

FINDING OF NO SIGNIFICANT IMPACT

Florida Canyon Mine South Expansion Project Environmental Assessment DOI-BLM-NV-W010-2013-0061-EA

Based on the Environmental Assessment (EA) DOI-BLM-NV-W010-2013-0061-EA, dated November 2014, I have determined that the Proposed Action, with implementation of all of the mitigation and monitoring measures developed in the analysis for the Proposed Action (refer to EA Chapter 5.0), will not have any new level of significant effect on the human environment beyond that disclosed in the Florida Canyon Mine EIS October 1997; therefore, an Environmental Impact Statement (EIS) will not be required for this proposal.

I have determined that the Proposed Action is in conformance with the approved Sonoma-Gerlach Management Framework Plan (1982) and is consistent with other Federal agency, state, and local plans to the maximum extent consistent with Federal law and Federal Land Policy Management Act provisions. This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), with regard to both context and intensity factors.

Context

The project area is located in Pershing County, Nevada, 45 miles southwest of Winnemucca and 35 miles northeast of Lovelock in Pershing County, Nevada. The Project is a mine facilities expansion that includes minor expansion of or modifications to existing or authorized mine facilities including expanding the existing Phase 4 Main and Jasperoid Hill Pits [Phase 7 Pit], modifying and expanding the existing South Waste Rock Storage Facility, installing a new heap leach pad, installing a crusher and associated yard, and installing other ancillary features including four stormwater diversion channels and a dispersion ditch, two cover borrow pits, haul and access roads, growth media and riprap stockpiles, and a sediment pond, the addition and operation of new mine features (including a heap leach pad, a crusher and associated yard, and other ancillary features), and the modification to the current Plan of Operations boundary.

Intensity

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

Potentially beneficial impacts surround Social and Economic Values (jobs and general revenue) and noxious weed control measures associated with the proposed action. Potentially adverse effects were disclosed in the cultural resources and special status sensitive species analysis for the proposed action.

These potentially adverse effects involve impacts to one National Register eligible site associated with the expansion of a waste rock facility, potentially adverse effects involve the sensitive species, Preble's shrew, dark kangaroo mouse, sand cholla, and the Lahontan beardtongue. These potentially adverse impacts will be minimized to less than significant through the implementation of recommended mitigation developed in the EA.

The following criteria air pollutants were modelled for the environmental analysis: NO₂, SO₂, CO, PM₁₀, and PM_{2.5}. Emission estimates were made for greenhouse gas emissions, principally CO₂, and hazardous air pollutants such as mercury. Through the thorough analysis presented in the EA, no levels of exceedance were disclosed that would necessitate the development of mitigation beyond those measures agreed to by the applicant.

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

Mining related activities are not expected to cause adverse public health effects. The proposed operations and proposed action includes a Spill Contingency and Emergency Response Plan, a Fugitive Dust Control Plan and Dark-Sky Measures. Safety requirements would be required by Mine Safety and Health

Administration and the Nevada Industrial Relations Division of Mine Safety. No long-term adverse public health or safety effects 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.

Potentially adverse effects involve impacts to one site eligible for the National Register. The potentially adverse impacts will be minimized to less than significant through the implementation of recommended mitigation developed in the EA and formalized in a Treatment Plan and Memorandum of Agreement approved by the BLM, State Historic Preservation Office (SHPO), and the mining company.

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 or Pershing Counties. 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. No concerns of controversial nature were raised based upon public review of the preliminary EA.

Consideration of this intensity factor is based on the following: As a factor for determining within the meaning of 40 CFR 1508.27(b)(4) whether or not to prepare a detailed EIS, "controversy" is not equated with "the existence of opposition to a use." *Northwest Environmental Defense Center v. Bonneville Power Administration*, 117 F.3d 1520, 1536 (9th Cir. 1997). "The term 'highly controversial' refers to instances in which 'a substantial dispute exists as to the size, nature, or effect of the major federal action rather than the mere existence of opposition to a use.'" *Hells Canyon Preservation Council v. Jacoby*, 9 F.Supp.2d 1216, 1242 (D. Or. 1998).

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

The mining related techniques involved are all common methods employed in the mining industry and are not expected to produce uncertain or unique risks. Although not highly uncertain or involving unique or unknown risks, recommended mitigation was developed in the EA concerning cultural resources and special status species.

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 in various phases of mining.

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

Based on the EA and implementation of the recommended mitigation measures, no significant cumulative impacts are expected. When evaluated together with other past, present or reasonable foreseeable activities in the area, the authorized activity does not result in cumulatively significant impacts beyond those disclosed in the Florida Canyon EIS, October 1997.

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 historical resources.*

Potentially adverse effects involve impacts to one National Register eligible site. These potentially adverse impacts will be minimized to less than significant through the implementation of recommended mitigation developed in the EA and formalized in a Treatment Plan and MOA approved by the BLM, SHPO and the mining company.

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 ESA of 1973.*

Informal consultation was conducted with the United States Fish and Wildlife Service (USFWS) and no threatened or endangered species listed under the Endangered Species Act (ESA) were identified within the Project Area or vicinity. It is recognized in the EA that all components of the Proposed Action have the potential to affect sensitive plant and animal special status species and therefore applicant proposed environmental measures and BLM recommended mitigation were developed in the EA to reduce this potential.

Potentially adverse effects involve the sensitive species Preble's shrew, dark kangaroo mouse, sand cholla, and the Lahontan beardtongue. These potentially adverse impacts will be reduced below any level of significance through the implementation of applicant proposed environmental measures and recommended mitigation developed in the EA.

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 does not violate or threaten any known Federal, State, or local law or requirement imposed for the protection of the environment.



James W. Schroeder
Field Manager
Humboldt River Field Office



Date