

BEFORE THE EXPERT PANEL

FTAA-2507-1089

**UNDER
IN THE MATTER**

Fast-track Approvals Act 2024
of the Bendigo-Ophir Gold Project

**STATEMENT OF EVIDENCE OF PROFESSOR STEVEN EMERMAN ON
BEHALF OF SUSTAINABLE TARRAS**

Dated 18 June 2026

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TO THE EXPERT PANEL

1. My name is Steven Emerman. I provided a statement of evidence on behalf of Sustainable Tarras Inc in relation to mine waste dated 23 March 2026. My qualifications and experience were set out in that statement.
2. The purpose of this statement is to provide a short response to the Chair's question as to whether I had considered the McLaughlin mine in California. During the hearing I said that I had not, but I did not hear the reference to California and had assumed the Panel Chair was referring to the McLaughlin opencast mine near Charleston, New Zealand (which I am aware of but have not studied).¹
3. I have studied the McLaughlin mine in California. I prepared a 2023 report that addressed that McLaughlin mine (along with other mines), which was referenced in my statement of evidence.² A copy of that report is attached as Annexure A. The context for that report is that the Minnesota Prove It First Bill proposed to prohibit sulfide ore mining unless it could be demonstrated that a sulfide ore mine in the USA, in a similar environment to a proposed mine site, had operated for 10 years and had been closed for 10 years without environmental contamination. Nine candidates were informally put forward as model sulfide mines that would meet some of the requirements of the Minnesota bill, including the McLaughlin mine. The attached report concluded that the nine candidates all have extensive records of environmental contamination.³ In relation to the McLaughlin mine the report concludes that successive closure plans at the McLaughlin mine have proven unworkable as the water quality in the pit lake and tailings pond remains very poor. There is potential for spillage into the environment and perpetual maintenance may be required.⁴
4. The McLaughlin mine is addressed in detail on pages 23 – 26 of the report. This explains the problems encountered in closing the tailings facility, with the closure plan stated to be viable only if the system were maintained indefinitely. The concentrations of soluble pollutants exceeded water quality objectives and could cause degradation of "waters of the state." By way of example, the zinc and nickel concentrations in the pits were, respectively, over 18 times and nearly 327 times the EPA National Recommended Aquatic Life Criterion for chronic exposure in freshwater. The issue was not only whether the water remaining on the mine site was suitable as a potable water source or aquatic habitat, but as stated by California Regional Water Quality Control Board⁵, the potential for this water to escape into the environment. The observation by California Regional Water Quality Control Board was that the proposed revised closure plan would be workable only if it included perpetual maintenance.
5. I note that there is no general public access to the McLaughlin Reserve.⁶

¹ <https://www.tandfonline.com/doi/abs/10.1080/00288306.1986.10427530>

² The Minnesota Prove It First Bill and the Myth of Sulfide Ore Mining without Environmental Contamination; Dr Steven H. Emerman, 1 February 2023.

³ Lighting Summary, page 1.

⁴ Executive Summary, page 3.

⁵ https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/lake/r5-2012-0010.pdf

⁶ [Visitor Information | UC Davis Natural Reserves](#)

18 June 2026

Professor Steven Emerman