

Finding of No Significant Impact

Marigold Mining Company
Marigold Mine – Target 3 Expansion Project
Environmental Assessment
DOI-BLM-NV-W010-2013-0018-EA

Finding of No Significant Impact

Based on the interdisciplinary analysis conducted in the Marigold Target 3 Project Environmental Assessment (EA) DOI-BLM-NV-W010-2013-0018-EA dated October 2013, a review of the amended mine plan of operations, and my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts, I have determined that the impacts associated with the proposed action with the implementation of recommended mitigation identified in the EA are not significant. Therefore, preparation of an environmental impact statement (EIS) pursuant to Section 102(C) of the National Environmental Policy Act (NEPA) is not required.

I have determined that a modified Proposed Action is in conformance with the approved Sonoma-Gerlach Management Framework Plan (1982) and are consistent with other Federal agency, state, and local plans to the maximum extent consistent with Federal law and Federal Land Policy Management Act provisions

The following mitigations were developed through the analysis in order to reduce impacts:

Cultural Resources

The Proposed Action would have an adverse effect on one historic property site (26Hu4342) determined to be eligible for listing in the NRHP under Criteria D because of its research potential. MMC proposed a Treatment Plan developed by KEC with input from Dr. Patrick Haynal of the BLM and approved by Nevada SHPO that was designed to mitigate adverse effects to the historic property affected by the Proposed Action. The Treatment Plan would excavate the one site that would potentially be affected by the Proposed Action. Under the Treatment Plan, MMC would voluntarily excavate five additional sites being degraded due to natural erosion processes; however, these five sites would not have been impacted by the Proposed Action. The Treatment Plan was proposed to be implemented at the six sites prior to ground disturbance associated with the Proposed Action (BLM 2013). The Battle Mountain Tribe objected to the treatment plan. The proponent will not excavate/mitigate any of the cultural sites and will amend the project disturbance to avoid all historic sites.

Waste Rock Storage Area Redesign

The proponent will redesign the North-West Expansion area to avoid all cultural sites. The amended design shall be submitted for BLM review within 120 days of this conditional approval.

The proponent cannot construct the North-West Expansion area until a Notice to Proceed is issued by the BLM and NDEP.

Context

Marigold Mining Company (MMC) submitted an amendment to their Marigold Mine Plan of Operations (POO) expanding their existing project area that is currently authorized on private lands through the Nevada Division of Environmental Protection's (NDEP) state regulatory program and public lands administered by the Bureau of Land Management (BLM). The Marigold Mine is located approximately 40 miles southeast of Winnemucca, 13 miles northwest of Battle Mountain and 3 miles south of Valmy.

The Marigold Mine has been mining since 1988 and has been expanding over time, as needed. This amendment proposes to:

- Amend the authorized Plan boundary to coincide with MMC land holdings;
- Amend authorized facility disturbance acreage to reflect ongoing mining operations;
- Add the Target 3 Pit in an area previously authorized for disturbance;
- Amend the authorized surface disturbance within the amended Plan boundary by extending the North-West WRSA expansion and relocating a portion of the Trout Creek diversion channel;
- Amend the authorized surface disturbance within the authorized Plan boundary by constructing a new utility corridor, and adding additional acres of infill;
- Increase the mine material handling rate from 60 million to 150 million tons per year; and
- Increase workforce at Marigold Mine by approximately 10 to 15 percent.

The project, located entirely within the Marigold Mine boundary, would be located in portions of the following townships and ranges as provided in Mount Diablo Base and Meridian

T32N, R43E, section 6
 T33N, R42E, sections 1, 12, 13, 24, 25, and 36
 T33N, R43E, section 4-10, 16-20 and 30-32
 T34N, R42E, section 36
 T34N, R43E, sections 19, 20 and 28-33

MMC's existing plan of operations boundary is proposed to expand from 8543.5 acres to 19,081 acres. Within this area, MMC is authorized to construct facilities on 2,371.9 acres of private land and 2,071.1 acres of public land for an authorized mine disturbance of 4,443 acres. This amendment proposes to increase the total disturbance by 387.2 acres to 4830.2 acres. Approximately 296 acres would be located on private land managed by MMC, and approximately 91.2 acres would be located on public land. The mine is projected to be in operation until approximately 2027. The Proposed Action would not extend the life of the mine, only the amount of ore processed during that time.

Intensity

1) *Impacts that may be both beneficial and adverse.*

The EA considered possible beneficial and adverse impacts of the proposed expansion project. Benefits to the local communities would be through continued employment of the current mining force, and use of local retail services, restaurants and lodging are possible throughout the life of the project. Any adverse impacts would be classified as short-term, since they would either end, or through reclamation be wholly or partially mitigated after mining has ceased. Upon completion of the mining activities, all equipment would be removed, and surface disturbances would be recontoured and revegetated. There are no long-term impacts to the area anticipated from the activities.

2) *The degree to which the proposed action affects public health or safety.*

Mining activities are not expected to cause adverse public health effects. The existing operations and proposed action includes a Dust Control Plan, a Site-Wide Monitoring Plan, and Dark-Sky Measures. Safety requirements would be required by MSHA (Mine Safety and Health Administration) and the Nevada Industrial Relations Division of Mine Safety. No long term adverse public health or safety affects are expected from use of the reclaimed area.

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

The project would not affect park lands, prime farmland, wetlands, wild and scenic rivers or ecologically critical areas. All areas to be disturbed by mining activity have been surveyed and evaluated for historic and/or cultural resources.

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

Mining activities are not new to Nevada. Such activities are prone to generating public comment through scoping and the public comment period on the preliminary EA. Issues and concerns brought forward through scoping were taken into consideration for analysis in preparing the preliminary EA. Concerns raised on the preliminary EA have been addressed in the final EA. No controversial issues remain.

5) *The degree to which the possible effects on the quality of the environment are likely to be highly uncertain or involve unique or unknown risks.*

The mining techniques involved are all common methods employed in the mining industry and are not expected to produce uncertain or unique risks.

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

Approval of the proposed action would not set any known precedents or establish any principles for future decisions. The proposed mining activities have been commonly applied for several decades.

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

Cumulative impacts to the area were assessed in the EA. The Cumulative Effects Study Areas (CESAs) analyzed the potential effects to cultural resources, geology and mineral resources, soils, vegetation, including noxious and non-native species, and general wildlife, migratory birds (including raptors), and special status species. Detailed analyses of these areas were done to assess the potential cumulative impacts. Through these analyses it was determined that no significant cumulative impacts would result from the proposed action.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historic resources.*

The proposed action would have no adverse effects to any of these resources.

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

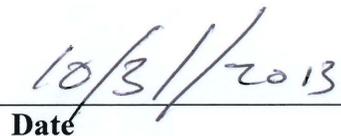
These issues were examined in the EA and no adverse impacts are anticipated.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

No threats of violation were identified in the preparation of the EA and any Decision regarding this proposed project would stipulate that the operator must obtain all necessary approvals from other federal, state, and local agencies before proceeding with the proposed action. The BLM would make at least two inspections each year to ensure compliance with the approved plan of operations. Additionally, the Nevada Division of Environmental Protection would make regular inspections pertaining to the reclamation permit.



Derek Messmer
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Date