

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN DISTRICT/MOUNT LEWIS FIELD OFFICE**

**Saddler Brown Gravel Pit Project
Environmental Assessment
DOI-BLM-NV-B010-2013-0026 EA**

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Saddler Brown Gravel Pit Project Environmental Assessment (EA) DOI-BLM-NV-B010-2013-0026-EA dated April 2013. After consideration of the environmental effects as described in the EA, and incorporated herein, I find that the Proposed Action with the project design features and mitigation measures identified in the EA will not significantly impact the quality of the human environment individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement (EIS) is not required as per section 102(2) (c) of the National Environmental Policy Act (NEPA).

Environmental Assessment DOI-BLM-NV-B010-2013-0026-EA has been reviewed through the interdisciplinary team process; as well as being sent to the Nevada State Clearinghouse and the public for a 15-day comment period. Three comment letters was received. These comments did not identify any significant new issues or concerns that warrant additional analysis.

After consideration of the of the environmental effects of the Bureau of Land Management's (BLM) preferred alternative (the Proposed Action) described in the EA and the supporting documentation, it has been determined that the Proposed Action identified in the EA is not a major Federal action and will not significantly affect the quality of human environment.

It has been determined that the Proposed Action is in conformance with the approved Shoshone-Eureka Resource Management Plan and its amendments, and is consistent with the plans and policies of neighboring local, county, state, tribal, and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context

The BLM, Mount Lewis Field Office (BLM), has prepared an EA to analyze the impacts of the development of an aggregate operation (gravel pit) for the Saddler Brown Gravel Pit Project (Project) by Ames Construction Inc. (Ames) The purpose of the project is for the development of the aggregate pit, processing the materials on site, and hauling the processed materials off site to one or more third party purchasers. On October 3, 2012, Ames submitted to the BLM the mining Plan of Operations (plan) for the Project. The Plan was assigned BLM case file number NVN-091236. The Project is located entirely on public lands administered by the BLM within Section 01, Township 22 North, Range 52 East (T22N, R52E); Mount Diablo Base and Meridian, Eureka

County, Nevada. The Project area encompasses approximately 61 acres of land administered by the BLM.

The Plan includes Ames's intent to develop an aggregate operation (gravel pit) by obtaining the acceptance and approval of a mineral materials sale contract. Ames would develop the aggregate pit, process the materials on site to one or more third party purchasers. The purpose for the Project is to provide aggregate material for use in the construction industry and to construction material suppliers, such as asphalt, concrete, and ready-mix plants, and for public works projects in Eureka County.

The Plan proposes to create up to 62.2 acres of Project-related disturbance, which includes the following: 61 acres of public land and 1.2 acres on private land.

For a complete description of the proposed project, please refer to the EA, Section 2.1, Proposed action.

Pursuant to the National Environmental Policy Act (NEPA) and the Council on Environmental Quality regulations on implementing NEPA, the EA identifies, describes, and evaluates resource protection measures that would mitigate the possible impacts of the proposed project. The short and long-term impacts as disclosed in the EA are not considered to be significant to the human environment. The short-term impacts from implementation of the Proposed Action are local; they are not regional or national in nature. The long-term impacts resulting from the Proposed Action would be mitigated by reclamation upon completion of the project.

Intensity

1. Impacts that may be both beneficial and adverse.

Potential impacts to the environment as identified in Chapter 3 of the EA include the following: potential for spread of noxious weeds and invasive non-native species within the Project Area; temporary vegetation loss; temporary wildlife habitat loss and displacement due to project activities and human presence; potential release of hazardous, regulated materials, and drilling fluids. Many of these impacts would be minimized by the Environmental Protection Measures provide in Section 2.1.16 of the EA.

The EA identifies Cultural Resources as present but not affected by the Proposed Action. Based on the cultural resources surveys conducted for the Project there are cultural resources within the project area that will be avoided.

Air quality impacts may result from emissions of fugitive dust from disturbed surfaces, but would be minimized by utilizing appropriate control measures. The growth media stockpile would be compacted or otherwise treated to reduce windblown particulate matter in high wind conditions. Also, the growth media stockpile would be temporarily seeded with a BLM-approved interim seed mix.

The EA addresses visual resources in Section 3.2.12. The impacts to visual resources by the proposed action would be short term. All disturbed areas within the Project Area would be

regarded and recontoured to approximate the topography of the existing terrain prior to disturbance. The Project Area is located in an area designated as VRM Class IV and the project meets all of the requirements associated with that classification.

Reclamation and revegetation of the project disturbance would gradually reestablish soils, vegetative cover and wildlife habitat. None of the environmental impacts disclosed above and discussed in detail in Chapter 3 of the EA are considered significant.

Reclamation would be completed to the standards described in 43 CFR 3601.40. Reclamation activities on public land for the Proposed Action would be designed to achieve post-mining land uses consistent with the BLM's land use management plans for the area. Reclamation of the Proposed Action should be completed within one year of initiation. Revegetation success is anticipated to take up to three years from the time of seeding. If the production well is drilled on site, the production well would be abandoned in accordance with the NDWR and NDEP requirements.

2. The degree to which the proposed action affects public health and safety.

There are no adverse health and safety effects anticipated from the Proposed Action for employees or the public.

Public safety would be maintained throughout the life of the Project as stated in Section 2.1.16 of the EA. All activities would be conducted in conformance with applicable federal and state health and safety requirements.

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

The Project Area is located in Township 22 North, Range 52 East Section 01; Mount Diablo Base and Meridian, approximately 20 miles northwest of the town of Eureka, Nevada. There are no park lands, prime farmlands, wetlands, or wild and scenic rivers in the vicinity.

There are known cultural resources located within the Project Area. The identified cultural site will be avoided.

The Pony Express Route (CrNV-63-482), a previously recorded eligible site, is located within a half mile of the Project Area. No Project-related disturbance would occur to the trail. The BLM has reevaluated this section of the effected cultural environment and has determined it to be a non-contributing element to the eligibility of the Pony Express Trail. The Project would result in temporary short-term indirect impacts to a non-contributing section of the Pony Express Trail.

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

The Proposed Action is not expected to have highly controversial effects on the quality of the human environment. The Project Area is isolated from human habitations and is typically

uninhabited. Eureka, the nearest town, is located approximately 20 miles away from the project area.

Reclamation should return the land to its pre-exploration and pre-mining uses of livestock grazing, mineral exploration, dispersed recreation, and wildlife habitat.

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

There are no known effects of the Proposed Action identified in the EA that are considered highly uncertain or involve unique or unknown risks. The methods proposed to extract aggregate resources under the Proposed Action are common and well understood. This is demonstrated through the effects analysis in Chapter 3 of the EA.

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.

The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision about a future consideration. Completion of the EA does not establish a precedent for other assessments or authorization of other aggregate projects. Any future projects within the area or in surrounding areas will be analyzed on their own merits, independent of the actions currently selected.

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

Direct and indirect impacts of the Proposed Action were analyzed in Chapter 3 (Affected Environment and Environmental Consequences) of the EA. None of the environmental impacts disclosed under item 1 above and discussed in detail in Chapter 3 of the EA are considered significant. Past, present and reasonably foreseeable future actions have been considered in the cumulative impacts analysis within Chapter 4 of the EA. The cumulative impacts analysis examined all of the affected resources and all other appropriate actions within the Cumulative Effects Study Areas and determined that the Proposed Action would not incrementally contribute to any significant impacts. In addition, for any actions that might be proposed in the future, further site-specific environmental analysis, including assessment of cumulative impacts, would be required.

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

Ames has committed to avoid all known eligible and potentially eligible sites, as described in the Plan. There are no significant scientific, cultural, or historical resources that would be lost or destroyed by the project. If Ames discovers any cultural or paleontological resource during project activities that might be altered or destroyed by operations, all project activities in the vicinity would be halted, the discovery would be left intact and reported to the BLM authorized officer.

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

The United States Fish and Wildlife Service (USFWS), the Nevada Natural Heritage Program (NNHP) and the Nevada Department of Wildlife (NDOW) were contacted to obtain a list of threatened and endangered and sensitive species that have the potential to occur within the Project Area. They were also contacted to request information regarding wildlife use and nesting raptors in the area. In addition, the BLM Sensitive Species List and Special Status Species (threatened and endangered) lists for the Battle Mountain District were evaluated.

The BLM and NDOW have identified that migratory birds known to occur within the Project vicinity, which are: Greater Sage-grouse (*Centrocercus urophasianus*), Golden Eagle (*Aquila chrysaetos*), Loggerhead Shrike (*Lanius ludovicianus*), Brewer's Sparrow (*Spizella breweri*), Western Burrowing Owl (*Athene cucularia*), and Dark Kangaroo Mouse (*Microdipodops megacephalus*).

Two Golden Eagle nests were identified within four miles of the Project Area. The status of both of these nests is unknown.

Impacts to threatened and endangered and special status species or their habitat from the Proposed Action are analyzed in Chapters 3 and 4 of the EA. These impacts are expected to be minimal, based on the implementation of the design features and mitigation outlined in the EA.

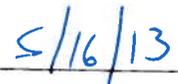
The Project would impact a maximum of 61 acres of Preliminary Priority Habitat for sage grouse through surface disturbing activities. Mitigation measures have been provided in Section 3.2.9.2 and were designed to ensure that localized impacts to sage-grouse would be offset by offsite mitigation within the surrounding area that is used by the same population. Additionally the Project Area would be reclaimed and revegetated when the Project was completed.

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

The Proposed Action will not violate or threaten to violate any federal, state, or local law or requirement imposed for the protection of the environment.



 Christopher J. Cook
 Field Manager
 Mount Lewis Field Office



 Date