

## **Decision Record**

### **FF096399 (2920)**

#### Decision:

I have selected the proposed action alternative as described in Environmental Assessment (EA) DOI-BLM-AK-F020-2014-0005. A Finding of No Significant Impact has been completed and a determination was made that the proposed action will not have a significant effect on the human environment and an environmental impact statement is not required.

It is my decision to authorize Fairbanks Gold Mining Inc. (FGMI) to conduct mineral assessment activities on public lands located approximately 25 miles northeast of Fairbanks, Alaska.

#### Public Comments:

The Bureau of Land Management (BLM) completed a Notice of Realty Action in the Federal Register prior to accepting FGMI's land use application for review. During the public comment period for the proposed action, the BLM received comments concerning the following:

1. Encroachment on the NOAA facilities.
2. Revoking mining claims within the withdrawal or put mining on hold to protect the NOAA facilities.
3. The impacts of future blasting on area residents.
4. Keeping existing trail trails open and unblocked.
5. The impacts of the BLM decision on public use of the area.
6. The impacts of increased traffic on the road between Fox and the mine site (more vehicles and dirt).

#### Response to Public Comments:

Encroachment on the NOAA facility is not an issue. On February 18, 2014 the BLM received a letter from the NOAA stating that the activities being proposed by FGMI would not interfere with the proper operations of the Fairbanks Command and Data Acquisition Station as long as the permit conditions and site specific stipulations developed by them, and listed in the Required Conditions of Approval section below are adhered to.

Federal mining claims located within the boundaries of the NOAA withdrawal will not be impacted by the proposed action. The impact that existing Federal mining claims have on the NOAA facilities is not germane to the proposed action and therefore it was not discussed in the EA.

One commenter expressed concern regarding the impact of future blasting activities on local residents. Since blasting is not part of the activities currently being authorized by the BLM it was not discussed in the EA.

Comments concerning the impact that the proposed action will have on public uses of the area were addressed in the Recreation section of the EA. Conditions of Approval related to recreational use are listed in below.

Regarding the impacts of increased traffic on the road between Fox and the mine site; the roadway between these two locations is not managed by the BLM. In addition, mineral assessment activities are already occurring on non-BLM lands associated with the Fort Knox mining operations. The BLM's decision to authorize mineral assessment activities on adjacent lands managed by the BLM is not expected to result in a sizable increase in traffic and dirt along the road from Fox to the Fort Knox mine site.

Rationale for Decision:

1. The proposed action is consistent with the use of public lands under the authority of Section 302 of the Federal Land Policy Management Act and the regulations found in 43 CFR 2920.
2. The NOAA does not object to the proposed action as long as the permit conditions and site specific stipulations developed by them, and listed in the mitigation and monitoring section below are adhered to.
3. There are no anticipated impacts to cultural resources.
4. The proposed action will not significantly restrict subsistence uses.
5. The proposed action will not impact salmon or habitat known to support salmon and therefore, the proposed action was assigned the Essential Fish Habitat (EFH) determination: *No effect* and no further EFH consultation is required.

Required Conditions of Approval:

Cultural Resources

1. To avoid direct and indirect impacts to documented Alaska Heritage Resources Survey (AHRS) sites and undocumented historic features present throughout the study area, FGMI's exploration activities would be limited to areas surveyed by Northern Land Use Research Alaska, LLC (NLURA) and Michigan Tech University, and found void of cultural resources
2. No exploration activities would occur within 25 feet of documented AHRS sites, NLURA avoidance areas, or un-surveyed areas.
3. If FGMI intends to conduct activities outside of the cleared areas, FGMI will work with the BLM to complete compliance with the regulations (36 C.F.R. § 800) of Section 106 of the National Historic Preservation Act (NHPA).
4. If resources are determined eligible, FGMI will work with the BLM, State Historic Preservation Office (SHPO), and consulting parties to assess effects from FGMI activities to such resources, and develop avoidance, minimization, or mitigation measures to address any adverse effects; thereby completing the Section 106 process. No exploration activities would occur outside of cleared areas until the Section 106 process has been completed.

## Invasive Non-native Species

1. The permittee will be expected to take actions to prevent the introduction, establishment, and spread of non-native, invasive plants in the project area. The permittee will utilize qualified personnel to inspect reclaimed areas (a minimum of one full growing season following reclamation) for the presence of non-native and invasive plants and report inspection results to BLM. BLM will require the permittee to eradicate and control infestations of plants of medium or high concern prior to considering the reclamation complete.

## Recreation

1. FGMI will post signs to inform trail users about planned equipment moves.
2. In consideration of public health and safety, sections of the existing trails would potentially be closed to the public when being used to mobilize equipment during the exploratory program. Any proposed trail closures must be coordinated with the BLM in advance, be temporary in nature, and shall be posted.

## Wildlife/Aquatic

1. Avoid drilling in stream channels to minimize impacts to aquatic resources.
2. Avoid drilling (or construction of drill pads, trails or roads) within 25 ft. of stream banks to minimize potential erosion and impacts to water quality (e.g. increased turbidity) and run-off and impacts to riparian vegetation.
3. Excluding the site specific work discussed in the EA within the Tom Creek drainage, FGMI must coordinate with the BLM prior to conducting ground disturbing activities within 25ft of a stream. This includes the construction of stream crossings and drill pads.

## NOAA Permit Conditions and Site Specific Stipulations

1. All parties recognize that the National Environmental Satellite, Data and Information Service (NESDIS), of the NOAA, has not changed its position that full scale open pit mining activities within the Gilmore Creek Valley withdrawal area would likely adversely impact the Fairbanks Command and Data Acquisition Station (FCDAS). Authorization for access does not obligate NESDIS, the Bureau of Land Management (BLM), or the Fairbanks Gold Mining Inc. (FGMI) to future activities agreements or authorizations.
2. FGMI agrees to abide by the conditions contained herein. These conditions are applicable to FGMI's "Plan of Use" that was included as Exhibit C to its correspondence to the NOAA Under Secretary dated July 20, 2012 as updated and revised by FGMI's Land Use Proposal to BLM dated January 28, 2014 ("Land Use Proposal"), in which it proposes to undertake a three year mineral assessment program consisting of geologic mapping, soil sampling and drilling within the boundary of NOAA's FCDAS in and around the portion that borders FGMI's current open-pit mine operation. These conditions would also be applicable to any BLM authorized mineral assessment activities on existing FGMI

unpatented mining claims located within the exterior boundary of the “Lands”, as defined in the Land Use Proposal.

3. FGMI agrees to share with the BLM State Director any information or data that it obtains as a result of its mineral assessment activities and BLM agrees to treat such information confidentially to the fullest extent allowed by law.
4. FGMI will utilize equipment specified in its Land Use Proposal. No equipment or machinery, not listed in the Land Use Proposal, will be used in conjunction with the proposed activities without the prior written approval by NOAA.
5. FGMI agrees that it will not utilize any radio equipment except in the event of an emergency. Cellular telephone usage is allowable.
6. All activities must be confined to specific Federal lands, containing approximately 25 acres, and shall not impact valid existing mining claims not owned or controlled by FGMI or a FGMI affiliate. All activities will be conducted so as to avoid or minimize disturbance to the environment, all holes drilled by FGMI will be plugged and reclaimed, and all damage to the FCDAS site caused by FGMI will be reclaimed in accordance with State of Alaska and Federal law including any additional mitigation or remediation required by approved environmental documentation.
7. FGMI agrees that a BLM geologist may be involved in the drilling program activities; however, participation of a BLM geologist is not mandatory for FGMI to carry out the proposed field activities. Any BLM geologist must be accompanied by FGMI personnel when crossing Fort Knox lands. Any BLM geologist must follow safety and hazard warnings.
8. FGMI agrees that, at the discretion of NESDIS, the field party may be accompanied by security personnel or other persons deemed necessary; however, NESDIS accompaniment is not mandatory for FGMI to carry out the proposed field activities, NESDIS personnel shall not interfere with FGMI employees so long as they are operating within the guidelines of the conditions contained herein. Any NESDIS personnel must be accompanied by FGMI personnel when crossing Fort Knox lands. Any NESDIS personnel must follow safety and hazard warnings.
9. FGMI agrees the ingress and egress to the FCDAS property will be by existing improved and unimproved access roads that connect directly to the Fort Knox mine property which is located east of the FCDAS boundary. Such ingress and egress will occur with at least twenty-four hours advance notice to FCDAS. It is anticipated that ingress will occur on a daily basis during the mineral assessment program. Ingress for most of the larger equipment will occur at the beginning of the drilling operations and egress at the end of the operation. Other equipment may need to be removed or replaced due to mechanical failure or extreme weather.
10. FGMI personnel and FGMI contractors entering the FCDAS site must be United States citizens or permanent residents (“green card holder”) and have a valid photo identification issued by a governmental entity or a valid Alaska driver’s license showing their name and permanent address.
11. NESDIS will notify FGMI to stop exploration activities in the event these activities cause interference detrimental to NESDIS FCDAS operation, including degradation and/or loss of the FCDAS data stream, as determined by NESDIS. FGMI agrees to cease work operations immediately when so notified. In the event of interference, NESDIS agrees to work with FGMI to seek viable mitigation alternatives, including, but not limited to,

scheduling FGMI operations so they do not cause interference or identifying particular FGMI equipment that is causing interference, or substitutions or modifications to the equipment.

12. FGMI acknowledges the NESDIS will not be responsible for any damage or loss of FGMI property, nor will NESDIS be liable for the acts or omissions of FGMI employees, contractors, or duly authorized representatives while they are involved in mineral assessment activities on FCDAS property.
13. NESDIS and FGMI have specified the following persons as contacts to provide realtime communications between on-site FGMI team(s) and FCDAS:

Larry Ledlow, Jr.  
FCDAS Station Manager  
Office Phone: 907-451-1274  
Cell Phone: 907-378-2506

George McAulay  
FCDAS Senior Systems Engineer  
Office Phone: 907-451-1230  
FGMI Project Geologist

Chris Eckstrom  
Cell Phone: 907-590-2104  
FCDAS Operations Shift Leader – 24-hour emergency POC  
Office Phone: 907-451-1222

14. This authorization is in effect for so long as needed to complete the proposed mineral assessment activities. This authorization can be withdrawn, in writing, should FGMI fail to abide in any material way with the conditions stated herein.
15. FGMI shall provide a schedule of activities to FCDAS for their proposed operations, indicating proposed dates, times, and locations of operations within 10 days of receipt of the BLM approval. No operations shall begin prior to 1 week after receipt of the schedule by FCDAS to enable NESDIS to deploy a monitoring team, should it choose to do so. Schedule changes shall be provided by FCDAS to NESDIS 1 week prior to implementation.

Appeal Provisions:

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed with the Bureau of Land Management, Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska 99709-3844 within 30 days from receipt of this decision. Appeals from administrative decisions issued by BLM-Alaska must be filed in writing in the office of the deciding official, either by mail or hand delivery. Notices of appeal transmitted by electronic means, such as facsimile or e-mail will not be accepted as timely filed.

/s/ Lenore Heppler  
Lenore Heppler  
Field Manager, Eastern Interior Field Office

9/18/2014  
Date

Contact Person

For additional information concerning this decision, contact Michael Gibson at the Bureau of Land Management Eastern Interior Field Office, 1150 University Avenue, Fairbanks, Alaska, 99709, or by telephone at 907-474-2263.