Comment No.: 141

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Dan Johnson County Elko

Title engineer Organization Golder Associates

Mailing Address 905 Railroad Street, Suite 102

City Elko State NV Zip 89801

Email dljohnson@golder.com

Date 5-1-2013 Meeting Location (if applicable) Elko, NV

☒ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☒ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

I recently heard that a long (± 32 mile) access road to the Midway Gold Pan Project was being considered by the BLM as an alternative to a more direct (± 7 mile) route as originally proposed.

Please, for the sake of the workers, contractors, delivery drivers, et al, and their children, spouses, and friends, embrace the shorter and safer

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 141

From:
Don Johnson
905 Railroad, Suite 102
Elko, NV 89801

Equality
FOREVER
USA

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

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Ely, NV

Thank you for your comment!

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Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

route.

Indeed, during a safety discussion this week the point was made that an individual working at a mine was more likely to be injured or killed getting to/from the mine rather than at the mine itself. Please minimize risk to the workers & family/friends.

United States Department of the Interior

Pacific Southwest Region
FISH AND WILDLIFE SERVICE
Nevada Fish and Wildlife Office
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May 6, 2013
File No. 2013-CPA-0054

Memorandum

To: Field Manager, Egan Field Office, Bureau of Land Management, Ely, Nevada

From: State Supervisor, Nevada Fish and Wildlife Office, Fish and Wildlife Service, Reno, Nevada

Subject: Comments regarding the Pan Mine Draft Environmental Impact Statement (Case File NVN-090444)

The U.S. Fish and Wildlife Service (Service) has reviewed the March 8, 2013 Draft Environmental Impact Statement (DEIS) for the Pan Mine Project, which was received by our office on March 21, 2013. The DEIS was prepared for the Bureau of Land Management's (BLM) Egan Field Office by JBR Environmental Consultants, Incorporated. The Pan Mine Project (Project) is located approximately 50 miles west of Ely and 22 miles southeast of Eureka in White Pine County, Nevada. The proposed project is an open-pit gold mine with two larger pits and four smaller pits. The site would also include crushing facilities and stockpiles, two waste rock disposal areas, a heap leach pad and associated conveyors, processing facilities and ponds, water supply wells, haul and access roads, ancillary facilities, and a 69 kV transmission line. Construction, operation, and reclamation of the mine would result in approximately 3,104 acres of new project-related disturbance on BLM-administered public lands.

The Service's comments and recommendations on the DEIS are provided below pursuant to the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*); Migratory Bird Treaty Act, as amended (MBTA, 16 U.S.C. 703 *et seq.*); and Bald and Golden Eagle Protection Act, as amended (BGEPA, 16 U.S.C. 668-668d). Other fish and wildlife resources are considered under the Fish and Wildlife Coordination Act, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*); and the Fish and Wildlife Act of 1956, as amended (70 Stat. 1119; 16 U.S.C. 742a–742j).

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2.3.6 Processing Ponds and Plant, p.2-37: The DEIS states that "The process ponds would be fenced with eight-foot high chain-link fencing and covered by bird balls, or equivalent, to prevent avian access..." Equivalent needs to be defined here. For example, if netting is selected for use, then daily monitoring must be conducted to ensure that the netting itself does not result in wildlife mortality.

2.3.13 Reclamation Plan, Heap Leach Pad, p. 2-69: The DEIS states that "The pregnant process pond would be converted to an ET [evapotranspiration] cell to store and release heap drain down through ET until *de minimus* flow is achieved, at which time the ET cell would be closed." If the flow rate at which the ET cell is closed is not defined, then the DEIS needs to state who will have the responsibility to make this decision and on what criteria this decision will be based.

2.3.13, Reclamation Plan, Solution Ponds, p. 2-69: Rather than disposing of the synthetic liner in place, this liner (presumably high density polyethylene) needs to be removed and disposed of properly off-site.

3.8 Wildlife Resources, Including Migratory Birds and Special Status Wildlife, p. 3-86: The Fish Creek drainage is a bald eagle (*Haliaeetus leucocephalus*) wintering area and needs to be mentioned in relevant sections of the DEIS. Like the golden eagle (*Aquila chrysaetos*), a survey buffer of 10 miles (see comment under Table 5.1-1) is also required for the bald eagle.

4.2.2 Proposed Action, Operations, Maintenance, and Reclamation, Groundwater, p. 4-10: There are three aquifers of importance at the southern end of Newark Valley that are described in the Affected Environment section of the DEIS (p. 3-5) – a small, perched alluvial aquifer, an extensive valley fill aquifer, and a deep, regional carbonate bedrock aquifer. However, the monitoring plan in the DEIS states that the network of monitoring wells will only monitor the perched and deep bedrock aquifers, not the valley fill aquifer. In the Affected Environment section (p. 3-6), a USGS report is referenced that notes the potential for groundwater flow to occur from the Newark Valley System to Railroad Valley. If the perched aquifer is truly a perched aquifer, the connection between the two systems does not occur in that aquifer. Instead, it will occur in one or both of the other two aquifers. There are several refugium populations of the threatened Railroad Valley Springfish (*Crenichthys nevadae*) present in Railroad Valley, including one at the northern end of the valley near Duckwater, Nevada. As a result, the Service recommends the monitoring of the valley fill and deep bedrock aquifers and not the small, perched aquifer.

4.8.2 Proposed Action, Construction, Federally-listed, Proposed, and Candidate Species, Greater Sage-Grouse (p. 4-43 to 45): The reference given for the 3 mile buffer around the project area for project-related noise disturbance on greater sage-grouse (*Centrocercus urophasianus*) is a habitat map that is not accessible from the web site referenced. The DEIS does not provide any data or reference to support a fixed buffer of any distance.

The DEIS states that noise data specific to the Project leks will be collected in spring of 2013 and as a result, an estimated ambient baseline was provided by NDOW and was used for the assessment of noise impacts. An explanation needs to be included in the DEIS that states how this baseline was estimated and what it was based on. If it was based on actual readings, the DEIS should include a table of the actual readings and appropriate descriptions of the conditions in which they were recorded (*e.g.*,weather, vegetation type, distance, etc.).

The Service does not accept a threshold of 10 A-weighted decibels (dBA) above ambient baseline. Ambient noise levels are what the greater sage-grouse are habituated to. Noise above ambient levels may or may not result in disturbance depending on what the greater sage-grouse will tolerate. That threshold has not been determined and will vary by individual and population (*e.g.*, lek). For instance, leks within proximity to a high use road, etc, are likely to be more tolerant of disturbance or at least certain types of disturbance (*e.g.*, road noise). During the 2013 data collection effort, decibel readings should be recorded in which conditions vary (distance, vegetation type, weather, etc). Monitoring should be done to note changes in behavior of sage-grouse that are present (startling, flushing, etc.).

Three activities models were used in the DEIS - road construction (40.8 dBA), open-pit mining 25.3 (dBA), and access road travel (29.0 dBA). Not withstanding this threshold of 10 dBA, all three are projected to be above ambient threshold levels (16.4 to 23 dBA).

<u>4.8.2 Proposed Action, Construction, BLM Sensitive Species and State of Nevada Protected Species, Migratory Birds (p. 4-47)</u>: The proposed action will include the removal of 3,204 acres of vegetation, 452 acres of which will represesnt permanent (vegetation removal p. 4-33). Reclamation activities will start once mining activities are completed (estimation of 13 years post mining). Reclamation is estimated to take an additional 15 years for a total of 28 years (p. 4-7). The DEIS states that in the short-term vegetation would consist primarily of grasses. In the long term, native shrubs and pinyon pine and juniper would increase with time but could take many years to become established (p. 4-34). Native shrub habitats take > 20 years to establish after reclamation activities are completed and pinyon pine and juniper habitats generally take an additional 20 – 30 years to establish (reviewed in Knick et al. 2005). Therefore the impacts to migratory birds in the project area are not short-term, but are rather likely to extend across numerous generations depending on the bird species.

<u>4.8.2.1 Mitigation, Golden Eagle, p. 4-55</u>: In order to minimize raptor electrocutions and collision potential, power transmission lines should be designed and constructed with Avian Powerline Interaction Committee guidelines. Please ensure that the updated reference: "Reducing Avian Collisions with Power Lines: State of the Art in 2012" (http://www.aplic.org) is included in the Bird and Bat Conservation Strategy (BBCS).

<u>5.1 Cumulative Effects, Introduction, p. 5-2</u>: The Service disagrees with the omission of migratory birds as part of the cumulative effects analysis. The Project encompasses and will

displace migratory birds from a large area (3,204 acres) of which 452 will be permanently lost as suitable migratory bird habitat. The life of the mine, including reclamation activities, is estimated at 28 years (p. 4-7). This time estimate plus time for vegetation (other than grasses) to re-establish is not a short-term prospect, especially for bird species dependent on pinyon-juniper.

On p. 4-53, the DEIS states that "... implementation of the BBCS ... would greatly reduce the likelihood of migratory bird nesting behavior being disrupted or nests being destroyed." This statement implies that some impacts to migratory birds may result from proposed Project activities. This fact, plus the long-term impacts discussed above, needs to be incorporated into a cumulative impacts analysis in addition to the impacts from other past, present, or reasonably foreseeable future actions.

Table 5.1-1 Cumulative Effects Study Area by Resource, p. 5-2: Survey requirements for golden eagles have changed since the Service was consulted in 2010 (USFWS *In litt.*, 2010; our File No. 2010-SL-0281). The Service's Pacific Southwest Regional Office Migratory Bird Program (RMBP) is now requiring surveys up to 10 miles for large scale production mines. Chris Nicolai with the RMBP has been in contact with Josh Vittori of JBR Consultants regarding these changes. The cumulative affects section (5.10, p.5-49) will need to be expanded to include the additional area for analysis, pursuant to input submitted by Chris Nicolai on behalf of the RMBP.

The population management unit (PMU) is not the appropriate level of analysis for the greater sage-grouse. Analyzing effects at the PMU scale will mask any effects on the leks in the vicinity of the project as demonstrated in the first paragraph in Section 5.10.5 under Cumulative Disturbances. A 4 mile buffer around each of the two active leks should be shown on Figure 4.8-1 and the percentage of both preliminary priority habitat and preliminary general habitat impacted from the proposed action should be calculated. A discussion from this analysis should be included where appropriate within the DEIS. The Service recommends a buffer of 4 miles for two reasons: (1) when studying natural gas field development in western Wyoming, Holloran (2005) found that development within < 4 miles of leks resulted in decreasing counts of displaying males; and (2) a 4-mile buffer protects approximately eighty percent of nesting hens (*e.g.*, Hagen 2011).

Table 5.1-3 Past, Present and Reasonably Foreseeable Future Actions for the Pan Mine Project Cumulative Effects Study Area, p. 5-6: The area proposed for the Gibellini Mine needs to be expanded. The exploration activities for this proposed vanadium mine have already been conducted. The NEPA process for this site has been initiated. Therefore, the operations, maintenance and reclamation activities for this mine should be considered in the reasonably foreseeable future actions for the Pan Mine Project and should therefore be included in the cumulative effects analysis. The proposed alternate power line corridor for the Pan Mine Project is the same as the proposed power line corridor for the Gibellini Mine Project.

5.10 Wildlife Resources, Including Special Status Wildlife, and Migratory Birds, p. 5-49: This section currently combines general wildlife and the golden eagle in one species group and the greater sage-grouse into a second species group. The style in which the cumulative effects analysis is written, in combination with the inappropriate scale of analysis for the greater sage-grouse, results in confusion regarding the outcome of the cumulative effects analysis for each of the two species groups. Both of these two species groups need to be split into two separate cumulative effects study areas (CESA) in order to conduct an accurate cumulative effects analysis. (See additional comments above under Table 5.1-1 Cumulative Effects Study Area by Resource, p. 5-2.)

5.10 Wildlife Resources, Including Special Status Wildlife, and Migratory Birds, p.5-52 to 54: The following statement (or variations of it) appears multiple times in this section (*e.g.*, p.5-52) "Fragmentation effects within the 5-mile buffer have not been quantified by the land management agencies as quantification is very difficult." An accurate cumulative effects analysis cannot be done without at least a basic quantification. Splitting out the cumulative effects analysis into two different sections, one for general wildlife and golden eagles and the second exclusively for greater sage-grouse should assist with this process. Please again note our prior comment regarding an expanded buffer of 10 miles for the golden eagle. On p. 5-52, the DEIS states "Past and present disturbances from oil gas and geothermal development activities as well as other utility line activities... would likely result in minor and temporary impacts." There is no justification for this determination in the DEIS. There are a number of maps in the DEIS, but none depicting a species specific CESA (*e.g.*, greater sage-grouse) incorporating past, present and reasonably foreseeable future actions. In addition to splitting out the greater sage-grouse into its own CESA, the Service requests that the CESA be re-analyzed and limited to the area within 4 miles of each of the two active leks. Knick and his colleagues (2013) found that only a small increase in disturbance can result in a negative impact to a lek. As a result, the Service has concerns that the proposed project may result in the two active leks being abandoned.

Table 5.1-3 Past, Present and Reasonably Foreseeable Future Actions for the Pan Mine Project Cumulative Effects Study Area, p. 5-6: The acres for wildland fires need to be included in the general wildlife and golden eagles category. Currently, all the acres burned are combined into one total under the "wildland fires" designation, although the actual total acres burned assigned to each CESA (*e.g.*, general wildlife and golden eagle), as shown in the table, vary due to the variations in area in each CESA. Instead of combining all burned acres under one category, split out the number of acres by each fire season (*e.g.*, 2005, 2006, etc.) or short interval (*e.g.*, 2006-2008) into its own category. This would accomplish two things: (1) assist with quantifying fragmentation within each CESA; (2) provide an indicator of vegetation type based on age (*e.g.*, grass/forb, shrub, etc) and subsequent habitat value depending on the species under discussion.

5.10.5 and 5.10.6 Cumulative Disturbances and Effects, General Wildlife and Golden Eagles and Greater Sage-Grouse, p. 5-54 to 55: The two sections - Cumulative Disturbances and Cumulative

Effects – need to be combined for each of the two CESAs, one for general wildlife and golden eagles and the second exclusively for greater sage-grouse. The Cumulative Effects section, as it stands now, is just a series of summary statements. For example, on p. 5-55, the DEIS states "Cumulative effects to greater sage-grouse are expected to be long-term and moderate for activities associated with the Proposed Action." However, there are no explanations given as to how this determination was made and what information it was based on. The Service recommends combining these two sections to more clearly define the reasoning for each determination.

We appreciate the opportunity to comment on this DEIS. Please contact me or Kerensa King at (775) 861-6300 if you have any questions.

for Carolyn Wells

Edward D. Koch

Literature Cited

Hagen, C. 2011. Greater sage-grouse conservation assessment and strategy for Oregon: a plan to maintain and enhance populations and habitats. Oregon Department of Fish and Wildlife, Portland, Oregon, USA.

Holloran, M.J. 2005. Greater sage-grouse (*Centrocercus urophasianus*) population response to natural gas field development in western Wyoming. Dissertation, Department of Zoology and Physiology, University of Wyoming, Laramie, Wyoming.

Knick, S.T., A.L. Holmes, and R.F. Miller. 2005. The role of fire in structuring sagebrush habitats and bird communities. Studies in Avian Biology 30:1-13.

Knick, S.T., S.E. Hanser, and K.L. Preston. 2013. Modeling ecological minimum requirements for distribution of greater sage-grouse leks: implications for population connectivity across their western range, U.S.A. Ecology and Evolution.

Correspondence

U.S. Fish and Wildlife Service. 2010. Nevada Fish and Wildlife Office, Reno, Nevada. Letter from Robert Williams, State Supervisor, to Ms. Kendra Olcott of JBR Environmental Consultants, Incorporated. Subject: Species List Request for Midway Gold Corp – Pan Project, File No. 2010-SL-028. Date: May 5, 2010.

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Memorandum

To: Angelica D. Rose
Planning & Environmental Coordinator
US BLM Battle Mountain District Office

From: George Blankenship, BCLLC & Ron Dutton, Sammons/Dutton LLC

Date: March 20, 2009

Subject: Supplemental information to address Eureka County concerns with the June 2, 2008 Mount Hope Project Socioeconomic Assessment

Eureka County has raised a number of issues and concerns regarding the June 2, 2008 Mount Hope Project Socioeconomic Assessment prepared by Blankenship Consulting LLC and Sammons/Dutton LLC (the socioeconomic assessment). This memo summarizes the process and results of efforts taken in consultation with Abby Johnson and Rex Massey, consultants to the Eureka County NEPA Committee, to address five areas of those concerns.

1. Mount Hope-related population estimates
2. The characterization of the southern Eureka County economy
3. The description of the Eureka utility infrastructure and existing deficiencies
4. The effects of the Mount Hope Project on the existing Whiskey Flats landfill
5. The assessment and portrayal of the fiscal conditions and potential effects of the project

The individuals identified above worked cooperatively to reach mutually acceptable understandings and resolutions to items #1 through #4. The results of those efforts are presented below. With regard to Item # 5, the group was unable to achieve a similar level of agreement. Consequently, we understand that Eureka County intends to submit additional information on fiscal impacts identified in their report, Eureka County Fiscal Impact Review and Analysis of the Mt. Hope Project (Research and Consulting Services, Inc., December 2008) for the BLM's consideration in the NEPA process. Item # 5 in this memo summarizes the findings of the County's fiscal assessment and identifies our general concerns associated with some of those findings.

1. **Mount Hope-related population estimates**: *Eureka County noted the uncertainties that exist with respect to the Mount Hope Project operations phase resident population projections and some of the household size, employee per household and school age children per household factors used in the socioeconomic assessment. The socioeconomic assessment assumed that 35 percent of the Mount Hope operations workforce would be comprised of households relocating to southern Eureka County and the remainder of the workforce would be comprised of daily and weekly commuters and local hires. The*

County expressed an interest in assessing the population effects of relocating households comprising a range of 30 to 50 percent of the operations workers.

Eureka County also expressed concern about the assumption in the socioeconomic assessment that jobs in the local economy vacated by workers who chose to work at the mine would be filled by increases in labor force participation and the resulting expansion of the local labor force, given the current limited labor availability within the county.

In response to these concerns, a review of the demographic and household assessment factors was conducted in consultation with the County's consultants and a series of sensitivity analyses (SA) were performed to assess the potential effects on total resident population and school age children of alternative demographic factors and residency assumptions. Per the consensus among the group, the sensitivity analyses focused on the operational phases of the project. The information presented below supplements section *3.2 Population* of the socioeconomic assessment, focusing on subsection *3.2.2 Operations Phase Population* and subsection *3.2.3 School Enrollment.*

Table 1 below summarizes the results of the sensitivity analyses and the following tables provide additional detail about each specific scenario developed as part of the sensitivity analysis process. In all, three scenarios were developed to bound the range of population and school enrollment effects that might reasonably be expected to occur. The population and school enrollment projections contained in the June 2, 2008 Final Mount Hope Socioeconomic Assessment (the socioeconomic assessment) submitted to the BLM are presented as the Base Case, to provide a point of comparison for the sensitivity analyses. The changes in assumptions associated with each sensitivity analysis scenario, include the following:

SA 1. Modified Base Case – Infill: SA 1 assumes the share of secondary jobs filled by relocating households would be 50% and the share filled by spouses/partners would be 45% compared to 45% and 50% respectively in the socioeconomic assessment. This analysis also assumes that existing local jobs assumed to be vacated by workers who accept jobs at the mine would be filled by additional relocating worker households. Infill jobs are not accounted for in the Base Case scenario.

Consistent with the socioeconomic assessment and other sensitivity analyses, SA 1 assumes an average of 1.3 jobs per relocating household. Because these relocating households are not expected to fill jobs directly associated with the mine, but rather fill other jobs in the local economy, SA 1 assumes an average household size mid-way between that used for the direct households and those associated with new indirect/induced jobs.

Finally, the projected number of mine-related school-age children in Eureka County during operations is presented as a range of 20% to 23% of the permanent resident population; a change from the 16% of combined resident and weekly commuting population assumed in the Base Case. The allocation of students between elementary and middle/high school students is also presented as a range; 50% to 70% elementary and 50% to 30% for middle/high school, a change from the 70%/30% assumption in the Base Case.

SA 2. 30 Percent Relocating Households: This analysis assumes that 30 percent of Mount Hope operations workers would relocate to Eureka County; compared to the 35 percent assumed in the socioeconomic assessment. All other population and household factors remain the same as those used in the socioeconomic assessment, except that the SA 2 scenario incorporates the same ranges of assumptions associated with school-age children described for SA 1 above. SA 2 provides the lower bound of population effects for the sensitivity analyses.

SA 3. 50 Percent Relocating Households: This scenario assumes that 50 percent of Mount Hope operations workers would relocate to Eureka County; compared to the 35 percent assumed in the socioeconomic assessment. It also assumes that all jobs vacated by existing local employees who accept employment at the mine would be filled by additional relocating worker households. SA 3 assumes that: the average operations worker persons per household (PPH) would be 2.85 compared to 2.64 in the socioeconomic assessment; the percentage of secondary jobs filled by relocation households would be 35% compared to 45% in the socioeconomic assessment to reflect the substantial increase in second workers associated with the increased number of direct worker relocations; and, the average persons per household (PPH) for relocating households filling secondary jobs would be 2.01 compared to 1.90 in the socioeconomic assessment. The SA 3 scenario incorporates the same ranges of assumptions associated with school-age children described for SA 1 above. SA 3 provides the upper bound of population effects for the sensitivity analyses.

Table 1 on the following page summarizes the key results of the sensitivity analyses, presenting comparative projections associated with different operational phases of the mine in a series of columns. The summary table is followed by more detailed tables showing the derivation of the results for each scenario.

The primary focus of the sensitivity analysis results is the column labeled "Full Production (Yrs. 1 – 10)". That column represents the potential impacts during the first ten years of operations, a period when the mine would achieve and maintain full production, creating long-term steady job opportunities conducive to household relocation, and to the creation of indirect and induced jobs in the community. As shown, the range of long-term projected population effects range from 584 to 795 residents, including weekly commuters, with a corresponding increase of between 83 and 161 school age children.

The corresponding range of effects during peak production, which is not anticipated to occur for more than two decades, is from 719 to 974 residents and between 103 and 198 school-age children.

One of the County's objectives in promoting the sensitivity analysis was to identify a range of potential population effects for long-term community planning purposes. Based upon recent demographic research, there appears to be a higher likelihood that the Mount Hope-related population growth and school enrollment effects would be closer to those associated with the Base Case or SA 1 than the lower or higher bound scenarios (SA2 or SA 3).

Note that the difference in county staff required to serve the relocating populations of either the high (SA2) or low (SA 3) population range would be relatively small and the difference in county equipment and infrastructure improvements needed to serve the population associated with either scenario would be similar to that required for the Base Case or Modified Base Case (SA 1).

Also note that although the Eureka County School District would need additional teachers to serve the incremental enrollment associated with the higher bound scenario (SA 3), the district's elementary and middle/high school facilities would be able to accommodate the projected incremental growth associated with all scenarios during all phases of the project, although the enrollment associated with the high end of the range for the highest bound scenario (SA 3) would exceed the optimum but not the maximum capacity of the middle/high school facility.

Table 1. Mount Hope Relocating Workers Sensitivity Analysis: Summary across Scenarios

	Const. Average	Const. Peak Quarter	Operations				Final Processing, Reclamation & Site Closure (2-3 yrs.)
			Full Production (Yrs. 1 - 9)	Full Production (Yrs. 10 - 20)	Peak Production (Yrs. 21 - 25)	Lower Mining & Prod.	
TOTAL POPULATION IMPACT							
Base Case: (Mount Hope Socioeconomic Study)	660	895	603	650	739	362	173
SA 1: Modified Base Case – Infill	660	895	678	729	830	405	196
SA 2: 30% Relocating HHLDs[1]	660	895	584	630	719	351	168
SA 3: 50% Relocating HHLDs[2]	660	895	795	853	974	472	231
SCHOOL AGE CHILDREN							
Base Case: (Socioeconomic Study)	26	37	96	105	118	58	28
SA 1: Modified Base-Case – In-fill[3]	26	37	106 - 122	114 - 131	130 - 149	63 - 73	31 - 35
Elementary (K-6)			74 - 61	80 - 66	91 - 75	44 - 37	16 - 18
Middle/High (7-12)			32 - 61	34 - 65	39 - 74	19 - 36	15 - 17
SA 2: 30% Relocating HHLDs[3]	26	37	83 - 96	90 - 104	103 - 118	50 - 58	24 - 28
Elementary (K-6)			58 - 48	63 - 52	72 - 59	35 - 29	17 - 14
Middle/High (7-12)			25 - 48	27 - 52	31 - 59	15 - 29	7 - 14
SA 3: 50% Relocating HHLDs[3]	26	37	140 - 161	151 - 173	172 - 198	83 - 96	41 – 47
Elementary (K-6)			98 – 81	106 – 87	120 – 99	58 – 48	29 – 24
Middle/High (7-12)			42 – 80	45 – 86	52 – 99	25 – 48	12 – 23

[1] Assumes 30 percent of Mount Hope operations workers relocate to southern Eureka County compared to 35 percent in the socioeconomic assessment. All other assumptions and multipliers are the same.

[2] Assumes 50 percent of Mount Hope operations workers relocate to southern Eureka County compared to 35 percent in the socioeconomic assessment. Also assumes that: the average operations worker persons per household (PPH) would be 2.85 compared to 2.64 in the socioeconomic assessment; the percentage of secondary jobs filled by relocation households would be 35% compared to 45% in the socioeconomic assessment to reflect the substantial increase in second workers associated with the increase in direct worker relocations in this scenario; and, the average PPH for relocating households filling secondary jobs would be 2.01 compared to 1.90 in the socioeconomic assessment to reflect the increase in persons per relocating household with families.

[3] The number of students enrolled in Eureka County schools is presented as a range of 20% to 23% of the permanent resident population and the allocation of students between elementary and middle/high school students is also presented as a range; 50% to 70% elementary and 50% to 30% for middle/high school.

Comment No.: 143

Base Case (Mount Hope Socioeconomic Study)
Projected Mount Hope Project Eureka County Employment, Households, Population & Student Enrollment Effects

Line			Construction Average	Construction Peak Quarter	Operations			Final Processing, Reclamation & Closure (2-3 yrs.)
					Full Production (~21 yrs)	Peak Employment (Yrs. 21 - 25)	Lower Mining & Production	
1.	Construction Direct	GMI	378	625				
2.	Operations Direct		189	150	371	455	222	107
3.	Secondary jobs multiplier	Assumption	0.22	0.22	0.35	0.35	0.35	0.35
4.	Secondary Jobs	(#1 + #2) x #3	125	170	130	159	78	37
5.	Total Employment	#1 + #3	696	945	501	614	300	144
6.	Local Labor & Daily Commuters[4]	Assumptions	18%	18%	20%	20%	20%	20%
7.	Jobs Filled by Local Labor & Commuters	#5 x #6	128	171	100	122	60	29
8.	New Non-Local Labor Needs	#5 - #7	568	774	401	492	240	115
9.	Avg. Jobs / Household (HHLD)	Assumption	1.12	1.12	1.36	1.36	1.36	1.36
10.	New HHLDs	#8 / #9	507	691	295	362	178	85
11.	Avg. HHLD Size[5]	Assumption	1.3	1.3	2.04	2.04	2.04	2.04
12.	Total Population Impact	#10 x #11	660	895	603	739	362	173
13	Population in Construction Camp	GMI	284	470	0	0	0	0
14.	Population in Community	#12 - #13	376	425	603	739	362	173
15.	School Age Children (% of Pop.)	Assumption	4%	4%	16%	16%	16%	16%
16.	Number of Students	#12 x #15	26	37	96	118	58	28
17.	Elementary Students (% Share)	Assumption	80%	80%	70%	70%	70%	70%
18.	Middle/High School (% Share)	Assumption	20%	20%	30%	30%	30%	30%
19.	Elem Students	#16 x #17	21	30	67	83	41	20
20.	Middle/High Students	#16 x #18	5	7	29	35	17	8

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[4] Weighted average of construction, operations and secondary, which are disaggregated in Table 3.3, (note that this should read Table 20, and refers to the Mount Hope Project Socioeconomic Assessment).
[5] Reflects average household size for total workforce including single status construction workers and weekly commuters. Average household size for a relocating worker w/family is assumed to be 2.64. Average household size for a relocating secondary worker is assumed to be 1.9. Average household size for construction is assumed to be 1.3.

Sensitivity Analysis 1. Modified Base Case Assuming Added Relocation to In-Fill Positions Vacated by Local Hires

Line			Const. Average and Peak Quarter	Operations				Final Processing, Reclamation & Closure (2-3 yrs.)
				Full Production (Yrs. 1 - 9)	Full Production (Yrs. 10 - 20)	Peak Production (Yrs. 21 - 25)	Lower Mining & Prod.	
1.	Construction Direct	GMI	SAME AS THE BASELINE ASSESSMENT					
2.	Operations Direct			371	400[6]	455	222	107
3.	Secondary jobs multiplier	Assumption		0.35	0.35	0.35	0.35	0.35
4.	Secondary Jobs	(#1 + #2) x #3		130	140	159	78	37
5.	Total Employment	#1 + #3		501	540	614	300	144
6.	Local Labor & Daily Commuters[7]	Assumptions		20%	20%	20%	20%	20%
7.	Jobs Filled by Local Labor & Commuters	#5 x #6		100	107	122	60	29
7a.	In-fill Local Jobs to be Filled	Assumptions		44	47	54	26	13
8.	New Non-Local Labor Needs	#5 - #7 + #7a		445	480	546	266	118
9.	Avg. Jobs / Household (HHLD)	Assumption		1.36	1.36	1.36	1.36	1.36
10.	New HHLDs	#8 / #9		327	353	402	197	94
11.	Avg. HHLD Size[8]	Assumption		2.07	2.07	2.07	2.07	2.07
12.	Total Population Impact	#10 x #11		678	729	830	405	196
13	Population in Construction Camp	GMI		0	0	0	0	0
14.	Population in Community	#12 - #13		678	729	830	405	196
14a.	Weekly Commuter	Assumption		148	160	182	89	43
14b.	Resident Population	Assumption		530	569	648	316	153
15.	School Age Children (% of Resident Pop. [*14b*])	Assumption		20% - 23%	20% - 23%	20% - 23%	20% - 23%	20% - 23%
16.	Number of Students	#12 x #15		106 - 122	114 - 131	130 - 149	63 - 73	31 – 35
17.	Elementary Students (% Share)	Assumption		70% - 50%	70% - 50%	70% - 50%	70% - 50%	70% - 50%
18.	Middle/High School (% Share)	Assumption		30% - 50%	30% - 50%	30% - 50%	30% - 50%	30% - 50%
19.	Elem Students	#16 x #17		74 - 61	80 - 66	91 - 75	44 - 37	16 - 18
20.	Middle/High Students	#16 x #18		32 - 61	34 - 65	39 - 74	19 - 36	15 - 17

[6] Average

[7] Weighted average of construction, operations and secondary, which are disaggregated in Table 20 of the Mount Hope Project Socioeconomic Assessment).

[8] Reflects average household size for total workforce including single status construction workers and weekly commuters. Average household size for a relocating worker w/family is assumed to be 2.64. Average household size for a relocating secondary worker is assumed to be 1.9. Average household size for construction is assumed to be 1.3.

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Sensitivity Analysis 2: 30% of Mt. Hope Direct Jobs Filled by Relocating Households

Line			Const. Average and Peak Quarter	Operations				Final Processing, Reclamation & Closure (2-3 yrs.)
				Full Production (Yrs. 1 - 9)	Full Production (Yrs. 10 - 20)	Peak Production (Yrs. 21 - 25)	Lower Mining & Prod.	
1.	Construction Direct	GMI	SAME AS THE BASELINE ASSESSMENT					
2.	Operations Direct			371	400[9]	455	222	107
3.	Secondary jobs multiplier	Assumption		0.35	0.35	0.35	0.35	0.35
4.	Secondary Jobs	(#1 + #2) x #3		130	140	159	78	37
5.	Total Employment	#1 + #3		501	540	614	300	144
6.	Local Labor & Daily Commuters[10]	Assumptions		20%	20%	20%	20%	20%
7.	Jobs Filled by Local Labor & Commuters	#5 x #6		100	107	122	60	29
8.	New Non-Local Labor Needs	#5 - #7		401	433	492	240	115
9.	Avg. Jobs / Household (HHLD)	Assumption		1.34	1.33	1.33	1.33	1.33
10.	New HHLDs	#8 / #9		300	325	369	181	86
11.	Avg. HHLD Size[11]	Assumption		1.94	1.95	1.95	1.94	1.95
12.	Total Population Impact	#10 x #11		584	630	719	351	168
13	Population in Construction Camp	GMI		0	0	0	0	0
14.	Population in Community	#12 - #13		584	630	719	351	168
14a.	Weekly Commuter	Assumption		167	180	205	100	48
14b.	Resident Population	Assumption		417	450	514	251	120
15.	School Age Children (% of Resident Pop. [*14b*])	Assumption		20% - 23%	20% - 23%	20% - 23%	20% - 23%	20% - 23%
16.	Number of Students	#12 x #15		83 - 96	90 - 104	103 - 118	50 - 58	24 - 28
17.	Elementary Students (% Share)	Assumption		70% - 50%	70% - 50%	70% - 50%	70% - 50%	70% - 50%
18.	Middle/High School (% Share)	Assumption		30% - 50%	30% - 50%	30% - 50%	30% - 50%	30% - 50%
19.	Elem Students	#16 x #17		58 - 48	63 - 52	72 - 59	35 - 29	17 - 14
20.	Middle/High Students	#16 x #18		25 - 48	27 - 52	31 - 59	15 - 29	7 - 14

[9] Average

[10] Weighted average of construction, operations and secondary, which are disaggregated in Table 20, Page 47 of the Mount Hope Project Socioeconomic Assessment.

[11] Weighted average household size for total workforce: 1.3 for construction and 2.04 during operations. These weighted averages include construction workers living in construction camps and single status weekly commuter operations workers with a household size of 1, relocating construction and operations workers with an average household size of 2.64 and relocating secondary workers with an average household size of 1.9.

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Sensitivity Analysis 3: 50% of Mt. Hope Direct Jobs Filled by Relocating Households

Line			Const. Average and Peak Quarter	Operations				Final Processing, Reclamation & Closure (2-3 yrs.)
				Full Production (Yrs. 1 - 9)	Full Production (Yrs. 10 - 20)	Peak Production (Yrs. 21 - 25)	Lower Mining & Prod.	
1.	Construction Direct	GMI	SAME AS THE BASELINE ASSESSMENT					
2.	Operations Direct			371	400	455	222	107
3.	Secondary jobs multiplier	Assumption		0.35	0.35	0.35	0.35	0.35
4.	Secondary Jobs	(#1 + #2) x #3		130	140	159	78	37
5.	Total Employment	#1 + #3		501	540	614	300	144
6.	Local Labor & Daily Commuters	Assumptions		20%	20%	20%	20%	20%
7.	Jobs Filled by Local Labor & Commuters	#5 x #6		100	107	122	60	29
7a.	In-fill Local Jobs to be Filled[12]	Assumptions		44	47	54	26	13
8.	New Non-Local Labor Needs[13]	#5 - #7		445	480	546	266	118
9.	Avg. Jobs / Household (HHLD)	Assumption		1.41	1.41	1.41	1.41	1.41
10.	New HHLDs	#8 / #9		307	331	377	184	89
11.	Avg. HHLD Size[14]	Assumption		2.58	2.57	2.58	2.56	2.60
12.	Total Population Impact	#10 x #11		795	853	974	472	231
13	Population in Construction Camp	GMI		0	0	0	0	0
14.	Population in Community	#12 - #13		795	853	974	472	231
14a.	Weekly Commuter	Assumption		93	100	114	56	27
14b.	Resident Population	Assumption		702	753	860	416	204
15.	School Age Children (% of *14b*)	Assumption		20% - 23%	20% - 23%	20% - 23%	20% - 23%	20% - 23%
16.	Number of Students	#12 x #15		140 - 161	151 – 173	172 - 198	83 - 96	41 – 47
17.	Elementary Students (% Share)	Assumption		70% - 50%	70% - 50%	70% - 50%	70% - 50%	70% - 50%
18.	Middle/High School (% Share)	Assumption		30% - 50%	30% - 50%	30% - 50%	30% - 50%	30% - 50%
19.	Elem Students	#16 x #17		98 – 81	106 – 87	120 – 99	58 – 48	29 – 24
20.	Middle/High Students	#16 x #18		42 – 80	45 – 86	52 – 99	25 – 48	12 – 23

[12] Assumes that all jobs vacated by existing local employees who accept employment at the mine would be filled by additional relocating worker households.
[13] Assumes that the percentage of secondary jobs filled by relocation households would be 35% compared to 45% in the socioeconomic assessment
[14] Assumes average operations worker PPH of 2.85 & average relocating households filling secondary jobs PPH of 2.01 compared to 2.64 & 1.90 respectively in the socioeconomic assessment.

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2. *Eureka County feels that the baseline report describes Eureka as more of a "boom and bust" mining community like Battle Mountain, than a "quieter agricultural community," and they would like to see that description changed.*

In response to Eureka County's concern, we offer the following supplement to the socioeconomic assessment, which restates section 2.2 *Social and Economic Setting.*

2.2 Social and Economic Setting

Eureka County is the second least populous county in Nevada with a 2006 estimated population of 1,460 (Nevada State Demographer 2007) and a 2005 resident population density of 0.35 persons per square mile.

The unincorporated town of Eureka, the county seat and largest community in the county, is located in the southern portion of the county. The communities of Beowawe and Crescent Valley are located in the northwestern portion of the county. Farm and ranch households reside on agricultural operations throughout the county (Eureka County 2006a).

The town of Eureka initially developed in conjunction with the mining industry, but has been sustained through the years by the agricultural industry. Although there have been good and bad years, agriculture, principally alfalfa and hay farming, cattle ranching, and to a lesser extent sheep ranching, have historically provided a relatively stable base for the Eureka County economy.

The history of farming in Eureka County is described in the Land Use element of the Eureka County Master Plan as follows.

Development of the mines brought sheepmen, cattlemen and other settlers who settled in the valleys in Eureka County. Government land programs, including the 1877 Desert Lands Act, the Act of 1888, the Act of 1890, the 1891 Creative Act, and the 1916 Stock Raising Homestead Act, established privately-owned base properties to support permanent range livestock operations and farms

Farming was limited to native sub-irrigated meadows and lands irrigated by diverted surface water until supplemental flowing wells were drilled on the Romano Ranch in 1948 and the Flynn Ranch in 1949. In 1949 two irrigation wells were drilled in Diamond Valley in an effort to develop land under Desert Land Entry. By the mid 1950s, pumped irrigation wells were being developed in southern Diamond Valley, Crescent Valley and Pine Valley. By 1965, some 200 irrigation wells had been drilled in Diamond Valley alone. Today, Eureka County's farming districts support a robust grass, alfalfa and meadow hay industry (Eureka County 2006a).

European settlement of the area around Eureka began with the discovery of silver-lead deposits near the present town site in the 1860s. Improvements in smelting processes led to a mining boom in the county. By 1878, Eureka was the state's second largest city with a population of over 7,000 and a railroad that connected the town with Palisade to the north. As ore bodies played out Eureka lost most of its population, although mining activity continued around Eureka through the latter part of the 1800s and up until about 1920. From that time until the late 1980s when the Atlas Gold Bar mine began operations, little mining activity occurred in southern Eureka County.

Mining currently plays a large, yet complex role in the economy and culture of Eureka County. The two largest gold mining operations in the state, Barrick Goldstrike's Betze/Post Mine and Newmont Mining's Carlin Trend Complex, are located in northern Eureka County, yet most of the economic activity associated with these mines accrues to Elko County, which is also home to most of the employees. Mining again became a major economic influence in southern Eureka County in 1997 with the development of the Ruby Hill mine adjacent to the Town of Eureka. However, population related impacts were somewhat limited because a number of local residents were able to secure jobs at the mine. Southern Eureka County experienced an economic and population contraction when the Ruby Hill mine ceased mining in 2002 and experienced a modest economic surge when the East Archimedes expansion of the Ruby Hill mine opened in 2006.

Economic and social conditions in Eureka County have also been affected indirectly by mining development in the northern part of the county, which has occurred for over 50 years and began to accelerate during the mid 1980s. The tax revenues that Eureka County and the Eureka County School District have received from the mines in the northern part of the County have allowed the County and the School District to construct new facilities and expand public services throughout the county including the communities of Eureka and Crescent Valley. The influence of the mining revenues from the northern part of the county are reflected in levels of employment, local government spending for goods and services, and county and school district service provision that are higher than would be available without the tax revenues from the northern mines.

Along with agriculture and mining, the legacy of mining's early glory now forms the basis for an emerging third facet of Eureka's economy; a tourism and recreation industry supported by historic attractions, restored buildings and the area's striking natural setting.

As demonstrated by the foregoing, the economy of Eureka County is natural resource-based. Farming, ranching, mining and tourism/recreation all rely on the land and its resources. The traditional uses of these resources complement each other for the most part. Farming and ranching provide a stable population base and support a basic level of local commerce. Mining in the north and periodic surges in mining development in the southern part of the county provide economic activity and local government revenue, which the county has used to upgrade public infrastructure and restore historic buildings and streetscapes. This restoration coupled with the scenic setting and recreation resources have attracted tourists, which in turn, support commercial infrastructure and provide a modest level of local government sales tax revenue.

Although residents are interested in economic development, the increasing urbanization occurring elsewhere in the state, increased environmental and land use regulation by federal land management agencies and the social, economic dislocation and other costs of the bust side of mining booms have "galvanized (Eureka County) residents and their elected representatives to seek mechanisms to manage growth and influence resource management." The county considers these actions "necessary to maintain and enhance local economic security and the rural quality of life which has long typified Eureka County" (Eureka County Economic Development Council 2006).

Additionally, we suggest that section *2.3.1 Employment* of the socioeconomic assessment should be clarified as follows:

- The first sentence of the first paragraph under section 2.3.1 should be replaced by the following sentence:

  "As might be expected, mining dominates the northern Eureka County economy in terms of employment and earnings. This dominance is reflected in the Eureka County employment by place of work statistics, but not in the employment by place of residence statistics discussed in section 2.3.2, which are more reflective of the much smaller and more recent mining presence in southern Eureka County."

- The first sentence of the second paragraph under section 2.3.1 should be amended to read:

  "During the peak employment year of 1997, total employment reached 5,321, driven by record high mining employment of 4,374, which included the startup operations for the Ruby Hill mine in southern Eureka County, although that mine accounted for less than three percent of total mining jobs in Eureka County that year."

- The third sentence in the second paragraph under section 2.3.1 should be amended to read:

  "Mining employment subsequently fell to 2,903 in 2004."

- The last sentence in the second paragraph under section 2.3.1 should be deleted.

- The paragraph immediately following Figure 3 on page 9 should be moved up to follow the second paragraph under section 2.3.1 Employment.

- The following sentence should be added to the end of the first footnote under Table 3.

  "The vast majority of these mining jobs have been located at mines in the northern part of Eureka County."

3. *Eureka County is uncomfortable with the description of the Eureka utility infrastructure in terms of the description of existing deficiencies.*

In response to this concern, we offer the following supplement to the socioeconomic study. This information would supplement section *3.4.8 Community Infrastructure/Public Works Department* on page 62. Specifically, the following paragraph should be inserted as a third paragraph following the existing two paragraphs at the beginning of section 3.4.8.

> Although the *Master Plan for the Town of Eureka Water and Sewer Systems and Devil's Gate GID (District 1& 2) Water Systems* identifies a number of existing deficiencies, not all of the improvements identified to correct these deficiencies would have to be implemented immediately. These identified improvements to the existing system would also be necessary to serve new population demands. According to County officials, the Town of Eureka water and sewer systems are largely adequate for the demand they presently serve and are not under any regulatory requirements for improvements. The Devil's Gate GID District 2 is deficient in compliance with the

Arsenic Rule. The GID board is in the process of making necessary improvements to bring the present system into compliance.

4. *Eureka County would like an expanded discussion of the effects of the Mount Hope Project on the County's Whiskey Flats Landfill.*

To address this concern, we offer the following supplement to the socioeconomic study. This information references section *3.4.8 Community Infrastructure and Services*, subsection *Solid Waste Disposal* on page 63. Specifically, we suggest that the first paragraph in the *Solid Waste Disposal* subsection be restated as follows.

> Demand from the population associated with the Mount Hope Project will reduce the remaining life of the Class II-rated (less than 20-tons per day) Whiskey Flat landfill, but the landfill capacity should be adequate through construction and much of the project's initial operations period. The anticipated increase in Eureka County population associated with the Mount Hope Project during the first 20 years would be about 40 to 45 percent of Eureka County's 2007 population. It is important to note that the Whiskey Flat landfill serves all areas of Eureka County's population, either through waste collection services or directly. With the expansion of the Mount Hope residential subdivision, regular solid waste collection will increase substantially. Additionally, waste from the Mount Hope subdivision construction will also utilize capacity in the landfill. Consequently, assuming similar rates of solid waste generation, the project would shorten the anticipated 30 years of remaining land fill life to just over 20 years. Additional operating staff and/or equipment may be necessary to accommodate the increased volumes of solid waste.

5. *Eureka County is concerned about the extent to which local government expenditures were identified and described in the socioeconomic assessment. Eureka County is uncomfortable with the way the Socioeconomic Assessment portrays County fiscal conditions and believes the assessment portrays the county as having "lots of money and can just fix any impacts." Eureka County has developed preliminary cost estimates to meet the service demands associated with projected Mount Hope-related population growth. (Eureka County Fiscal Impact Review and Analysis of the Mt. Hope Project, Research and Consulting Services, Inc., December 2008).*

   The County's analysis outlines the incremental increases in Eureka County government employees, operational expenses and capital improvements to address direct and indirect impacts of the Mt. Hope Project. Generally, the estimated needs are based on the projected population growth when the project is at full production.

   The County's fiscal assessment provides estimates of additional staffing requirements and associated operating costs, based on the judgment of County service administrators. The County's fiscal assessment estimates incremental staff needs of as many as 24 full-time equivalent employees.

   Eureka County's fiscal assessment estimates gross annual operating costs, a large portion of which would be the payroll costs associated with staff, at just over $2.0 million. The total does not include any additional costs that could be associated with operations of the local health clinic, but neither does it reflect allowances for increased revenues derived from services. The fiscal assessment notes that the water system operating costs could increase substantially if arsenic treatment is required for new

water sources. The operating costs are largely variable and could change based upon the actual impacts on service demands and future decisions regarding levels of service by the Board of Eureka County Commissioners.

Eureka County's fiscal assessment outlined a number of capital improvements required to address estimated service demands related to population growth from the proposed Mount Hope Project. The combined costs of those improvements are estimated at about $7.2 million. Some of these costs would occur prior to, or concurrently with, project construction, others would occur later in time as the project operations continue. The major capital expenditure estimates developed by Eureka County are summarized below and are separated into two groups; those improvements supported by general revenue sources and those capital costs associated with utility operations that are supported largely by revenues collected from system users.

- *Capital Costs-General Revenue Sources*

Jail Expansion	*$1,500,000*
Adm. Improvements-Sheriff's Office	*$ 750,000*
Landfill Capacity	*$ 720,000*
Major Equipment	*$ 860,000*
Other Improvements and Equipment	*$ 150,000*
Total	*$3,980,000*

Eureka County's fiscal assessment noted that recreation related impacts and those associated with local street and highway improvements are unknown.

- *Capital Costs-Funded By Users*

The County's fiscal assessment allocated the following costs to the Mount Hope Project-related population based on projected population impacts.

Wastewater Treatment Capacity	*$ 969,500*
Allocated Water Storage Capacity	*$ 990,345*
Pump Station-Water System	*$ 315,000*
Outfall Pipe-Wastewater Treatment	*$ 777,600*
Effluent Disposal-RIBS	*$ 200,000*
Total Costs	*$3,252,445*

Regarding Eureka County's concerns with the fiscal section of the socioeconomic study, we offer the following. Eureka County's fiscal impact estimates contain a number of major improvements that the County believes are required to accommodate mine related growth. County services and staffing could also increase substantially as a result of mine related development. However, some of the items identified in the County's fiscal assessment may in part address existing needs or provide higher levels of services to current residents of the community. Others would likely be funded at least in part by developers or by user fees. Moreover, it is possible that more detailed studies and continued cooperative efforts between GMI and the County could identify alternative approaches or reduce the costs to meet some of the County's identified needs.

Eureka County's fiscal assessment was limited to potential County expenditures associated with Mount Hope Project demand. However, as noted in the socioeconomic assessment, the Mount Hope Mine will generate an estimated $9.5 million in Basic and Supplemental City-County Relief tax (sales and use tax) revenues during the construction phase of the project that would effectively defray the County's initial capital costs. Over the long term, the estimates of projected on-going revenues from ad valorem and sales and use taxes of over $1.9 million annually, combined with even a modest amount of revenue from net proceeds of mining taxes from the mine, would be sufficient to offset the County's estimates of operating costs.

Finally, we reiterate the statement contained in section 3.6.2 of the socioeconomic assessment ... "It is anticipated that GMI and Eureka County will work cooperatively to identify and quantify specific staff, equipment and capital needs to accommodate the project-related demand."

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L7619 (PWR-PP)

May 6, 2013

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Re: Revised Comments DEC 13-0063 Proposed Pan Mine Project

Thank you for the opportunity to review the Draft Environmental Impact Statement for the proposed Pan Mine which would be located on BLM-administered lands in White Pine County, Nevada. These comments replace our comments sent on May 3, 2013.

Midway Gold, U.S., Incorporated proposes an open-pit gold mine about 50 miles west of Ely, which would consist of two primary open pits, four satellite pits, one heap leach pad and two rock disposal areas. The total surface disturbance would be approximately 3,204 acres. The environmental impact analysis is based on a proposed 13 year mining period, with associated construction, closure, reclamation and post-closure monitoring periods extending the project life to approximately 25 years.

No comments were received from any other National Park Service office, nor any other agency. Our comments and concerns are categorized as follows:

Cultural Resources and Tribal Consultations

Appropriate background research and "Class III" archaeological surveys were conducted within the Area of Potential Effects (APE) but do not include the transmission line corridor of the SW line alternative and the unidentified reroute area of the Lincoln Highway. Additional archaeological survey should be completed. In addition, we recommend that the potential for an archaeological district be considered for National Register eligible sites, including any individually ineligible sites that contribute to the district.

Most of the APE has been surveyed for archaeological resources. However, it is unclear if other cultural resources, such as historic sites, buildings and structures, ethnographic sites, and traditional cultural properties, were adequately covered or if they will be, and whether individuals who meet the Professional Qualifications Standards of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation were, or will be, directing the inventory and evaluation efforts. Please clarify.

In §3.12, "Native American Religious and Traditional Values", it is stated "to date no TCPs or EO 13007 sites have been identified within the project area." It was also stated that data for TCPs relied on the BLM tribal liaison's knowledge of places and resources. Although local Tribes were sent a notification of project plans and a meeting took place with the Tribal Chairman of the Duckwater Shoshone Tribe, what follow-up has there been in consulting with Tribes on a government-to-government basis and in collecting relevant information? What are the qualifications of the BLM tribal liaison? Does that individual possess a background in cultural resource management and tribal consultation? We recommend that consultation with Tribes be performed in accordance with *Tribal Consultation: Best Practices in Historic Preservation* by the National Association of Tribal Historic Preservation Officers (http://www.nathpo.org/PDF/Tribal_Consultation.pdf).

Great Basin National Heritage Area and Lincoln Highway

Throughout the document there seems to be an overall lack of recognition that Congress designated the Great Basin National Heritage Area (GBNHA) in 2006 and that this project falls within its boundaries. There is no reference to the designation, or to the implications of the project for the integrity of the GBNHA. The proposed undertaking clearly has the potential to negatively impact heritage resources, including natural and cultural resources in and around the project area, and consequently conflict with the fundamental values of the GBNHA. The GBNHA and the values recognized by its designation should be included and addressed in the Abstract, Executive Summary, and Chapters 3 through 6.

The Final Management Plan for the Great Basin Heritage Area was recommended to the Director, National Park Service during February 2013. The September 2011 Draft Plan was prepared in consultation with BLM and other partners, and is available for reference at *http://www.nps.gov/grba/parkmgmt/partners.htm.*

It is recommended that preparation of the Final EIS be undertaken in consultation with the Great Basin Partnership, which also could aid in developing or refining mitigation strategies for all potentially affected resources which may be impacted by this proposal.

Lincoln Highway

We disagree with the statement in the Executive Summary stating that the project will have minor to moderate and long term impacts to the Lincoln Highway. There would be a permanent adverse effect to a National Register of Historic Places eligible section of the Lincoln Highway through its destruction and relocation. Furthermore, a precedent would be established that would threaten the long-term viability and preservation of other significant sections of the Lincoln Highway in Nevada. The proposed mitigation measures, which consist of a video of its former alignment and an information kiosk, appear to be inadequate when compared with the destruction of the resource. We recommend that the mine not extend to the roadbed of the Lincoln Highway, so that this nationally significant resource will not be destroyed.

In §3.16 "Socioeconomics", no mention was made of recreation, the NHA, the Lincoln Highway, or tourism as economic drivers (or potential drivers) for the socio-economics of the region. We suggest that you consult with the Heritage Partnership, which may have data on heritage tourism and what scenic and historic corridors, such as the Lincoln Highway, do for an area. Driving is an important and relevant form of recreation that is important to the GBNHA. We also suggest you consult with the Nevada Commission on Tourism.

Dark Night Skies and Visual Resource Protection

We disagree with the statement in Chapter 4 (and the related statements in the Executive Summary) that says, "Illumination resulting from use of the proposed project lights would have a negligible impact on the night sky, because there are very few existing light sources in the area and the ambient light level is very low." Since the ambient light level is very low, any lights used for the proposed project will be introduced to an otherwise dark background and create high contrast, making light sources readily visible. Referring to the GBNHA, Appendix I (Page 327) of the Management Plan states: "With some of the least polluted skies in the nation, very low humidity, and low population density, the region may offer some of the best night sky viewing in the lower 48 states." Consequently, the ability to view many low intensity astral and stellar features from the area may be reduced or lost. The Visual Resources in Chapters 3 and 4 of the EIS should include a thorough description of the existing night sky condition and the environmental consequences of the proposed action on this nationally recognized area. The minimum amount of light that will be needed at night by the project should be identified. The Mitigation Plan for the project should address impacts to the night sky in detail.

The Visual Simulations provided in Appendix 3C should be included in the main document under Visual Resources. Juxtaposed before and after shots of the APE and surrounding area will visually represent the impacts of the undertaking on the currently open and undeveloped landscape. A simulation of what the project alternatives and access road will look like entering the main highway from the east and the west, as well as the APE and proposed transmission lines from any key overlooks, rest areas, or other places the public might stop and get out of their vehicles to survey the landscape should be included. Providing both day and night simulations would be appropriate.

In Section 3.14 "Visual Resources", it is noted that for VRM class III lands, moderate changes that are not visible to the casual observer are allowed. These are the types of land determined by BLM to be in the project area. The new road and transmission line and associated facility development, though, would likely be very noticeable to the casual observer who is expecting to see an open, unobstructed, Western landscape of basin and range topography while passing through the historic Lincoln Highway corridor in the GBNHA. The proposed changes do not appear to be moderate when considering the values of the GBNHA. We recommend consultation with the Nevada Commission on Tourism on this issue. The Commission has invested substantial resources in promoting the GBNHA to visitors from around the world.

The mitigation plan referenced in Appendix 4 suggests that exterior surfaces for new facilities in conjunction with the mine project be of 'shadow gray' and 'shale green'. What do these colors actually look like in different kinds of light at different times of day? Please provide large color

samples to the Heritage Partnership, so that they can take the samples out into the field to assess the colors' effectiveness prior to implementation. Work with the Partnership to ensure the most appropriate and suitable colors are employed on new facilities that will be visible from the public roads.

Thank you for your consideration of these comments and suggestions. For additional information concerning the Great Basin Heritage Area and dark night skies please contact Linda Stonier, Heritage Areas Co-Coordinator, Rivers, Trails, Conservation Assistance, Pacific West Region (415) 623-2322; for information concerning cultural resources and Tribal coordination please contact Mark Rudo, Archeologist, Pacific West Region (415) 263-2361; for information about Lincoln Highway and visual resource impacts, please contact Gretchen Luxenberg, Heritage Areas Co-Coordinator, Pacific West Region (206) 220-4138.

Thank you for the opportunity to review the Draft EIS.

Sincerely,

/s/ Patricia L. Neubacher
(signed original on file)

(for)
Christine S. Lehnertz
Regional Director, Pacific West Region

cc:
Patricia_Port@ios.doi.gov
waso_eqd_extrev@nps.gov
Linda_Stonier@nps.gov
Mark_Rudo@nps.gov
Gretchen_Luxenberg@nps.gov
Superintendent, Great Basin National Park
grba_superintendent@nps.gov
Great Basin National Heritage Partnership
info@greatbasinheritage.org

Comment No.: 145

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name TYSON County WHITE PINE

Title _____ Organization _____

Mailing Address 116 HIGHLAND DR. Apt #8

City ELY State NV. Zip 89301

Email _____

Date 5-4-13 Meeting Location (if applicable) _____

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

REVENUE FOR THE TOWN AND MORE JOBS!

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 145

From: Tyson
11W W Michigan Ave #B
Ely NV 89301

Place Stamp Here

UNITED STATES POSTAGE
PITNEY BOWES
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0001066198 MAY 06 2013
MAILED FROM ZIP CODE 89301

Midway Gold Pan Mine Fils
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
MAY 07 2013
RECEIVED
Ely, NV

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To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: *Tuesday, May 7, 2013*

Comment continued:

Comment No.: 146

From: mkreidler@blm.gov on behalf of EYDO_Midway_Pan_EIS, BLM_NV
To: Colleen Lavery
Subject: Fwd:
Date: Wednesday, May 08, 2013 11:15:13 AM

---------- Forwarded message ----------
From: **jesskjorstad@yahoo.com** <jesskjorstad@yahoo.com>
Date: Mon, May 6, 2013 at 8:23 PM
Subject:
To: "BLM_NV_EYDO_Midway_Pan_EIS@blm.gov"
<BLM_NV_EYDO_Midway_Pan_EIS@blm.gov>

To Whom it may concern :

I Jesse Lee Kjorstad am in full support of the Midway gold Pan project. I believe in the right to mine. I also believe Midway will operate in a very responsible and safe manner in all regards to the mining process. Midway has showed great respect for all parties and concerns and I believe they will protect and support the environment and community.

Thank You :

Sincerely : Jesse Kjorstad

Sent from Windows Mail

Comment No.: 147

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Tim Vidrine County White Pine

Title _____ Organization _____

Mailing Address 1345 Ave D.

City Ely State NV Zip 89301

Email _____

Date 5/5/13 Meeting Location (if applicable) _____

☑ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

Midway Gold, would be a good asset to White Pine County. It would give plenty of jobs and tax money to Ely. And they donate alot of money to the kids here.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 147

From: [illegible]
[illegible]
Ely NV 89301

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
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Ely, NV

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Thank you for your comment!

To mail:
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tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 148

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Gregory L. LeClaire County Salt Lake City

Title Regional Manager Organization MAXAM US, LLC

Mailing Address 6975 Union Park Center, Suite 525

City Salt Lake City State UT Zip 84047

Email glecLaire@maxam.net

Date 4/30/2013 Meeting Location (if applicable)

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

I am for the "waste rock disposal site design alternative".

It makes no sense to have to run the powerline along the 32 mile route.

This project brings with it 150 great paying jobs to an area that needs them!

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 148

89301941100

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
MAY 09 2013
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Ely, NV

SPOKANE WA 99

06 MAY 2013 PM 3 L

Justice
FOREVER

From:

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 149

From: mkreidler@blm.gov on behalf of EYDO_Midway_Pan_EIS, BLM_NV
To: Colleen Lavery
Subject: Fwd: Midway
Date: Wednesday, May 08, 2013 10:55:01 AM

---------- Forwarded message ----------
From: **Breeden, Mark** <breedenm@stifel.com>
Date: Fri, Mar 22, 2013 at 8:02 AM
Subject: Midway
To: "BLM_NV_EYDO_Midway_Pan_EIS@blm.gov" <BLM_NV_EYDO_Midway_Pan_EIS@blm.gov>

Mr. Kreidler,

I'm in favor of the project that Midway is proposing. As a past resident of McGill, Nevada when Kennecott was the main employer I realize how vital mining is to White Pine County.

Mark L Breeden
Senior Vice President/Investments

50 W. Liberty St. Ste 100
Reno, NV 89501
Phone: (775) 786-8500
Toll Free: (877) 635-9530
Fax: (775) 786-8580
Email: breedenm@stifel.com

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Stifel Nicolaus Canada Inc.
Member IIROC & CIPF

Comment No.: 149

Headquarters: 79 Wellington St W, 21st Floor, Toronto, ON M5K 1B7
416-815-0888

****

CONFEDERATED TRIBES
of the
GOSHUTE RESERVATION
P.O. BOX 6104
IBAPAH, UTAH 84034
PHONE (435) 234-1138
FAX (435) 234-1162

May 9, 2013

Miles Kreidler
Project Manager - Ely District
Bureau of Land Management
HC33 Box 33500
702 N. Industrial Way
Ely, NV 89301-9408
Tel: 775.289.1893
Email: mkreidler@blm.gov

Sent via PDF Email and U.S. Mail
Extended Comment Deadline: May 10, 2013

RE: CTGR Comments on the Pan Mine Project Draft Environmental Impact Statement (Casefile NVN - 090444)

Dear Miles Kriedler:

The Confederated Tribes of the Goshute Reservation (hereinafter: "CTGR" or "Tribe") respectfully submit these comments on the Pan Mine Project Draft Environmental Impact Statement (Casefile NVN - 090444). The CTGR is a federally recognized Indian Tribe and sovereign tribal nation. Our Reservation was formed by executive orders and includes portions of Utah and Nevada, but our resources, interests and use of lands are not confined

to the Reservation boundaries. The Tribe's aboriginal homelands include a large area of Nevada and Utah and they encompass the entire Proposed Pan Mine Project Area. Our Tribe still uses our aboriginal territory for hunting, fishing, gathering, sacred/religious purposes, and other uses. Some tribal uses occur in and around the Pan Mine Project Area. Because of our prehistoric, historic and current uses of these lands, we are concerned about the impacts to the Project Area and surrounding environment on our interests, resources and rights.

After our review of this Pan Mine Project Draft EIS, we are greatly concerned about the potential irreparable environmental impacts - direct, indirect and cumulative impacts - from the proposed mining activity both in the short term and long term. Also, we are concerned that this Draft EIS does not adequately address and mitigate potential impacts. If the concerns are not sufficiently addressed and mitigated to the fullest extent, the BLM as the Federal trustee must reject the proposed Pan Mine Project in order to protect our tribal resources, interests, and rights.

I. Past and Present Mining and Exploration in the Affected Area

Mining activity in the Pan Mine region of the Pancake Range has been active at least since 1876. According to the DEIS, at least ten exploration companies have been involved in drilling and exploring the Pan Mine area since 1978. The DEIS also identifies many mine operations and/or exploration endeavors that are past actions in the affected area that have defaced 3,644 acres of land, and many other present mining operations that currently deface 41,097 acres of land. (see DEIS Sections 5.2 and 5.3).

II. Synopsis of the Pan Mine Project

Midway Gold US Inc. submitted to the BLM Ely District a Plan of Operations (POO) in October 2011 (with subsequent POO revisions in February and May 2012) to commence mining operations on 3,204 acres of BLM-administered land. The proposed Pan Mine Project

"is located on the western edge of White Pine County, Nevada in the Pancake Mountain Range approximately 22 miles southeast of Eureka and 50 miles west of Ely". Midway Gold's technical feasibility study has indicated that the proposed Pan Mine mineral reserve of 53,254,000 tons of material contains 864,000 ounces of recoverable gold, thus indicating an economically feasible mine project. However, the DEIS does not address whether the Pan Mine Project would mine other minerals at the site. The Project would construct and operate the gold mine and associated facilities, including but not limited to mining in two main open pits, mining in four satellite pits, developing rock crushing facilities and stockpiles, developing two waste rock disposal areas, developing processing facilities, heap leach pads and ponds, developing groundwater for use in mine operations and associated facilities, developing roads, conducting additional exploration activities, and developing a large number of other mine related facilities.

Many documents either are not included in the DEIS or on BLM's website for our Tribe to effectively review and comment on this DEIS. These documents include feasibility studies, technical studies on resources, rights-of-way application from Mt. Wheeler Power, and Midway Gold's POO. Based on Midway Gold's POO, the BLM states that their review of the POO ensures: (1) "Adequate provisions are included to prevent unnecessary or undue degradation of Federal lands and to protect the non-mineral resources of the Federal lands;" (2) "Measures are included to provide for reclamation of disturbed areas;" and (3) "Compliance with applicable State and Federal laws is achieved." Because the BLM has precluded our Tribe and the public from a fair opportunity to obtain and review the POO (and the other aforementioned documents), our Tribe has no way of appropriately reviewing and commenting on this DEIS and the determinations provided above.

III. Inadequate Consideration of Project Conformance with Land Use Plans

NEPA documents are required to inform the public as to whether the project will be in conformance with the applicable land use plans. The BLM's planning regulations state that

conformance or conformity means that "a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or amendment." Conformance also requires the BLM to disclose what elements of land use plans may not be in conformance with the proposed Federal action in the DEIS. According to the BLM 2008 Handbook, if the proposed action does not conform to the existing land use plan, either the proposal should be modified to conform, or a land use plan amendment that allows the action to be considered. Moreover, if the existing land use plan is silent about an activity, the plan direction should be reviewed, including the broad and programmatic goals and objectives.

This Pan Mine DEIS failed to make required conformity determinations. While the DEIS generated a list of various documents, decisions, and management plans that are purportedly in conformance with the proposed Project, there is no finding on conformance. No conclusions or findings of conformity are given with other salient parameters in the land use and management plans, such as the Proposed Ely RMP. The DEIS merely provides statements that "the Proposed Action and alternatives are in conformance". The DEIS must, and currently fails to, answer the questions: Does the project conform? How so? Will this be multiple use?

Second, the DEIS fails to disclose whether or not the Proposed Action and Alternatives have possible conflicts with the applicable BLM land use plans. The NEPA question is compliance with land use plans: "Possible conflicts between the proposed action and the objectives of Federal . . . land use plans . . . ." The DEIS must disclose these possible conflicts. If that information is not in the DEIS, then it must be revised so this disclosure can be subject to public notice and comment. With this element absent, the DEIS does not meet NEPA's requirements for full and reasonable disclosure of conformity.

The DEIS claims that the Project is in conformance with various land use plans, including "Management Guidelines for Sage-Grouse and Sagebrush Ecosystems in Nevada", "BLM National Greater Sage-Grouse Land Use Planning Strategy", "Greater Sage-Grouse Interim Management Policies and Procedures", and the other documents listed at DEIS 1-7.

Our Tribe does not concur with the BLM's findings on conformance with these plans and guidelines in several areas. For example, sage-grouse priority habitat will be destroyed if the Project is approved. This is contrary to several areas within the sage grouse plans and management guidelines.

IV. Inadequate Disclosure of Compliance with Statutes, Regulations and Plans

Any NEPA project must achieve conformance with existing regulations, statutes and land use plans. Under Section 1.6, the DEIS lists an array of plans, policies, guidelines and statutes that have been analyzed to determine whether the Proposed Action achieved compliance. The DEIS provides no basis for the compliance determinations. No information in the DEIS allows the Tribe to gauge whether the Project is in compliance with that list of plans, policies, guidelines and statutes. This precludes our Tribe, and the general public, from having the opportunity to fairly and adequately evaluate this Pan Mine DEIS to not only ensure compliance but also to ensure proper avoidance of potential adverse impacts on resources that are protected under those plans, regulations, and statutes.

The DEIS identifies that there will be impacts on Golden Eagles within the Project area. Golden eagles are protected under the Bald and Golden Eagle Protection Act. Even disturbance of habitat, nests, or individual birds is considered "take" under this Eagle Act. Because the Pan Mine Project would clearly have impacts on these birds, which are sacred to our Tribe, this aspect of the Project is not in conformance with the Eagle Act.

V. Errors on Project Segmentation

Exploration and mining activities in the Pan Mine Project Area has been ongoing and those actions are similar, connected, and cumulative actions. The relationships of those past actions to this Project have not been adequately explained in the DEIS (*see* DEIS at 1-1 through 1-5). The past and present mining activities are clearly connected, and thus the

environmental impacts in their entirety must be analyzed and disclosed in this DEIS. The BLM incorporates by reference several past EA's for activities in the Pan Mine area; however, that reference and disclosure attempt are inadequate for several reasons. First, the mining activity that has led to the Proposed Action is of longer duration than what has been disclosed in the DEIS. Second, the impacts to the Project area from past actions are not analyzed adequately and in a way that allows the combined impacts of connected/similar actions to be presented in this single DEIS. While some disclosure and assessment is presented in the Cumulative Impacts chapter regarding these connected actions, the analysis fails on those issues. The DEIS must be revised so that our Tribe has a reasonable opportunity to gauge the totality of the connected action and their cumulative impacts.

VI. Alternatives to the Proposed Action are Insufficient

NEPA requires that the BLM formulate appropriate alternatives that address not only public concerns and issues raised throughout the NEPA process, but also environmental information available to the BLM. The purpose in developing alternatives to the Proposed Action is to "avoid or minimize adverse effect ··· upon the quality of the human environment." Appropriate alternatives must be developed, studied and described to "recommend courses of action in any proposal which involves unresolved resource conflicts concerning alternative uses of available resource". Moreover, the BLM has the directive to analyze a "reasonable number to cover the full spectrum of alternatives." Alternatives must not simply respond to an Applicant's proposal, but develop alternatives that are practical and feasible while maintaining compliance with state and federal statutes and regulations.

The Pan Mine DEIS describes four alternatives - the Proposed Action, Waste Rock Disposal Alternative, the Southwest Power Line Alternative, and a No Action Alternative. Pursuant to prior authorizations, Midway Gold is conducting mining exploration activities that permit 100 acres of surface disturbance, including road construction, drill pads and exploration drilling, trench excavation and borehole augers, sanitation facilities, staging areas

for materials and equipment, and development of groundwater wells. While the DEIS appears to examine numerous alternatives, the methods for identifying, selecting and eliminating alternatives is not based on sufficient methodologies. NEPA requires that all Federal agencies "shall identify any methodologies used". The method for deriving alternatives is not disclosed, and the information that is provided remains insufficient. Indeed, the DEIS in Table 2.4-1 provides a matrix of potential alternatives. Yet the DEIS does not disclose where/how each alternative was generated nor is there any justification for its subjective "Yes" or "No" decisions in Table 2.4-1. The presentation of information under Sections 2.4 - 2.6 does not constitute the methodologies used in the decision-making process, and is insufficient justification of the alternatives. (see Section 2.5). Thus, the BLM failed to appropriately construct a reasonable range of alternatives given the issues important to our Tribe and the general public.

The BLM also failed to develop an appropriate range of alternatives given potential environmental impacts. All of the alternatives that are presented in the DEIS will have irreparable and significant impacts on vegetation, water, air, land use, environmental justice, and tribal religious/cultural uses of the 3,204 acres of land. Moreover, estimations of impacts from the Project are likely to be greatly underestimated (as presented below), which generates ineffective and underestimated proposed mitigation measures. Because of these issues, there is a clear need for alternatives that would actually reduce impacts.

Given the DEIS' failure to analyze a reasonable range of alternatives, failure to develop sufficient alternatives based on the scoping process and the best available information, and failure to provide due justification for selecting and eliminating alternatives, the DEIS essentially responded to the Applicant's desired outcome. Even a preliminary constraints analysis for the proposed Project would have demonstrated significant impacts of particular resources, including cultural resources and Native American religious values. Indeed, the DEIS identifies that the Proposed Action would result in adverse impacts to several sites that are eligible for the National Register of Historic Properties. These significant impacts alone provide a trigger for the need and development of appropriate

alternatives, but the BLM's DEIS states that no effect on historic/cultural properties would occur. Our Tribe had no input on cultural resource inventories, cultural site determinations, NRHP eligibility, and no input on whether cultural sites may be adversely impacted from the Proposed Action. The DEIS apparently has missed previously documented information on cultural use areas/historic sites that did not make it into the impact assessment for this proposed gold mine project.

The DEIS avoids additional working alternatives by suggesting actions that may minimize or avoid some impacts. For example, the DEIS suggests that a treatment plan may be instituted and that data recovery measures may be instituted. These measures would purportedly offset the adverse impacts. We do not agree that those measures would offset impacts to cultural resources. Additional alternatives must be added to the DEIS that respond to and/or avoid entirely the impacts on cultural areas. These issues are errs of noncompliance.

The range of alternatives analyzed fails to match the Federal Land Policy and Management Act as a multi-use mandate. FLPMA is the BLM's "organic act that establishes the agency's multiple-use mandate to serve present and future generations." Instead, the alternatives simply respond to the Applicant's plan to commence large-scale mining operations in the Pan Mine area. The DEIS fails to consider alternatives that meet the multiple-use mandate that might achieve both the Applicant's proposed Project and the BLM's mandate to manage lands in a manner that will:

> protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.

Thus, the DEIS must analyze an appropriate range of alternatives that meets that multiple-use mandate and conforms to the entirety of the applicable land use plan(s).

VII. Inadequate Disclosure of the Affected Environment

The DEIS' Affected Environment chapter does not fully disclose important resources. First, the Duckwater Shoshone Tribe's Proposed Expansion Area is not provided in the DEIS. The DEIS must address potential impacts to that important area, to our neighboring Duckwater Tribe's current reservation lands, and to historical/prehistoric cultural areas. Not providing that analysis in the Pan Mine DEIS is a failure to meet NEPA requirements on several counts. Second, the DEIS does not sufficiently address water resources including groundwater. The DEIS provides an arbitrary "three-mile buffer to allow for impacts that may go beyond the project area" plus the direct effects area of analysis within the actual Project area. No justification for the three-mile buffer is provided and no information is offered that would suggest that such a buffer distance is appropriate for the environmental conditions in and around the Project area. The Project is situated just north of the Duckwater Tribe Reservation. Groundwater flows from the Project area toward the Duckwater Reservation. Third, endangered species occupy springs at the Duckwater Reservation. Because the springs are connected to groundwater sources, our Tribe is concerned that contamination from the Pan Mine will eventually flow to the Reservation and will impact the endangered species and their habitat, Duckwater's domestic wells, irrigation wells, and other water resources in the area. Fourth, the Project area and lands adjacent the Project area had long-term tribal occupancy and uses. No disclosure or descriptions are provided in the DEIS. Presently, the DEIS fails to look at any of these critical environmental issues.

VIII. Inadequate Evaluation, Disclosure and Mitigation of Impacts on Water Resources

The DEIS identifies under Section 4.2.1 that the Project may have impacts on water resources both short and long-term, including downgradient springs, surface water, and groundwater. The methods to determine whether impacts will occur, and to what extent, are

generally vacant and/or in need of a sufficient analysis. The DEIS provides no assessment of what distance downstream the impacts may occur to those resources. The DEIS suggests that based on a comparison of topographic map contours, mine activities would not impact an unnamed spring. This assessment is given in the following DEIS statement:

> there are no mapped springs or seeps within the Proposed Action project area; however, there is an unnamed spring located approximately 0.25 miles due south and upgradient of the area. Based on topographic analysis, the unnamed spring ··· is not downgradient of any mine facilities or disturbance, and therefore would not be impacted by the Proposed Action or any Action Alternatives. DEIS at 4-4.

The DEIS offers no methodology to make this determination; it does not identify a distance upgradient that the spring is located from the Project Area; it provides no information whatsoever to allow the reader to fairly evaluate the conditions and methods that were used in arriving at that determination. The surface water section 4.2.2 is replete with inadequacies that prevent reasonable evaluations of impacts for the Project. Another example is that the DEIS states that there "are no identified wetlands within or in close proximity to the project area." We have no way of gauging what "identified wetlands" refer to, nor what specific distance "close proximity" refers to. Further, the DEIS does not provide any illustration of where groundwater wells, the unnamed spring, and salient features that may have impacts on the unnamed spring. This precludes our Tribe from having any reasonable opportunity to review this potential impact.

Our Tribe is greatly concerned about the methodology that was used to determine impacts on this water resource, lending to our subsequent concerns of how impact assessments were conducted for other resources throughout this DEIS. The DEIS suggests that "the potential for acid rock drainage and/or metals leaching from the WRDAs is considered low" and only minor amounts of arsenic and thallium are likely to leach into the ground. And as a result, there are no assurances that groundwater will not be contaminated either in the short term or long term from the mining activities. Indeed, the DEIS "indicates

that impacts to groundwater quality from the operation and reclamation of the WRDAs are considered long-term". The Project must require appropriate avoidance, monitoring and mitigation for any impacts on groundwater.

IX. Inadequate Evaluation, Disclosure and Mitigation of Impacts on Air Resources

Air quality modeling was conducted "to assess ambient air quality impacts off-site as a result of the Proposed Action". The DEIS must provide maps of air quality dispersion models to show the pollutant dispersions across different temporal scales to determine the extent of impacts to downwind areas, including the Duckwater Reservation, their Proposed Expansion Area, and any of our tribal historical/cultural use areas. Given the multitude of air pollutants, our Tribe is concerned not only about the air quality in general, but particularly about the air quality impacts on the Duckwater Tribe.

The proposed Project will put a large number of pollutants into the air. Quantities of pollutants are given in tons/year. Based on modeling predictions, the pollutants are generally shown as process and ancillary emissions, fugitive dust emissions, vehicle tailpipe emissions, greenhouse gas emissions, mercury emissions, hazardous air pollutant emissions. NEPA requires that all of these different types of predicted emissions be disclosed as regulatory caps, grand sums, estimates of how mitigation subtracts from the grand sums, amounts already present in the affected environment, the causes of different emissions, and incremental increases from different sources. At present, the DEIS does not provide an understanding of these separate elements and how they add an increment to the cumulative. The DEIS only provides regulatory caps on nitrogen oxide, sulfur dioxide, carbon monoxide, PM10, PM2.5, led, ozone. No regulatory cap is provided for HAP emissions for example.

Disclosure of GHG emissions is inadequate. On February 18, 2010, the Council on Environmental Quality provided a draft guidance memorandum to assist Federal agencies to improve their consideration of effects of greenhouse gas emission (GHGs) and climate change in their evaluation of proposal for Federal actions under NEPA. CEQ brought attention to the

issue of how GHGs and climate change issues are considered in NEPA documents to provide a chance to examine reasonable alternatives and mitigation of impacts. The CEQ guidance brings forth two main issues:

(1) The GHG emissions effects of a proposed action and alternative actions; and

(2) The relationship of climate change effects to a proposed action or alternatives, including the relationship to proposal design, environmental impacts, mitigation and adaptation measures.

The CEQ guidance identifies that the Federal government is committed to the goals of energy conservation, reducing energy use, and eliminating or reducing GHG emissions, among other renewable energy goals. The BLM is obligated to consider and conduct the appropriate environmental analyses in federal projects that implicate these goals. The CEQ identifies that "information on GHG emissions (qualitative or quantitative) that is useful and relevant to the decision should be used when deciding among alternatives." Thus, it is appropriate for the BLM to quantify and disclose estimates of GHGs given off from all Project activities - direct, indirect and cumulative emissions - no matter whether they are primary or secondary importance in terms of quantities of emissions. GHG emissions associated with the proposed Project primarily would be associated with the consumption of energy for mining and ore processing over the life of the mine. The DEIS does not disclose GHG emissions other than "process and fugitive" CO_2 emissions, which is based on an arbitrary decision to disclose only those "primary" GHGs. CEQ and NEPA guidance does not limit the disclosure of GHG emissions to primary pollutants as suggested in the DEIS at 4-28.

The BLM must quantify and disclose all sources of GHG emissions and expected amounts for this mining project DEIS, especially since mining activities emit GHGs both from machinery use and land disturbance. Defacing and disturbing the ground surface invariably causes a release of GHGs and changes the natural GHG flux. The Project proposes to disturb about 3,204 acres of land, including large amounts of soil and vegetation. The loss of vegetation eliminates the natural GHG fluxes, and likewise soil disturbance by mining and

bulldozing releases GHGs such as CO_2, CH_4 and N_2O. Both vegetation and soil GHG losses to the atmosphere, and the land's long-term inability to function properly in terms of GHG fluxes following disturbance, must be considered. The DEIS must include all types GHG emissions from all of the sources and provide estimates of those emissions no matter the type or quantity. Otherwise, the DEIS does not meet full disclosure for public review and commenting.

X. Inadequate Evaluation, Disclosure and Mitigation of Impacts on Vegetation and Wildlife Resources

The evaluation and disclosure of impacts on vegetation and wildlife resources are insufficient. The DEIS in the previous Air Resources section essentially omits any analysis and disclosure of climate change, which can add an increment of impact on resources:

> Climate change analyses are comprised of several factors, including GHGs, land use management practices, and the albedo effect. The tools necessary to quantify incremental climatic impacts of specific activities associated with those factors are presently unavailable. As a consequence, impact assessment of effects of specific anthropogenic activities cannot be performed. Additionally, specific levels of significance have not yet been established. Therefore, climate change analysis for the purpose of this document is limited to accounting and disclosing of factors that contribute to climate change. Qualitative and/or quantitative evaluation[s] of potential contributing factors within the planning area are included where appropriate and practicable. DEIS at 4.28.

The potential impact on native and invasive vegetation, for example, is only partially addressed in this DEIS because of the failure to address how climate change coupled with mining activities will impact the resource. The Humboldt-Toiyabe National Forest Vulnerability Report 2011 [USFS 2011] addresses potential effects of climate change to natural resources in the Project area. Regarding invasive species, the USFS study states the following:

> Invasibility of cheatgrass (*Bromus tectorum*) varies across elevation gradients on the Forest and appears to be closely related to temperature at higher elevations and to soilwater availability at lower elevations. Cold soil temperatures at higher elevations limit the growth and reproduction of

> cheatgrass. High variability in soil water and lower average perennial herbaceous cover appear to increase invasion potential at low to mid elevations explaining the high susceptibility of more mesic Salt desert shrub and Wyoming sagebrush ecosystems to invasion by cheatgrass. Fire and removal of perennial herbaceous species increases the susceptibility to invasion due to elevated soil water and the lack of competition.

These environmental conditions identified above are conditions influenced by climate change and land disturbances such as this Pan Mine Project. Climate change is predicted to generally cause warmer temperatures, earlier snowmelt, impacts to springs and other water resources, and climate-induced vegetation and wildlife whereby the drought-tolerant and heat-tolerant species will be favored. This DEIS fails to make any attempt to evaluate and disclose anticipated effects of climate change separately and/or combined with Project-level impacts. This fails the test of a hard look that is required in NEPA documents. There must be additive and synergistic effects over the long term from the Project and climate change added to the DEIS.

The Proposed Action will denude 2,752 acres of vegetation, including pinyon-juniper stands that our tribal ancestors and tribal members have used as a center for pine nut harvests since time immemorial. Thirty-five percent of the 3,204-acre Project area is pinyon-juniper, mixed with other shrublands. There are a large number of other plants that have traditional uses in the Project area. No discussion is provided that indicates this, or suggests in any way that tribal uses of plants may be impacted. The loss of vegetation would constitute a significant loss. Moreover, there will be long term direct, indirect, and cumulative impacts. The DEIS fails to provide disclosures that allow the reader to see what the additive and synergistic impacts would be from the Proposed Action. Mitigation that is offered to offset impacts on vegetation includes mostly reclamation. While there may be an aim to successfully reclaim disturbed areas, it is well known that sagebrush and pinyon-juniper habitats cannot be successfully reclaimed in the short term. These vegetation types require many decades of succession before they start to revert to pre-disturbed conditions.

Our Tribe also is concerned about the potential impacts on wildlife. Sage-grouse leks occur very near the Project Area, with distances ranging from 1.04 to 2.98 miles from the Project site. DEIS at 4-43. And admittedly, the DEIS identifies that these leks are likely to be impacted from the mining operations and construction. DEIS at 4-43. This runs contrary

to statements early on in the DEIS that indicated the Proposed Action and Alternatives are in conformance with applicable management guidelines, plans and regulations. Moreover, Figure 4.8.1 clearly shows that sage-grouse priority habitat would be destroyed by Project construction. Instead of providing much analysis of this real impact, the DEIS stresses the potential impacts on sage-grouse from natural predation from ravens, hawks and eagles. In fact, the DEIS uses about twice as much text space to describe that ravens, hawks, and eagles may hunt sage-grouse compared to the DEIS text that discloses the impacts from the mine project on sage-grouse. DEIS at 4-48, 4-49. The fact that sage grouse have natural predators is not the issue at hand for this DEIS. The issue is: What is the impact from the Proposed Action and Alternatives? The DEIS must describe fully what the impacts will be and develop the appropriate mitigation for those impacts. In fact, much of the mitigation offered to avoid impacts on sage-grouse skirts the issue of the actual impacts on sage grouse and their habitat in the Project area. Instead, the mitigation offers "off-site mitigation" and minor alterations such as modified transmission lines, vehicles speed limits, restricting engine brakes. DEIS at 4-54. Thus, the DEIS not only fails to be in conformance with applicable sage grouse management plans and guidelines, but the DEIS also fails to disclose, evaluate, and mitigate real impacts on sage grouse and their habitat.

The Project Area also contains Golden Eagle habitat and nesting territory. DEIS at 4.45. Eagles are sacred animals to our Tribe and the Project must not impact these animals and their nesting territory, which is protected under the Bald and Golden Eagle Protection Act. Indeed, even "nest site abandonment constitutes take under the Eagle Act". "Take" includes pursuit, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb (USC 668c; 50 CFR 22.3). Nest site abandonment or any disturbance to the nest is defined as disturbance, which is "take" under the Eagle Act. Further, there may be cumulative impacts that lead to a "take" under the Eagle Act. This DEIS is silent on these issues and fails to conduct any real assessment of whether mine construction and operation will impact eagles, their nests, and habitat. Further, the DEIS does not address the cumulative impacts for this resource parameter, but must do so to provide full disclosure of impacts on wildlife

resources. If there is a likelihood of these impacts, which is already obvious, the DEIS must provide appropriate mitigation to first and foremost avoid impacts, and secondarily to minimize and offset impacts. The mitigation provided in the DEIS to offset impacts to golden eagles in the Project area is as follows:

> In Utah, Romin and Muck (1999) recommend habituating raptors to noise and other disturbance activities associated with a project. Specifically, these authors state that "beginning land use, human activities, or construction prior to the breeding season will allow a pair of raptors to "choose" whether the nest site is still acceptable considering the disturbance. Warning sirens at regular intervals have also been used to alert raptor pairs to potentially startling noises such as blasting. This technique has generally been used where there is no acceptable alternative to the proposed action. While loss of the nest site may occur, the goal of this technique is to avoid the loss of eggs or young and allow the adults an opportunity to select an alternate nesting site." These habituation techniques would be applicable to the Proposed Action. If activities such as blasting were to begin during early spring and summer, birds potentially nesting in proximity to the project area would either become habituated to the disturbance or seek another location for nesting. Pre-disturbance signals such as sounding sirens prior to blasting may be effective in limiting negative raptor responses to blasting. As sounding sirens prior to a blast is a standard safety practice at most mine sites, this technique would be implemented to reduce impacts.

Our Tribe has serious concerns about this idea as an effective piece of mitigation. The mines already sound their sirens to alert workers of blasting. Mitigation is suppose to be effective, so the question is whether this sounding-of-sirens mitigation technique actually works and actually offers any real mitigation to the loss, damage, or take of golden eagles and their habitat. The BLM must devise real mitigation for golden eagle disturbance/take in the Project area. The DEIS then must be revised and resubmitted for public review and comment.

There is no disclosure or evaluation of impacts on elk. Elk are important for our tribal member's use all over White Pine County including areas near the Project area. We are surprised to see that no assessment was conducted on elk and their habitat for this Project. No disclosure of important elk habitat is provided. We are concerned that the elk that may occupy or use the Project area for any duration may be subject to pollution from contaminated water, air, soil, and vegetation. The DEIS must address the direct, indirect or

cumulative impact on elk. And because tribal members hunt elk in this region, this is a tribal cultural use that the DEIS must disclose how that use will be impacted by the Project.

Our Tribe also is concerned about the impacts and mitigation on big game species that tribal members rely on for hunting. The BLM identified that pronghorn antelope and mule deer are the two primary big game species that occur within the Project area. DEIS at 3-95. These animals range from the Project area to areas where tribal members hunt for and rely on these animals. The DEIS does not disclose the critical habitat for these animals and does not evaluate the impacts on the habitat or the animal populations. And because of the pollutants that are inherent in gold mining operations and processing, we are concerned that these animals may get contaminated from the mine pollutants in the air, water, soil or vegetation. The DEIS mentions that impacts to mule deer and pronghorn antelope would be "short-term and negligible." But it is not clear as to how this determination arose, especially given that some impacts have not been disclosed and evaluated.

XI. Inadequate Evaluation, Disclosure and Mitigation of Impacts on Cultural Resources, Native American Concerns, and Indian Sacred Sites

The Pan Mine DEIS' analysis of impacts on Native American Concerns and Traditional Values is severely deficient. For starters, the BLM greatly diminishes the importance of the region to the Tribes. Our Western Shoshone ancestors have occupied the region since time immemorial. The Project Area is right in the heart of some Western Shoshone homes, villages, and hunting and gathering locations. The DEIS offered the following as their assessment method in determining Native American concerns:

> The analysis of potential impacts to Native American Concerns and Traditional Values is based on a review of known tribal interests, traditional cultural places, trust assets/treaty rights resources, and consultation with the potentially affected Tribes ···

We are not sure what the BLM means by "known" interests, places, and resources.

Background literature reviews easily would have shown that there are tribal interests, cultural places, and resources important to the Tribes. This approach to summarily reject any importance that the area has historically and culturally to Tribes based on what is "known" is of great concern. The definition of "known" seems to be quite limited in scope. We are left to assume that all of the known information was contained in cultural resource inventories, which our Tribe was precluded from having any involvement in whatsoever. As such, we were not given an opportunity to add tribal perspectives, tribal history, interpretations, and our literature reviews and findings into those cultural resource documents. We were not given an opportunity to examine and interpret on the ground resources. Moreover, any preliminary assessment of the importance of the region to Tribes should have required the BLM to conduct an ethnographic assessment, which may have illuminated our cultural ties and concerns to the area.

Without the appropriate studies or any reasonable effort to address tribal religious values and concerns about the Project, the BLM failed to make a good faith effort to attach religious and cultural experiences to the cultural sites in the area of potential effects. No associated impact analysis was provided for the Tribe and the public to consider. ACHP regulations require the BLM, in consultation with SHPO and any tribe that attaches religious and cultural significance to site, to apply criteria of adverse effect with respect to all the characteristics of a culturally significant site that qualify it for listing or eligibility under the National Register. Tribal consultation and ethnographic assessments are often necessary in order to thoroughly document sites and gauge adverse impacts. Our Tribe was precluded from having a reasonable opportunity to participate in the identification of sites and in the resolution of any adverse effects. Moreover, this violates the BLM's regulatory and statutory requirements of full and fair disclosure and duty to inform the public that it has indeed taken a hard look at these potential impacts. BLM is obligated to carefully and fully contemplate the environmental effects of the proposed agency action, and to insure that the public has sufficient information to review and comment on the agency's determinations.

The DEIS states that "[t]here are no known potential places of cultural and/or

geographic interest to the Tribes within or near the project area." DEIS at 4-67. Further the DEIS states that "No TCPs or EO 13007 (Executive Order on the Indian Sacred Sites) sites have been identified within the project area that might be impacted by the Proposed Action. Therefore, no impacts to Native American religious concerns are anticipated from the Proposed Action." Our Tribe does not agree with this assessment as the area provided historical homes and village sites for our tribal ancestors, pine nut gathering areas, and hunting areas for the Tribes. These above issues establish an incorrect and misleading assessment of impacts on tribal interests and resources, evading the requirement to consider every significant aspect of an environmental impact of the Proposed Action. Further, NEPA documents require that environmental concerns have been fully considered in the decision-making process and that those issues are clearly articulated for public review and comment. Without this disclosure, the document gives the appearance that there will be no impacts on resources and interests that are important to Tribes. Based on this alone, the DEIS must be revised and resubmitted for public comment and review.

Our Tribe was precluded from having a fair and reasonable opportunity to participate in any of the cultural resource inventories, the NRHP-eligibility determinations, and the review and final decisions presented in cultural resource documents. The BLM identified in the DEIS at 3-130 that numerous cultural resource inventories have been conducted in the Project Area:

> Class III cultural resource inventories (systematic and detailed field inspections) were conducted for the entire fenced area and access roads (Banks, et al., 2012a, 2012b, 2012c, and 2012d; Orcutt and Brewer, 2012). . . . Information regarding cultural resources in the project area was collected through literature searches and field inventory. . . .Data for cultural resources includes record search information for an area one-mile out from project components and field inventories.

Yet, our Tribe was never provided an opportunity to participate at any stage of the cultural resources projects that are well within our aboriginal territory and in close proximity to Tribal

lands. Our Tribes' review and input was never asked for, we were unaware of when these inventories were being conducted, and we were never given copies of the cultural resource inventories. Our Tribe had no part in the field surveys or conclusions drawn in the reports. Our Tribes' interpretations of tribal cultural resources generally are different than what is provided by BLM studies and inventories by an applicant's third party consultant.

The BLM determined, without Tribal participation in any part of the cultural resources work, that "impacts to cultural resources would be minor to moderate and long-term". DEIS at 4-66. The DEIS summarizes the cultural resource findings as follows:

> There are 75 NRHP-eligible cultural resource sites (i.e., historic properties) known to be within the project area (Table 3.11-1. These include 67 historic sites, one prehistoric site, and seven multi-component sites. Impacts could potentially be avoided through construction design modification or mitigated through data recovery studies. DEIS at 4-66.

Unfortunately, our Tribe has no way to fairly evaluate the cultural resources, as we were not part of the inventories nor the interpretations of field data regarding what constitutes a cultural site and what constitutes NRHP eligible resources based on the NHPA criteria. This DEIS suggests that impacts to our cultural resources can be "mitigated through data recovery studies." This is not sufficient mitigation for the wholesale permanent loss of cultural resources. Appropriate and sufficient mitigation must be a part of this DEIS in order for the Project to approved.

XII. Inadequate Evaluation, Disclosure and Mitigation of Impacts on Environmental Justice and Health Concerns

The DEIS fails to provide an appropriate analysis of environmental justice. The EPA defines environmental justice as "the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies." The DEIS offers that an adverse impact on environmental justice is one that would result in several

cases: (1) disproportionate high and adverse human health or environmental effects on minority populations or low-income populations; (2) increased risk of rate of exposure to an adverse environmental hazard by a minority population or low-income population that appreciably exceeds the risk or rate of exposure to the general population; and (3) health and safety hazards that disproportionately affect children. Moreover, the BLM made a determination of adverse impact on environmental justice based on these two factors: (1) whether the impact would be likely on the natural or physical environment that significantly and adversely affects a minority population or low-income population; and (2) whether environmental effects would have a significant adverse impact on minority or low income populations or children. DEIS at 4-102.

The DEIS states that "impacts on environmental justice issues would not be anticipated." This is incorrect. We cannot find where there is any real analysis or details on this matter in the DEIS. However the BLM arrived at this determination seems questionable and is replete with serious flaws because of other problems in the way this impact assessment has been conducted across resource parameters. For example, the DEIS did not provide a sufficient analysis of groundwater quality or air quality impacts and how those impacts will be carried toward the Duckwater Reservation. Groundwater flows south from the Project area to the Duckwater Reservation. No analysis was conducted to determine the rate of groundwater flow and how long it might take for contaminated groundwater to meet the Reservation. Whether that time period is 10 years or 100 years, that potential impact is likely to occur and is certainly an environmental justice impact.

The DEIS also failed to appropriately address impacts on air quality that may impact the Duckwater Reservation. There was no assessment of which direction and how far air quality will be impacted. If such an analysis demonstrated that air pollutants impacted the Duckwater Reservation, this could constitute an adverse impact of environmental justice. But because the DEIS has not provided full disclosure of these types of potential impacts on resources, the environmental justice impact cannot be fairly gauged. The fact that the DEIS indicates that there will be 3204 acres of impact on our ancestral homelands, impacts to our

history, impacts to historic tribal homes and villages, impacts to ancestral hunting and gathering areas, impacts to our sacred animals, plants and other resources collectively and separately constitutes adverse impacts on environmental justice according to BLM's own criteria. BLM's determination must be reversed. Further, this DEIS must be revised to include the appropriate impact analyses, the appropriate impacts on environmental justice, and the appropriate determinations of impacts.

XIII. Inadequate Evaluation, Disclosure and Mitigation of Cumulative Impacts

A cumulative impact as defined under CEQ regulations Section 1508.7 is "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."

Our Tribe has concerns about the inadequate evaluation and disclosure of cumulative impacts for this Pan Mine Project. The Pan Mine DEIS provides a rather large list of past projects within a rather large spatial extent. The DEIS provides miles of impact in some cases, areas of impact in other cases and then sums the total acreages and miles of disturbance. While these general developed areas are interesting, the DEIS fails to show the incremental increase of impacts for a given resource, and how that increment adds to the cumulative. Nor does the DEIS identify how future actions add their increment to the grand sum of cumulative impacts for the individual resource parameters. For example, the DEIS states that the "potential cumulative impact to groundwater are negligible." Yet the DEIS presents no times series of data that shows groundwater quality testing since active mining in the region. Further, the cumulative impact on water resources as a whole fails to define a regulatory cap, grand sum of past, present and future actions, and how mitigation would offset the present action, reg caps, etc.

For air resources, the regulatory cap is not defined for cumulative impacts. The grand

sum of impacts is not clear, yet the DEIS purports that "there would be no meaningful change in cumulative impacts to air quality under the two action alternatives or the No Action Alternative." DEIS at 5-45. The DEIS does provide estimations of CO2 emissions for the Pan Mine Area, Nevada, the US, and the world; but it does not give the regulatory cap and does not provide the incremental increase of GHGs at Pan Mine and surrounding area for the multitude of projects that have taken place, or future projects, on federal lands.

The cumulative impact analysis for vegetation is flawed. The DEIS purports that past reclamation activities have successfully reclaimed lands. However, this is not really the case because the reclaimed lands remain largely in a disturbance condition, or comprising the original native vegetation community before disturbance occurred. (see DEIS at 5-46). The DEIS subtracts reclaimed lands from the total disturbance area. This is an incorrect approach because the disturbed lands and reclaimed lands have gradations of reclamation -- they are not fully reclaimed so they cannot be treated as such.

The DEIS does not adequately identify cumulative impacts on any of the resources. While some potential effects were addressed, unspecified effects remain as described above. In several cases, the DEIS fails to adequately evaluate cumulative impacts because

> effects from these activities within the CESA have not been quantified by the land management agencies as quantification is very difficult. (see DEIS at 5-53)

Because quantification is difficult does not release the Federal agency from conducting the proper impact assessments.

Furthermore, the Project area that has seen 150 years of degradation from mining activities and other impacts is not given the proper cumulative impact assessment especially for cultural resources and Native American concerns and traditional values. With the history of mining and associated environmental assessments in the region, the BLM made little effort to use those earlier assessments to conduct a meaningful cumulative impact analysis. The BLM also failed to examine how many other projects and disturbances might impact the

subject area, and how impacts might spread to other regions such as to Duckwater Tribe's Reservation and Expansion Area. As is, the DEIS failed to conduct the appropriate cumulative impacts analysis for individual resources and on the whole. The cumulative impacts section of this DEIS is replete with examples of noncompliance.

At minimum, the BLM must address the cumulative impacts analysis at a level of adequacy and then redistribute the DEIS for public review and comment.

XIV. Failed to Conduct Government-To-Government Consultation

Federal mandates and orders require the BLM to consult with our Tribe in an appropriate government-to-government manner. In accordance with the NHPA (P.L. 89-665), the NEPA (P.L. 91-190), the FLPMA (P. L.94-579), the AIRFA (P.L. 95-341), the NAGPRA (P.L. 101-601), ARPA (P.L. 96-95), EO 13007 (Indian Sacred Sites, 1996), and EO 13175 (Consultation and Coordination with Indian Tribal Governments 2000), Department of Interior Secretarial Order 3317 (December 1, 2011), and other laws, the BLM must provide affected Tribes, organizations, and/or individuals an appropriate opportunity to participate in, comment, and consult on proposed actions that might impact resources, sites, or activities of concern. Through appropriate government-to-government consultation with Tribes, BLM must attempt to identify specific traditional/cultural/spiritual sites, activities, and resources and limit, reduce, or possibly eliminate any negative impacts.

The BLM failed to act in a government-to-government consultation manner with our Tribe, failed to share relevant cultural resource/prehistoric information from their Class I and Class III cultural resource inventories, and failed to provide our Tribe with a reasonable opportunity to participate in determining and protecting eligible properties under NHPA and sacred sites under EO 13007 and AIRFA/RFRA. This precluded our Tribe from having a fair and reasonable opportunity to resolve cultural resource conflicts associated with this Project.

The federal government is charged with moral obligations of the highest responsibility and trust. Its conduct, as disclosed in the acts of those who represent it in dealings with the

Indians, should therefore be judged by the most exacting fiduciary standards. *Seminole Nation v. United States*, 316 U.S. 286, 296-297 (1942). The trust responsibility restrains government action that affects Indians and therefore is an important source of protection for Indian rights. This trust responsibility applies to all federal actions or projects and agencies that occur beyond Indian reservation boundaries. The Tribes have the right to maintain their religious practices in the same place and in the same manner as their ancestors have since time immemorial. The federal government's trust responsibilities to the Tribe are such that government actions must prevent adverse impacts on American Indian religious beliefs and practices, and to protect the spiritual lives of tribal members now and into the foreseeable future. In this case, the BLM has failed to uphold its trust obligations to the Tribe. Furthermore, the BLM has not complied with numerous Executive Orders that apply to federal agency actions and are specifically designed to protect Indian interests. E.g., EO 13007 (agencies must "avoid adversely affecting the physical integrity of such sacred sites"); EO 11593 (agencies shall "administer the cultural properties under their control in a spirit of stewardship and trusteeship").

XV. Concluding Remarks

Our Tribe has identified that the Pan Mine Project Draft EIS is significantly flawed in the development and analysis of alternatives, conformance with land use plans, and disclosure, analysis and mitigation of impacts on resources important to our Tribe. The DEIS delivered a multitude of "negligible" determinations that were not supported by evidence. Moreover, the mitigation often was insufficient for the impacts described, and cumulative impact assessments were replete with errs. Given these flaws, the BLM must either correct the DEIS and recirculate for public comment and review, or not permit the Pan Mine Project. Our Tribe appreciates the opportunity to provide comments on the DEIS and who look forward to the BLM, as federal trustee, ensuring that our tribal interests and resources are protected.

Sincerely,

Ed Naranjo, Chairman

Comment No.: 151

White Pine Chamber of Commerce

636 Aultman Street
Ely, Nevada 89301
Email: elycc@whitepinechamber.com

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www.whitepinechamber.com

April 25, 2013

Reference: Midway Gold Pan Mine DEIS

The White Pine Chamber of Commerce Board of Directors voted unanimously to send a letter of support on the above named project.

Midway has been a strong supporter of many, many activities throughout White Pine County. They hold public meetings to keep the citizens up to date informed as to their progress.

We wish to endorse the DEIS and express that there are many reasons that this project is important to the business community of White Pine County. First and foremost is the jobs that will be created during construction and then when production begins. The added revenue that will be brought into the County through purchases and taxes. We agree with Midway about the Waste Rock Disposal Site Design Alternative.

Dave Costello
Dave Costello
President

Bureau of Land Management
APR 30 2013
RECEIVED

Comment No.: 152

MIDWAY GOLD

Midway Gold
The Point at Inverness, Suite 280
8310 South Valley Highway
Englewood, Colorado 80112

Bureau of Land Management
APR 29 2013
RECEIVED
Ely, NV

April 25, 2013

U.S. Bureau of Land Management
Egan Field Office
702 N. Industrial Way
HC 33 Box 33500
Ely, NV 89301
Attn: Mr. Miles Kreidler

RE: Midway Gold's Pan Mine Draft EIS

Dear Mr. Kreidler,

I am writing as a private citizen to endorse the plan that Midway Gold is proposing to mine the deposit at the Pan project in Nevada. In a forty-two year career I have conducted numerous feasibility studies as well as been responsible for designing, constructing, staffing and operating multiple mining operations and improving process efficiencies around the world.

The past four years I have served as Chairman, President and CEO of Midway, pleased to lead a team with equally deep experience in mine planning and operation. This team has worked hard to bring the Pan mine into reality, pursuing a sustainable approach to mining. The Pan Mine will be exemplary, benefitting from the fortunate environmental factors of an arid climate, deep aquifer, highly buffering carbonate geologic setting. The mine has been designed to minimize environmental and social impacts, and will bring economic advantages to Nevada and the communities we are part of.

Mining plays a significant role in Nevada's economy, contributing more than 6.5 billion dollars or nearly 5 percent of the state GDP (up more than 400 percent since 2004). The mining industry accounted for 19.7 percent of all employment growth June 2009-June 2012 (2,600 jobs out of 13,200 net growth statewide). Mining contributed $417.2 million in Nevada property, sales, and net proceeds tax in 2011 (statistics available from the Nevada Mining Association website: http://www.nevadamining.org/issues_policy/pdfs/NevadaEconomyandMining.pdf).

Through the Pan Mine, Midway is well situated to contribute to this important sector of Nevada's economy. The Pan Mine will provide 160 jobs during the one-year construction phase and 150 jobs during operations, with the expectation that the majority of the workforce will be hired from the local region. The overall annual labor payroll for this project will be more than $11 million. Property taxes are expected to bring in $1.2 million per year and the net proceeds tax is projected to bring in $28 million (gold price of $1550/oz.). The project's overall capital investment is $100 million with Nevada purchases expected to an average of $20 million per year.

Midway is even now working to reduce the environmental impact of the mine plan. We prefer the waste rock disposal site alternative identified in the Draft EIS because it will occupy less sage grouse general habitat, as well as reduce visual impacts and total acreage disturbed by 79 acres. We are voluntarily modifying our designs so that we will meet the ICMI International Cyanide Management Code. We are making plans to house and transport employees as necessary to provide the best working conditions possible. These plans have been outlined in Midway's formal

comments to the BLM on the DEIS. Midway has already made contributions to the local community through participation in community events as well as contributions to deserving organizations.

Midway has worked with the BLM and NDOW to address concerns regarding sage grouse habitat. The access road has been routed to avoid and shield leks found in the area. Further site-specific surveys have added to the BLM's understanding of sage grouse usage of local habitat. In addition, Midway has committed to an independent study to be conducted by the USGS, funding it for more than $1.5 million. Midway will also pay for mitigation to actual impacts identified by these studies. The Southwest Powerline Alternative has been studied but it has been found that any benefits to the sage grouse brought by the longer alternative would be more than offset by the negative impacts to other birds, vegetation and water resources. However, Midway supports modifications to the powerline that will also moderate impacts to any nesting sage grouse in the area.

I appreciate that the Egan field office of the BLM has worked with Midway to develop the plan to this point. We look forward to continued good stewardship on the part of the BLM.

Sincerely,

Kenneth A. Brunk
Chairman, President and CEO
Midway Gold U.S. Inc.

Kenneth A. Brunk
7215 S. Chapparal Circle East
Centennial, Colorado

Comment No.: 153

Eureka Business Network

Bureau of Land Management
MAY 01 2013
RECEIVED
Ely, NV

April 30, 2013

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, Nevada 89301

RE: Letter in Support of Midway Gold's Pan Project Development

Dear Mr. Kreidler,

As Chairwoman of the Eureka Business Network (EBN), I am writing this letter of support for Midway Gold's Pan Mine Project located in White Pine County, Nevada. The EBN is a local organization that meets monthly to discuss local economic issues and business related topics. EBN membership is comprised of businesses in Eureka County and our members seek and support economic development and diversification.

During the Pan Mine permitting process, Midway Gold has proved itself a good neighbor by contributing generously to the community and by participating in various business and community development projects.

The development of the Pan Mine would provide long-term employment for area residents and generate income for local businesses. The town of Eureka needs an infusion of new residents, new businesses, new housing development and new jobs. Please accept this letter of support for Midway Gold and the Pan Mine from EBN as testimony from the EBN members that voted in support of this letter for the Pan Mine Project.

Sincerely,

Eleny Carrion Mentaberry
Eureka Business Network Chair

ECM/cwp

cc: Eureka County Board of Commissioners

P.O. Box 154 • Eureka, NV 89316 • EurekaBusinessNetwork@gmail.com

Comment No.: 153

Eureka Business Network

Kenneth A. Brunk, Midway Gold
File

P.O. Box 154 • Eureka, NV 89316 • EurekaBusinessNetwork@gmail.com

Comment No.: 154

Bureau of Land Management
MAY 01 2013
RECEIVED
Ely, NV

April 30, 2013

BLM Ely District Office
HC 33 Box 33500
Ely, Nevada 89301
Attn: Miles Kreidler

Re: Support for the Midway Gold Pan Mine Project.

Dear Mr. Kreidler:

I present you with these comments on behalf of the three principles of M.B. Bybee Co. Inc., DBA The Ramada Inn & Copper Queen Casino, 805 Great Basin Blvd. Ely, Nevada 89301, M.B. Bybee, President, Mark B. Bybee, Vice President and Shane A. Bybee, Secretary.

It is our sincere feeling that the Pan Mine will introduce many high paying jobs, directly and indirectly, into Ely and White Pine County. These jobs will have an immense impact on the economic future of our small community. These jobs are only part of what Midway offers our community. Midway Gold has already become a powerhouse of community involvement with the small workforce they have employed for the permitting stage of this project, we are excited to see the benefit they will provide our community when their staffing reaches full force!

Ely and White Pine County have a strong tradition of responsible mining, it is our feeling that Midway is committed to this tradition. Midway's commitment to the mitigation of Sage Grouse and other wildlife habitat impact has been, in our opinion, exemplary. The hours of research and the millions of dollars invested into alternative waste rock disposal solutions, road location and habitat protection demonstrate Midway's commitment to responsible mineral production.

We at the Ramada Inn & Copper Queen Casino wholeheartedly support the opening of the Pan Mine and wish them a bright future.

Sincerely,

Shane A. Bybee
G. M. / Secretary

Copper Queen Casino
805 Great Basin Blvd., Ely, Nevada 89301
tel 775 289 4884 / fax 775 289 1480
toll free 800 851 9526 / elyramada@hotmail.com

RAMADA

This facility is operated under a license agreement with Ramada Worldwide Inc.

Comment No.: 155

Bureau of Land Management
MAY 1.1 2013
RECEIVED
Ely, NV

FRANK - DALIA UNDERHILL
3414 PINO CIRCLE • LAS VEGAS, NEVADA 89121, U.S.A
702-735-1772

MIDWAY

Dear Sir, - MILES -

It's most important to NEVADA to allow MIDWAY GOLD to put its PAN MINE in production

Few residents in NEVADA realize our #1 industry is Mining not casino - MINING brings educated people to the state - engineers - lawyers geologists - and pays the highest wages in NEVADA.

There are not service jobs as the casinos bring in as dealers and dish washers.

We in NEVADA need mining Please bring the MINE in ASAP - and not have the long power line - you try to raise funds

Comment No.: 156

MIDWAY GOLD

Midway Gold
The Point at Inverness, Suite 280
8310 South Valley Highway
Englewood, Colorado 80112

Bureau of Land Management
RECEIVED
Ely, NV

April 23, 2013

U.S. Bureau of Land Management
Egan Field Office
702 N. Industrial Way
HC 33 Box 33500
Ely, NV 89301
Attn: Mr. Miles Kreidler

RE: Midway Gold's Comments on the Pan Mine Draft EIS

Dear Mr. Kreidler,

The following are Midway's comments on the Pan Draft EIS.

Socioeconomics
Midway does not believe there will be a housing issue associated with the Pan Mine work force. The majority of the workforce will be hired from the area and will already have homes in the area. Midway estimates that approximately 20 homes and 40 apartments will be needed for the estimated workforce that does require homes in the area. There are currently 65 to 70 houses listed for sale in the area. To aid in this regard, Midway has purchased 14 lots that are semi-developed at this time, and 12.5 acres of undeveloped land.

Midway has procured development companies who will build homes on these lots and properties on an "as needed basis." The builders would build five homes and make them available to Midway first, then sell them on the open market if Midway does not take them. They would build more homes on demand, only as needed. Midway has talked with several builders who would build apartments on a similar, on-demand, basis. Midway will also bring in trailers or temporary housing as necessary. Midway believes that these actions will adequately remedy any housing shortage without causing any sort of "over-building" issue for local real estate businesses.

Emergency Vehicle / Police Support
First response for critical medical issues will be call for a helicopter from Salt Lake City. For less critical issues, Midway will have an ambulance on site. A call would be made to the White Pine County ambulance service in Ely. Victims would receive immediate care on site, be loaded and transported by Midway's ambulance to a point where the two ambulances meet. The patient would then be transferred to the White Pine County ambulance and taken to the hospital in Ely. Midway does not envision any instance where a Eureka County ambulance service would be called upon.

Police matters on mine sites are extremely rare. If this service were ever required from Eureka County, the instance would be rare and unpredictable. Midway does not feel that it would warrant any sort of mitigation to Eureka County.

Transportation
Midway intends to supply transportation for employees from Ely and Eureka to the mine site. Most likely, this would be by vans or buses, depending on the number of employees from each location. Shared transportation will reduce trips to and from the site, reduce parking area requirements, and will be a safer method of transportation for our employees.

Sage Grouse Mitigation
Midway believes that with the addition of raptor perch protection and line markers on the power line poles and power lines, respectively, within three miles of the two active lek locations, all potential impacts to sage grouse will have been mitigated and that no additional mitigation should be required. That said, Midway has committed to an independent study conducted by a third party, federal agency that will cost over 1.5 million dollars, and to pay for off-site mitigation based on the actual impacts identified by this study that could reach over 4 million dollars. Consequently, Midway feels that any further mitigation would be extreme and unwarranted.

Sincerely,

Kenneth A. Brunk
Chairman, President and CEO

Comment No.: 157

Midway Gold Pan Mine EIS
C/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500
702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
APR 24 2013
RECEIVED
Ely, NV

RE: Letter in Support of Midway Gold's Pan Project Development

Dear US Government:

I am writing this letter of support for Midway Gold's Pan Mine Project located in White Pine County, Nevada. During the Pan Mine permitting process, Midway Gold has proven itself to be supportive of Eureka. I have every reason to believe that Midway Gold will be a positive influence on our community and Nevada.

I am an educated avid outdoorsman and wildlife advocate who has spent a lot of time in the vicinity of the mine project and the agreed upon mitigation of wildlife is far more than sufficient, to the point of being more of a burden on the mine than necessary. I do not believe that the mine will have significant negative impact on the wildlife in the area.

The development of the Pan Mine will provide long-term employment for area residents and generate needed income for local businesses.

Please accept this letter of support for Midway Gold and the Pan Mine as testimony in support of the Pan Mine Project.

Sincerely,

Scott Raine
90 Nob Hill Avenue
Eureka, NV 89316
(775) 318-0506
scott@scottraine.com
20 April 2013

Comment No.: 158

White Pine County
Community and Economic Development

Courthouse Annex • 957 Campton Street • Ely, Nevada 89301
(775) 293-6592 • Fax (775) 289-8860

Bureau of Land Management
APR 15 2013
RECEIVED
Ely, NV

April 12, 2013

Rosey Thomas
Bureau of Land Management
HC 33 Box 33500
Ely, NV 89301

Dear Ms. Thomas:

White Pine County has been home to a number of mining companies since the early 1900's. Mining in general has provided a stable economy for White Pine County for many years

Since the initial location of Midway Gold to White Pine County, the company has proved to be a good neighbor. The company has worked closely and partnered with the citizens, civic groups, businesses, and government bodies for the sustainability of White Pine County.

The White Pine County Economic Diversification Council appreciates the close working relationship that Midway Gold has established with White Pine County and its' residents. The White Pine County Economic Diversification Council supports the Midway Gold Pan Project. The Midway Gold project will enhance the mining activity in White Pine County.

If you should have any questions, please feel free to contact our office at 775-293-6562.

Sincerely,

Renee Baker

Renee Baker,
Chairwoman

RB/eb

April 20, 2013

To Whom It May Concern:

The purpose of this letter is to support the efforts of Midway Gold to establish a working mine in White Pine County, Nevada. Midway's efforts to date are indicative of a project that will become a major part of the lifestyle that we enjoy in our community.

My wife and I have lived here in rural Nevada since 1968 and made our living as educators in the local school system. I worked summer jobs in the mining industry for nearly 25 years and am very aware of the contributions that mines make to our local and State's economy. I was always proud to work shoulder-to-shoulder with White Pine graduates. That experience led me to positions in our District's school administration system and brought me to understand the symbiotic relationship that can exist between mines and communities. My wife worked for 30+ years in a local parochial school until its close years ago and then the public school system. She is currently establishing a charter school that will be able to educate many of the children brought by the mine to our area. With mining's unselfish efforts in the past, White Pine Schools have flourished and have produced many admirable citizens, consumers and contributors to society. Midway's revenues will continue that trend!

Midway Mines have quickly established themselves as community members and progressive leaders. They have already done a great deal to aid school's efforts here in Ely. It is quite apparent that their community support will continue to expand as their operations flourish and prosper. It is also apparent that Midway is a company that is interested and invested in conserving the beauty of the natural resources that makes our county unique in Nevada. We greatly admire their efforts to this point in time.

We attended a meeting of our local Shoshone tribal council and were privileged to be present during a Midway presentation by Roger Gross and Andy Britton. They were describing the Pan Project's progress to this point. We thought they were very reassuring to the council. They enumerated all that they were doing to preserve the sanctity of the Shoshone ancient areas and the painstaking work to be done to ensure that the Tribe's concerns would receive the highest priority.

We heartily endorse Midway's efforts to contribute to this area's stability and prosperity. We admire the sincerity of their contributions to this point and are confident that they will energize our economy and future. There is no doubt that their contributions as a mining company will also have a positive national impact. They should be supported in these efforts.

Sincerely,

Warren Krch Julie Krch

Warren and Julie Krch
103 Grant Ave.
Ely, Nevada
89301

April 22, 2013

Congratulations to Midway Gold Company, the investors and employees for their accomplishments and a big "thank you" for the investment in White Pine County. The window of opportunity for a mining venture is short lived and time is of the essence to make a project successful for everyone involved. I acknowledge and respect the permitting process that a mining company must endure, but stress the need for diligence in placing these procedures on a "fast track" process. We live in an extremely challenging economic environment and cannot hinder any kind of potential economic growth in White Pine County. We all can appreciate how difficult it is to entice new industry into this community. As a sixteen year veteran County Commissioner, and Irene, being a twelve year veteran White Pine County School Board member, we support this investment and welcome the stimulus it brings to our business community, the appreciation in real estate values, increased enrollment in our school system and fortunately, for the current elected officials, the bountiful tax dollars provided to their operating budgets. As business owners in White Pine County, Irene and I pride ourselves as survivors of the local economic roller coaster and can be identified as "endangered species" while living and operating businesses in Ely, Nevada. We plead for intelligent and progressive processing of Midway Gold's applications and look forward to the celebration at their ground breaking ceremonies.

Comment No.: 161

April 18, 2013

Laura Baldwin
1133 Mill St.
Ely, NV 89301

Bureau of Land Management
APR 22 '13
RECEIVED
Ely, NV

BLM-Egan Field Office
Attn: Miles Kreidler
HC 33 Box 33500
Ely, NV 89301

Dear Miles,

As you likely know, I am a geologist for Midway Gold. I have worked on the Pan project since moving to Ely for my job in October of 2010. Naturally, I am somewhat biased in favor of the Pan Mine opening, as my job is potentially contingent upon the success of that single project. However, I am not writing to you today as an employee of Midway, but rather as a citizen of Ely, White Pine County, and the Great Basin area.

I have always lived in areas where mining is an important part of the community. I grew up in a part of Idaho situated between the phosphate mining in the east and the metals mining in the central part of the state. I went to college in northern Idaho, not far from the Coeur d'Alene mining district. In graduate school, I lived in Indiana where facing stone, crushed stone and gypsum mining operations are common. The economic benefits to the communities are clear. They provide jobs, diversify the economies and create revenue at various levels.

Clearly the Great basin is no exception to this. Ely has suffered the fluctuations of the metals market for years. The employment in Ely is split into several major sectors. There are those who work for the prison, those who work for "Robinson"-regardless of who owns it, those who work for Barrick, many who work for the government in some capacity and others in supporting services and gaming. My husband was born and raised here and recalls the periods when "the mine" was open and closed. That was one of the main factors to the success of Ely as a whole. Diversification of the local economy, both in terms of the commodity being produced, and the major employers will help to stabilize the community and Midway is in a position to provide that to us. As stated in the Draft EIS, the addition of nearly 150 new jobs would be a significant boon to a restless workforce. In my opinion, the Pan mine would benefit my family directly by creating a better community in which to live and work. My husband and I also own a small handy-man business here in Ely. I know that the creation of more good-paying jobs and a more stable economic situation would benefit our business by creating more work and helping us expand. I think that another big employer would help all of the local businesses thrive. When the local economy is depressed, everyone tightens their belts and settles in for hard times. Spreading out the employment would mitigate that effect so that businesses can keep their doors open. That would make Ely and surrounding communities more desirable areas to settle, raise families, retire, live, work and play.

Comment No.: 162

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Nam[redacted] County White Pine

Title _____ Organization _____

Mailing Address [redacted]

City [redacted] State [redacted] Zip [redacted]

Email _____

Date 5-3-13 Meeting Location (if applicable) _____

☑ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

This mine should be approved. I'm all in favor of this project. So please approve it. It will help bring more jobs and people to White Pine County.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☒ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 162

From: [redacted]

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
MAY 16 2013
RECEIVED
Ely, NV

USA
Liberty
FOREVER

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 163

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Debbie Francone County WP

Title _____ Organization _____

Mailing Address 1135 16th St E

City Ely State NV Zip 89301

Email nanakidsus@yahoo.com

Date 5-6-13 Meeting Location (if applicable) _____

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

I am in favor of the EIS. We need all the help we can get ☺ Thank you.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

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From:
D. Francone
1135 16th St E
Ely, NV 89301

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Ely, NV

RECEIVED
MAY 7 2013
Bureau of Land Management

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Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 164

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Larry Dunton County W. P

Title _____ Organization _____

Mailing Address 1133 Bell Ave

City ELY State NV Zip 89301-2095

Email _____

Date 5-3-13 Meeting Location (if applicable) _____

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

a project this size can have no impact except financial. We have lived here almost 60 years and would like to live here until we die. The financial impact could help that happen. Mining is always a gamble with very many outside impacts like govt regulation. Don't kill this and our community.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No.: 164

From: LARRY J. DUNTON
1133 BELL AVE.
ELY, NV 89301

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

RECEIVED
MAY 07 2013
Bureau of Land Management
Ely, NV

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 165

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Merlin Searle County White Pine

Title _____ Organization _____

Mailing Address 1105 16th G st

City Ely State NV Zip 89301

Email m2searle@hotmail.com

Date 5/4/13 Meeting Location (if applicable) _____

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

I am for Midway gold Pan Mine Project
its more jobs.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

Comments, including names, street addresses, e-mail addresses and phone numbers (if provided) of respondents will be available for public review at the BLM Ely District Office during regular business hours (7:30 a.m. to 4:30 p.m.), Monday through Friday, except holidays. Before including your address, phone number, e-mail address or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comment No. 165

From: Patricia Scott
1165 16th E St
Ely NV 89301

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
MAY 07 2013
RECEIVED
Ely, NV

USA
Freedom
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Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 166

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

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Name Peggy Romero County White Pine

Title _____ Organization _____

Mailing Address 1105 16th E street

City Ely State NV Zip 89301

Email Pegrom@hotmail.com

Date 5/4/13 Meeting Location (if applicable) _____

☑ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☐ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

Yes, I Wont Midway gold Pan Mine project, It will create more jobs in our Community & midway gold is an assest to our non profit organizations that are very giving to all our programs.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

☐ Please check box if you do **not** want your name released when comments are made public.

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Comment No.: 166

From: P. Romero
1105 11th E St
Ely, NV 89301

Bureau of Land Management
MAY 07 2013
RECEIVED
Ely, NV

USA
Liberty
FOREVER

Midway Gold Pan Mine EIS
c/o Miles Kraidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 167

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

Informed decisions are better decisions: The Bureau of Land Management (BLM) believes that public involvement serves to improve communication, identify solutions to issues and problems, and develop enhanced understanding of different perspectives. We look forward to hearing from you!

Where to provide comments: You may hand this form in at a public meeting or mail it using the address on the reverse side. Comments can also be submitted electronically at BLM_NV_EYDO_Midway_Pan_EIS@blm.gov.

Name Charles Kitchell County White Pine

Title Operator Organization

Mailing Address 125 3RD AVE

City Ely State NV Zip 89301

Email Chas.Kitchell@Gmail.com

Date 5-4-13 Meeting Location (if applicable)

☑ Please check box if you want to be on the mailing list for future updates and notifications for this project.

The Final EIS will be posted on the BLM Ely District Office website. You will be notified when it is available

☑ Please check box if you want to receive a copy of the Final EIS (on CD) in the mail.

COMMENT *(use back side if you need additional space or attach additional sheets)*

Heavy Equipment Operator Need a Job

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
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Comment No.: 167

89301894411 HC33

Place Stamp Here

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $000.46°
0001056198 MAY 06 2013
MAILED FROM ZIP CODE 89301

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

From:
Charles Kitchell
105 3rd Ave
Ely, NV 89301

Bureau of Land Management
MAY 07 2013
RECEIVED
Ely, NV

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 168

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

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Name [redacted] County white pine

Title _____ Organization _____

Mailing Address [redacted]

City [redacted] State [redacted] Zip [redacted]

Email [redacted]

Date _____ Meeting Location (if applicable) _____

☐ Please check box if you want to be on the mailing list for future updates and notifications for this project.

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COMMENT *(use back side if you need additional space or attach additional sheets)*

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Comment No.: 168

From:

[redacted]

Bureau of Land Management
MAY 07 2013
RECEIVED
Ely, NV

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Thank you for your comment!

To mail:
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tape bottom of fold, add postage and mail.
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Comment continued:

Comment No.: 169

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

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Name RICH McANDREW County ELKO

Title _____ Organization _____

Mailing Address PO BOX 1236

City ELKO State NV Zip 89803

Email RICH@JRMADMIN.COM

Date _____ Meeting Location (if applicable) _____

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COMMENT *(use back side if you need additional space or attach additional sheets)*

THIS PROJECT IS A GOOD THING FOR ALL OF NORTHERN NEVADA.

Fold in thirds so that the address (reverse side) is showing, tape at bottom of fold, add postage and mail.
Note: The comment form must be postmarked by no later than Tuesday, May 7, 2013.

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Comment No.: 169

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Bureau of Land Management
MAY 06 2013
RECEIVED
Ely, NV

From:

Freedom
FOREVER

USA

Thank you for your comment!

To mail:
Fold in thirds so that address (above) is showing,
tape bottom of fold, add postage and mail.
Please postmark by: ***Tuesday, May 7, 2013***

Comment continued:

Comment No.: 170

Midway Gold Pan Mine Project
Draft Environmental Impact Statement

BLM COMMENT SHEET

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Name Roy Allen County White Pine

Title Plumber Organization

Mailing Address PO Box 1361

City McGill State NV Zip 89318

Email

Date 5-2-2013 Meeting Location (if applicable)

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COMMENT *(use back side if you need additional space or attach additional sheets)*

Mineing has been a Big Part of White Pine County And we Need It to help the County out of it's Slump. I Think that they are more Then there Part For there ETS. So Let's Get Our Country Back to work. Thanks Roy Allen

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Comment No.: 170

From:
Roy Allen
PO Box 1361
McGill, NV 89318

Place Stamp Here

Midway Gold Pan Mine EIS
c/o Miles Kreidler
Bureau of Land Management
Ely District Office
HC 33 Box 33500, 702 N. Industrial Way
Ely, NV 89301

Thank you for your comment!

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tape bottom of fold, add postage and mail.
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Comment continued: