

**CHAPTER 1**  
**PURPOSE AND NEED**



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Appendix 1A Scoping Report for the Long Canyon Mine Project

# Chapter 1 Purpose and Need

## 1.1 Introduction

This Environmental Impact Statement (EIS) was written to document the analysis and process used by the Bureau of Land Management (BLM) to evaluate a proposal submitted by Newmont Mining Corporation (Newmont) as required by the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4371 *et seq.*). The BLM has determined that the requirements of NEPA will be best served by preparing an EIS. BLM's NEPA Handbook H-1790-1 (BLM, 2008a) identifies actions that normally require preparation of an EIS, which include approval of any mining operations where the area to be mined or disturbed over the life of the mining plan is 640 acres or larger in size; Newmont's mine plan falls into this category. The BLM plans to serve as the lead agency to prepare the EIS, which will be designed to inform its decision makers of the environmental consequences of the Proposed Action and alternatives including the environmental measures and mitigation that would avoid, minimize, and/or mitigate environmental impacts.

The following are cooperating agencies in the development of the EIS:

- Nevada Department of Wildlife (NDOW),
- United States Environmental Protection Agency, Region IX (EPA),
- Confederated Tribes of the Goshute Indian Reservation,
- City of West Wendover, Nevada,
- City of Wendover, Utah,
- City of Elko, Nevada,
- City of Wells, Nevada, and
- Elko County Board of Commissioners.

This chapter includes background information on the development of the project, a brief description of the project, purpose and need, responsibilities of various participants, necessary permits, relationship to land use plans, the methods used to date to inform the public and receive comments, and results of that process.

## 1.2 Background

Precious metal exploration activities were sporadic in the Pequop Mountains east of Wells, Nevada, until the mid-1990s when the Pittston Nevada Gold Corporation, using geochemical data, discovered several geologic alteration anomalies on the east side of the Pequop Range. Field geologic investigations were initiated, and, in 1999, gold-bearing jasperoids were discovered in Long Canyon. This discovery led to drilling activity in 2000, during which gold mineralization was found. Limited exploration work continued in the Pequop Mountains over the next five years.

In 2007, NewWest Gold USA, Inc. submitted an Exploration Plan of Operations to BLM and the Nevada Division of Environmental Protection (NDEP), Bureau of Mining Regulation and Reclamation (BMRR) to expand ongoing exploration activities in the area that would become known as the Long Canyon Project. The BLM issued an Environmental Assessment (EA), along with a Finding of No Significant Impact (FONSI) relative to the proposed exploration work in July 2008.

During 2007, as the EA was being prepared, NewWest Gold USA, Inc. was acquired by Fronteer Development (USA), Inc., and continued exploration on the Long Canyon Project. After the EA and FONSI were issued and other applicable approvals and permits were received in the summer of 2008, exploration activities were expanded.

In March 2010, Fronteer Development (USA), Inc. submitted to the BLM and NDEP-BMRR a proposed amendment to the Exploration Plan of Operations to expand the exploration program by targeting zones outside the 2007-2008 area of interest. The BLM prepared an EA for this expanded exploration work.

In April 2011, Newmont acquired Fronteer Development (USA), Inc. and continued the ongoing exploration activities. Newmont worked with the BLM on the exploration plan amendment. The BLM issued the EA for this plan amendment in June 2011. After a public comment period, the BLM approved the exploration program in early September 2011 with another FONSI.

In mid-October 2011, Newmont notified the BLM Elko District Wells Field Office of plans to develop a surface mine with supporting ore processing facilities at the Long Canyon Project. Since then, Newmont met with BLM, EPA, and the State of Nevada (NDEP and NDOW) resource specialists to discuss operational, environmental, and reclamation aspects of the project. Input from these discussions, as well as discussions with various local and community stakeholders were instrumental in developing the Plan of Operations for Surface Mining and Ore Processing, Long Canyon Project (Plan). In March 2012, the proposed Plan was submitted to BLM.

## **1.3 Proposed Action**

The Proposed Action is summarized and described briefly here. A detailed description is located in Chapter 2. For the purposes of this EIS, the Proposed Action is the project as described in the Plan submitted to the BLM in March 2012.

### **1.3.1 Plan of Operations**

Newmont proposes to construct and operate an open pit gold mine and ore processing facilities (including a heap leach facility and mill), roads, a waste rock storage facility (WRSF), other support facilities, and an electric generating facility. Approved and additional exploration activities similar to current operations would continue to occur during mining operations. The construction of the mine is expected to take approximately 18 months, and the mine life is

anticipated to be eight to 14 years. Concurrent reclamation would be conducted during mining operations and final reclamation would be completed within three years after mining has ended. Reclamation management and monitoring would continue for several years after reclamation work is complete (Newmont, 2012a).

### **1.3.2 Location**

The Long Canyon Project is located in Elko County, Nevada (Figure 1.3-1). The project area consists of a combination of public and private lands, with some split estate lands (i.e., where the land surface is owned by a different party than the mineral estate) (Figure 1.3-2). Split estate lands within the project area where the surface is public and the mineral estate is held by Newmont are located in Sections 21 and 29 of Township 36 North (T36N), Range 66 East (R66E), Mount Diablo Base Line & Meridian (MDB&M). Public land is managed by the BLM Wells Field Office (Figure 1.3-2).

The Long Canyon Mine Plan Boundary includes all or parts of Sections 24 and 25 of T36N, R65E; Sections 11 through 15, 17, and 19 through 36 of T36N, R66E; and Sections 1 through 6 and 9 through 16 of T35N, R66E, MDB&M (Figure 1.3-1).

Long Canyon Project components and activities would be located in parts of Sections 11, 13, 14, 15, 20 through 36 of T36N, R66E, and in parts of Sections 2, 3, 4, 5, 9, 10, 11, 14, 15, and 16 of T35N, R66E, MDB&M. In addition, municipal supply wells and associated facilities for Wendover, Utah, and West Wendover, Nevada (the Cities) would be in Section 21, T35N, R66E, MDB&M.

The proposed power supply pipeline right-of-way (ROW) would go through Sections 2 and 3, T36N, R66E; Sections 25, 35, and 36, T37N, R66E; Sections 1, 2, 9, 10, 11, 16, 17, 19, 20, and 30, T37N, R67E; Section 36, T38N, R67E; Sections 2, 11, 14, 15, 21, 22, 28, 29, 31, and 32, T38N, R68E; Sections 25 and 36, T39N, R68E; Sections 5, 8, 17, 18, and 19, T39N, R69E; Sections 4, 5, 8, 17, 20, 29, and 32, T40N, R69E; and Sections 6, 7, 18, 19, 29, 30, and 32, T41N, R69E, MDB&M.

## **1.4 Purpose and Need for Proposed Action**

### **1.4.1 Federal Purpose and Need**

The BLM's purpose for the Proposed Action is to provide Newmont with an opportunity to exercise their mineral rights on specific public lands within the proposed Plan Boundary as authorized by the General Mining Law of 1872, as amended. BLM will decide whether to approve, approve with modifications, or deny the proposed project.

The BLM's need for the Proposed Action is to respond to the Plan Newmont submitted to BLM on March 22, 2012. The BLM is required to respond to the Plan to conduct mining operations in compliance with the BLM's Surface Mining Regulations 43 Code of Federal Regulations 3809 (43 CFR 3809), Use and Occupancy under the Mining Laws (43 CFR 3715), 43 CFR 2800 and

Title V of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1701 et seq.) regarding ROWs, NEPA, and other statutes. NEPA mandates that BLM evaluate or analyze the impacts of the proposed project and develop alternatives and mitigation, when necessary, to lessen any impacts to the resources. The BLM must determine if the proposed project would create unnecessary or undue degradation to the public lands involved in the action.

#### **1.4.2 Background and Proponent Objectives**

The BLM is responsible for managing mineral rights and access on public lands as authorized by the General Mining Law of 1872, as amended. Owners of mining claims are entitled to reasonable access to explore for and develop mineral deposits on public domain lands that have not been withdrawn from mineral entry.

In order to use public lands managed by the BLM for locatable mineral exploration and development, Newmont must comply with the BLM's Surface Management Regulations for, Use and Occupancy under Mining Laws, FLPMA, Nevada Mine Reclamation Law, and other applicable statutes.

Newmont's objectives for the proposed project are to conduct surface mining and ore processing from the proposed Long Canyon Mine to the optimal extent possible; and to operate and reclaim the proposed facilities in a manner that is environmentally responsible, safe, and in compliance with applicable laws and regulations.

### **1.5 Regulatory Authority and Decisions to be Made**

Mining operations on public lands must comply with BLM regulations for mining on public land (43 CFR 3809); Use and Occupancy under the Mining Laws (43 CFR 3715); the Mining and Mineral Policy Act of 1970; FLPMA; and the approved Wells Resource Management Plan (RMP) (BLM, 1985). These laws recognize the statutory right of mining claim holders to develop federal mineral resources under the General Mining Law of 1872.

The BLM is required under agency policies to analyze proposed mining operations to ensure: 1) adequate provisions are included to prevent undue or unnecessary degradation of public land; 2) measures are included to provide reasonable reclamation of disturbed areas; 3) use and occupancy of public land for development of locatable mineral deposits is limited to that which is reasonably incident to prospecting, mining, or processing operations; and 4) proposed operations would comply with other applicable federal, state, and local statutes and regulations.



**Figure 1.3-1 General Location Map**



**Figure 1.3-2 Land Ownership**



The BLM must complete an analysis of impacts to the human environment stemming from an agency action (i.e., approving a mine plan of operations) as required by NEPA. The BLM will decide whether or not to approve Newmont's Plan (Proposed Action) for the Long Canyon Mine as submitted, approve an alternative to the Proposed Action, approve the Proposed Action with stipulations, or deny the Proposed Action (No Action Alternative). The BLM may select an alternative or place stipulations on the Proposed Action to mitigate environmental impacts.

When the BLM is ready to make a decision, a Record of Decision (ROD) would be signed and publicized stating what the final decision is and the rationale for its selection.

## 1.6 Relationship to Plans, Policies, and Programs

### 1.6.1 Land Use Plan Conformance

The Long Canyon Mine Plan (Newmont, 2012a) has been reviewed for compliance with BLM policies, plans, and programs. The proposal is in conformance with the Wells RMP ROD approved in July 1985 (BLM, 1985).

### 1.6.2 State and Local Land Use Plans and Policies

The State of Nevada's 1986 Statewide Policy Plan for Public Lands Section on Mineral Resources (NDSL, 1985) states the Goals for Mineral Resources as: 1) recognize that the development of Nevada's mineral resources is desirable and necessary to the nation, the state, and particularly to the rural counties of the state; 2) retain existing mining areas and promote the expansion of mining operations and areas, while respecting other resource values; and 3) develop policies and regulations that provide for the long-term availability and responsible development of Nevada's mineral resources.

Elko County, in cooperation with the Nevada Division of State Lands, developed an Elko County Public Lands Policy Plan (Elko County, 2008). The Proposed Action is consistent with this plan, which recognizes the economic importance of developing mineral resources within the county. Policy 14-1 of this plan states that it is the objective/goal of this plan to "...retain existing mining areas and promote the expansion of mining operations and areas not specifically withdrawn."

### 1.6.3 Required Permits and Approvals

Implementing the Proposed Action would require permits and authorizations from several federal, state, and local agencies. Those permits and authorizations are listed in Table 1.6-1.

**Table 1.6-1 List of Potential Permits and Approvals**

Agency	Permit/Authorization
<b>Federal Government</b>	
Bureau of Land Management	Plan of Operations Reclamation Financial Assurance National Trail System Act of 1968 (NTSA) Rights-of-Way, etc.
Environmental Protection Agency	Notification of Hazardous Waste Activity

<b>Agency</b>	<b>Permit/Authorization</b>
United States Fish and Wildlife Service	Threatened & Endangered Species Consultation
Federal Communications Commission	Radio Authorizations
United States Department of Transportation	HazMat Transportation Permit
Treasury Department (Department of Alcohol, Tobacco, Firearms, and Explosives)	Explosives User Permit
BLM, Advisory Council on Historic Preservation (ACHP)	National Historic Preservation Act (NHPA)
Mine Safety and Health Administration (MSHA)	Mine Identification Number Legal Identity Report Ground Control Plan Miner Training Plan
<b>State of Nevada</b>	
Commission on Mineral Resources Division of Minerals	Mine Registry Annual Status and Production Report
Department of Business and Industry Division of Industrial Relations	Notice of Mine Opening and Closing
Department of Conservation & Natural Resources Division of Environmental Protection Bureau of Air Pollution Control	Surface Disturbance Permit Air Quality Operating Permit
Department of Conservation & Natural Resources Division of Environmental Protection Bureau of Mining Regulation and Reclamation	Water Pollution Control Permit Mining Reclamation Permit
Department of Conservation & Natural Resources Division of Environmental Protection Bureau of Waste Management	Class III Waiver Landfill Hazardous Waste Management Permit
Department of Conservation & Natural Resources Division of Environmental Protection Bureau of Water Pollution Control	Stormwater National Pollutant Discharge Elimination System (NPDES) General Permit
Department of Conservation & Natural Resources Division of Environmental Protection Bureau of Safe Drinking Water	Drinking Water Supply Facilities
Department of Conservation & Natural Resources Division of Water Resources	Permit to Appropriate Public Waters Permit to Construct Dam Mineral Exploration Hole Plugging
Department of Wildlife Habitat Division	Wildlife Consultation Industrial Artificial Pond Permit
Department of Human Resources State Health Division	Radioactive Material License
Department of Public Safety State Fire Marshal	Hazardous Materials Permit
Department of Conservation and Natural Resources State Historic Preservation Office (SHPO)	Cultural Resource Compliance
<b>Elko County</b>	
Building Department	Building Permits Septic System Approval
Roads Department	County Road Maintenance & Upgrade

## 1.7 Scoping and Issues

### 1.7.1 Scoping

Scoping was conducted as required by the Council on Environmental Quality (CEQ) regulations on implementing NEPA (40 CFR 1501.7). The Notice of Intent (NOI) to prepare an EIS was published on July 19, 2012, in the *Federal Register*, (Federal Register, 2012). Publication of the NOI initiated the formal scoping period. BLM extended the scoping period from the minimum 30 days to 45 days. In addition to public scoping comments, the BLM conducted internal scoping among its Interdisciplinary (ID) Team members.

Public comments were solicited during a scoping period from July 19, 2012 through September 4, 2012. The goal of public involvement is to gain public understanding and participation in the analysis and decision-making. Three public scoping meetings were held. Table 1.7-1 shows the date, location, and number of sign-ins for each scoping meeting.

**Table 1.7-1 Scoping Meeting Sign-In**

Date	Location	Number Signed In
August 6, 2012	Wendover, Utah	19
August 7, 2012	Elko, Nevada	13
August 8, 2012	Wells, Nevada	26

By the close of the 45-day scoping period, 31 letters and emails had been received. These letters and emails were reviewed for content to identify issues and concerns that needed to be analyzed, potential additional alternatives, and information sources to consider during the NEPA process and in the EIS.

The scoping effort and results were documented in the Scoping Report for the Long Canyon Mine Project (JBR, 2013c) (Appendix 1A). This report documents the issues identified during scoping.

Government-to-government consultation with potentially interested tribes and tribal groups was initiated by BLM during scoping and will continue through issuance of the ROD (see Section 3.12.3.1).

### 1.7.2 Issues Analyzed

The following issues were used to develop alternatives to the Proposed Action or analyzed in the EIS. For each resource, the direct, indirect, and cumulative effects will be analyzed along with a determination of whether regulatory requirements governing management will be met. Issues and concerns were identified through both internal and public scoping.

#### 1.7.2.1 Air Quality

- How will gaseous, dust, particulate, or mercury emissions from all mine facilities and operations affect the environment?

- Will project operations require additional air permitting (Title V)?
- Will the project meet the National Ambient Air Quality Standards (NAAQS)?
- What are the Prevention of Significant Deterioration (PSD) increments in the area?
- What Class I areas are within 100 kilometers?
- What and how much greenhouse gas will be emitted?
- What will the impact of climate change be on the project and other resources, and what will be project's impact on climate change?

#### **1.7.2.2 Cultural Resources**

- What are the impacts on known sites and others that may be found in the future?
- What requirements for consultation with the Nevada SHPO, tribes, and interested parties must be included?
- What mitigation needs to be applied to minimize or eliminate effects?
- What will be the impacts on the original Hastings Cutoff of the California Trail?
- What will be the impacts on cultural resources documented in the project area, including Big Springs Ranch, middle and late archaic sites in both upland and valley floor locations, and historic Chinese woodcutting camps?
- Are there any paleontological resources that may be affected?

#### **1.7.2.3 Native American Concerns**

- What consultation is required with tribes with ancestral ties to the area and tribal rights?
- What will be the impacts on known sacred and spiritual sites and food and medicine gathering locations?
- How will tribal concerns regarding cultural resources be addressed?

#### **1.7.2.4 Recreation**

- What will be the impacts on recreation, particularly solitude, hunting, trapping, organized recreational activities, and non-motorized use?
- Will public access for recreation be affected?

#### **1.7.2.5 Wilderness Characteristics**

- What wilderness characteristics occur and how will they be affected?
- What mitigation can be included to ensure wilderness designation in the future is not foreclosed?



#### **1.7.2.6 Socioeconomic**

- How will the project impact employment, high paying jobs, sales taxes, property taxes, and health care benefits?
- What will the impacts be on Wells, Wendover, West Wendover, the Wells Colony, and Elko County?
- Will the project spur growth in retail and health care, and diversify the economic base?
- Will issues with water supply be an economic burden on Wendover and West Wendover?
- Will the effects on scenic quality adversely affect the economic viability of the area?
- Will the project result in Wendover and West Wendover having to repay United States Department of Agriculture loans for developing the water supply sooner than previously anticipated?
- What are the reclamation bonding requirements?
- What impacts could necessitate a long-term trust fund?
- What financial assurance is there that all of the post-closure activities will be kept current as conditions change?

#### **1.7.2.7 Lands and Realty**

- Does the proposed infrastructure (transmission lines, pipelines, roads, corridors) meet BLM requirements for ROWs?
- Can existing ROWs be used?
- What will be the effects on existing access routes and roads and their associated travel management?

#### **1.7.2.8 Wildlife**

- How will noise and human activities affect wildlife?
- What are the specific impacts to wildlife from ground disturbance associated with the waste rock, heap leach, and tailings?
- How will potential changes in water quality and quantity affect wildlife?
- How will the project affect wildlife migration patterns?
- What are the impacts on mule deer winter range?
- What are impacts on species of concern (mule deer) and is there additional mitigation needed to minimize or eliminate impacts?

#### **1.7.2.9 Special Status Species (including Threatened, Endangered, and Sensitive)**

- What are the impacts on special status species?

- What are impacts on sage-grouse, sage-grouse leks (i.e., from noise), snails, bats, pygmy rabbits, and is there additional mitigation needed to minimize or eliminate impacts?
- What will be the impact on buckwheat, which is used by sensitive butterflies?

#### **1.7.2.10 Livestock Grazing**

- How will the project affect the base property to which the grazing permits for the East Big Springs Allotment are attached? Will the base property have to be re-described?
- How many Animal Unit Months (AUMs) will not be available because of the mine facilities?
- What range improvements will be affected by taking the land out of production and will they result in a loss of investment for the grazing permittee?
- Will livestock grazing be allowed on reclaimed areas (pads, tailings, ponds, waste rock, etc.)?
- Will changes result in a loss of investment for the permittee (i.e., will range improvements be damaged or unavailable for use in the future)?

#### **1.7.2.11 Vegetation (including Noxious Weeds and Invasive Species)**

- Will there be impacts on the bark beetle infestation?
- Will riparian vegetation be affected by mine water use?
- Will wetlands be affected?
- Will noxious weeds and invasive species spread?
- What is the effect of closing public access on commercial forest products (pine nuts, Christmas trees)?

#### **1.7.2.12 Minerals and Geology**

- Will the project affect current and future mineral resources?
- How much mineral will be extracted?

#### **1.7.2.13 Soils**

- What erosion and sedimentation is expected as a result of the project?
- Will reclamation be successful?
- Will soils be contaminated?

#### **1.7.2.14 Transportation**

- Will relocating the county road affect access to specific areas?

- Are the interchanges on the interstate adequate to accommodate additional mine-related traffic?
- Can the underpass for State Road 233 accommodate mine-related equipment?
- Will traffic increase?

#### **1.7.2.15 Water**

- Will surface water and/or groundwater quantity and quality be affected by operations and afterwards?
- Will existing municipal water supply sources in the vicinity of the site be impacted in quality or quantity?
- Will the pit intercept groundwater?
- How effective are Best Management Practices (BMPs) at protecting water?
- How will pumping large quantities of water affect Johnson Springs?
- Will the project create new ponds?
- Can mitigation be implemented in advance to avoid habitat losses?
- What will the post-closure groundwater elevation recovery be?
- Is there a potential for perched water or other shallow aquifers to be intercepted?
- Will any of the components be within the 25- or 100-year floodplain?
- Will the off-site ore processing affect water?

#### **1.7.2.16 Water Rights**

- Will existing water rights in the vicinity of the site be impacted?

#### **1.7.2.17 Hazardous Materials and Public Safety**

- What are the potential impacts of failure of containment systems and are the impacts irreversible?
- Is there an increase in the risk of spills of hazardous materials during transportation?

#### **1.7.2.18 Visual Resources**

- What will be the impacts on scenic quality?
- How will the project impact night skies in the area?

#### **1.7.2.19 Land Use and Access**

- Are there special uses that may be displaced?

#### 1.7.2.20 Noise

- Will noise levels change from construction and operations?
- Where are the noise receptors?

#### 1.7.3 Issues Considered But Not Analyzed

Several resources were not analyzed in detail because they will not be affected by the Proposed Action (generally, because they do not occur in the project area). These include:

- Transcontinental Railroad;
- Areas of Critical Environmental Concern (ACECs);
- Wild Horses;
- Wild and Scenic Rivers; and
- Floodplains.

### 1.8 Organization of the EIS

The document is organized into seven chapters with additional reference sections:

**Front Matter.** The front matter contains the Executive Summary, Table of Contents, and a List of Acronyms that are used in the EIS.

**Chapter 1. Purpose and Need:** Chapter 1 includes information on the history of the project proposal, the purpose of and need for the project, and the agency's proposal for achieving that purpose and need. This section also details how the BLM informed the public of the proposal and how the public responded.

**Chapter 2. Proposed Action and Alternatives:** Chapter 2 provides a more detailed description of the Proposed Action and alternatives. The No Action Alternative and action alternative that will be evaluated in this EIS are described along with alternatives considered but eliminated from further consideration. Chapter 2 also identifies potential mitigation measures. Finally, this section provides a summary table of the environmental consequences associated with each alternative and BLM's preferred alternative.

**Chapter 3. Affected Environment:** Chapter 3 describes resource specific requirements of the RMP, current conditions of resources that may be affected, analysis methods, and data sources.

**Chapter 4. Environmental Consequences:** Chapter 4 includes the direct and indirect environmental effects of implementing the Proposed Action and other alternatives on the resources presented in Chapter 3. The effects analysis discloses both beneficial and adverse effects that are anticipated to occur and any residual impacts remaining after implementation of mitigation. This chapter also identifies the relationship between short-term uses and long-term productivity effects and irreversible or irretrievable commitment of resources.

**Chapter 5. Cumulative Effects:** Chapter 5 discloses the overall cumulative impacts of the direct and indirect effects when added to the effects of past, present, and reasonably foreseeable actions. These actions are identified and summarized.

**Chapter 6. Consultation and Coordination:** Chapter 6 provides a list of preparers and agencies consulted during the development of the EIS, along with the distribution list for the draft EIS (DEIS).

**Chapter 7. Public Comments and Responses on the DEIS:** Chapter 7 provides public comments that were submitted regarding the DEIS and responses from the BLM.

**Chapter 8. References, Glossary, and Index:** Chapter 8 lists the references and sources cited throughout the EIS, defines some technical terms, and provides an index showing page numbers for keywords and subjects.

**Appendices:** Additional documentation, including more detailed analyses of project area resources, is available in the project planning record located at the BLM Elko District Office 3900 East Idaho Street, Elko, Nevada 89801.

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