Prosecution Team Walker Submittal CD accompanying the Prosecution Team's Case-in-Chief are true and correct copies of documents from the Regional Water Board's files (see "Index of Submittal CD" for a description of the files).

I declare under penalty of perjury to the laws of the State of California that the foregoing is true and correct. Executed this 21st day of January, 2014, at Rancho Cordova, California.


Jeffrey Huggins