FINDING OF NO SIGNIFICANT IMPACT

Modification to Keystone Mine Plan of Operations
CACA-33965

Environmental Assessment
DOI-BLM-CA-D050-2018-0007-EA

Bureau of Land Management, Ridgecrest Field Office

Introduction:

The Bureau of Land Management (BLM) has conducted an environmental assessment (DOI-BLM-CA- D050-2018-0007-EA) to analyze the potential effect(s) of authorizing a modification to Bush Management Company's Plan of Operation to drill and sample in Goler Wash area, in the southern Panamint Mountains within Inyo County, California (Project). The proposed action includes authorizing a drilling rig to sample 45 drill holes on 7 drill pads located within the Keystone lode mining claims. As outlined in the EA, the BLM's decision will apply to land under BLM-jurisdiction, which includes the Keystone Mine site and the water line route in Goler Wash (as described for the Project). The activities associated with the transmission of water along Goler Wash Road are within the jurisdiction of BLM.

Plan Conformance and Consistency:

The proposed authorization is consistent with the California Desert Conservation Area Management Plan of 19801 (CDCA Plan) and its amendment, the Desert Renewable Energy Conservation Plan (DRECP) because:

The involved lands are not, and are not proposed to be withdrawn from operation of the Mining Law of 1872 (83 FR 5459).

Section II.5.1 of the DRECP Land Use Plan Amendment eliminates all multiple-use classes in the California Desert Conservation Area. The drilling locations have no conflict with any Area of Critical Environmental Concern or any National Conservation Lands. The DRECP land use plan excludes the Keystone Mine drilling area from the Panamint/Argus Area of Critical Environmental Concern (ACEC) and from the California Desert National Conservation Area (CDNCL).

Finding of No Significant Impact:

Based on a review of the Environmental Assessment and supporting referenced documents, I have determined the project is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity

as defined in 40 CFR 1508.27 and none exceed those effects as described in the California Desert Conservation Area Management Plan of 1980, as amended. An environmental impact statement is not required and will not be prepared.

Significance as used in 40 CFR 1508.27 requires consideration of both context and intensity.

Context:

This project is localized with implications only for the immediate area. The impacts associated with this project are short-term and local, and are not likely in and of itself to have international, national, regional or state-wide impacts. BMC requests BLM authorization to drill 45 locations on public lands within the Panamint Mountains of Inyo County, California. This authorization allows BMC to drill, gather subsurface data and samples, plug and reclaim the affected sites.

Intensity:

Intensity refers to the severity of impact. The ten NEPA criteria for evaluating intensity include:

1. Impacts may be both beneficial and adverse.

   The proposed action may have temporary or minor effect to resources as described in the Environmental Assessment. The proponent has incorporated measures to reduce or mitigate impacts into the proposed action, with further stipulations recommended by BLM in Chapter 2 and Chapter 4 (Environment Impact Analysis). Drilling is the best method to obtain direct, quantifiable baseline samples for subsurface mineral resources, conditions, materials and geology.

2. The degree to which the selected alternative will affect public health or safety.

   Golar Wash Road, formally known as Coyote Canyon County Road, (the public travel route nearest the area) may have some increased traffic incident with this project. The amount of traffic should not affect the health or safety of the general public.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.

   The action has no effect to any prime farm lands, wilderness, wild/scenic rivers, or ecologically critical areas. A class III cultural survey was completed for the project in accordance with Conservation Management Action CMA-LUPA-CUL-4. No direct, indirect or measurable cumulative effects to cultural resources were identified for any alternative.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

BLM received a number of comments expressing opposition to the project. "Highly controversial" in the context of 40 CFR 1508.27(b) (4) refers to substantial disagreement within the scientific community about the environmental effects of the proposed action. It does not refer to expressions of opposition, or support, or to differences of opinion concerning how public lands should be managed. No substantial disagreements within the scientific community were identified through the EA analysis or public comment.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

   The proposed drilling program is not unique or unusual. The effects to the human environment are fully analyzed and disclosed in this environmental assessment. No unique or unknown risks are identified by this assessment. The likely effects of the proposed action to air quality, water, wildlife, heritage resources, Native American values and recreation are adequately disclosed in the Environmental Analysis chapter of this EA. No unique, unusual or unknown risks to these resources are identified by this assessment.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

   Drilling will provide further useful baseline data on subsurface resources. Such data may prove useful for planning future management of mineral and other natural resources. NEPA limits consideration to future actions that are reasonably foreseeable, not merely possible or conceivable. Reasonably foreseeable actions are those for which there are existing decisions, funding, formal proposals, or are highly probable based on known opportunities or trends, but not mere speculation. The approval of this exploration project involves no precedent or decision in principle regarding the value, validity or likelihood of development for these lode claims. Any future development or mining operations will be subject to appropriate NEPA analysis before authorization, and approval of this action does not represent a decision in principle for future activities.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

   The assessment discloses there will be negligible cumulative impacts to any resource analyzed in the cumulative effects study area. NEPA standard 40 CFR 1508.27(a) provides that in the case of a site-specific action significance usually depends upon the effects in the locale rather than in the world as a whole.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

   The area of potential effect has been surveyed and assessed in keeping with the Statewide Heritage Protocol Agreement of February 2014. No adverse effect is expected from this action, and all necessary steps have been taken to identify, record and determine effects

on cultural resources with the area of potential effect. BLM is in compliance with Section 106 of the National Historic Preservation Act.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

   The area is not within designated critical habitat for any species listed as threatened or endangered under the Endangered Species Act of 1973. The temporary nature of the project and mitigation measures such as a speed limit will reduce any potential impacts to federally listed species.

10. Whether the action threatens violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment.

    All operations authorized by Surface Management regulations, including this proposal, are required to be conducted in a manner that complies with pertinent Federal and state laws (43 CPR 3809.420(a)(6)). The proposed action (approval to drill seven sites) does not violate any federal, state, local, or tribal laws, regulation or policy imposed for protection of the environment.

Signed:

Carl B. Symons
BLM, Ridgecrest Field Manager

11/29/2018
Date